



ST. JOHN'S  
UNIVERSITY



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ANNUAL SECURITY and  
FIRE SAFETY REPORT

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## The Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, and the Violence Against Women Reauthorization Act of 2013 requires an institution to prepare an annual security report reflecting its current policies that contains, at a minimum, the following information:

- Publish an annual report every year by October 1 that contains three years of campus crime and fire safety statistics and certain campus security policy statements.
- Disclose crime statistics for the campus, public property and certain non-campus buildings or properties. The statistics must be gathered from campus police or security, local law enforcement, and other University officials who have “significant responsibility for student and campus activities.”
- Provide “timely warning” notices for any Clery Act crime that represents an ongoing threat to the safety of students or employees.
- Issue an emergency notification upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.
- Disclose in a public crime log “any crime that occurred on campus...or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department.”
- Maintain in a public fire log a record of any fire that occurred in an on-campus student housing facility.
- Disclose missing student notification procedures that pertain to students residing in an On-Campus Student Housing Facility.
- Disclose fire safety information related to an On-Campus Student Housing Facility.
- Provide educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault, and stalking; provide primary prevention and awareness programs to all incoming students and new employees; and provide ongoing prevention and awareness campaigns for students and employees.
- Disclose procedures for institutional disciplinary action in cases of dating violence, domestic violence, sexual assault, and stalking.

## Important Phone Numbers

### Department of Public Safety

Emergency number: 718-990-5252  
Queens campus: 718-990-6281  
Staten Island campus: 718-390-4487  
Manhattan campus: 212-277-5155  
Andrew Bartilucci campus: 718-990-8435  
Confidential Tip Line: 718-RED-SAFE (718-733-7233)  
Local Law Enforcement–New York City Police Department: 911

**Fire Safety Director** 718-990-6389 (to report a fire or other emergency, call Public Safety)

### International Sites

Office of International Education (Queens, NY): 718-990-6105  
Rome, Italy  
Security Desk: +39-06-393-84299 (St. John’s University security)  
Paris, France  
Security Desk: +33-(0)-1-7745-8901 (St. John’s University security)  
Limerick, Ireland:  
Mary Immaculate College security - +353-61-204300  
Local law enforcement can be contacted by dialing (112) while at an international campus.

## **Title IX**

Title IX Coordinator, Danielle Haynes: 718-990-2660, [titleix@stjohns.edu](mailto:titleix@stjohns.edu)  
Deputy Title IX Coordinator, Jackie Lochrie: 718-990-6568  
Deputy Title IX Coordinator, Kristin Quinn: 718-990-2643

## **Confidential Resources for Students**

Campus Support Advisor for Students: 718-990-8484  
Center for Counseling and Consultation (CCC)  
Queens campus: 718-990-6384  
Staten Island campus: 718-390-4451  
Campus Ministry  
Queens campus: 718-990-6255  
Staten Island campus: 718-390-4475  
Student Health Services  
Queens campus: 718-990-6360  
Staten Island campus: 718-390-4447

## **Confidential Resources for Faculty, Administrators, and Staff**

Employee Assistance Program (800) 833-8707 or [www.myccaonline.com](http://www.myccaonline.com) (company code "STJOHNS")  
Campus Ministry  
Queens campus: 718-990-6255  
Staten Island campus: 718-390-4475

**Dean of Students** – Jackie Lochrie: 718-990-6568

**Director of Residence Life** - Jason T Bartlett PhD: 718-990-2714

**Assistant Dean of Students** – Jack Flynn: 718-990-5036

**Office of Human Resources** – 718-990-1865

## **Preparation and Disclosure of Crime Statistics**

The Clery Act requires institutions to disclose statistics for crimes based on (1) Where the crime occurred, (2) to whom the crimes were reported, (3) the types of crimes that were reported, and (4) the year in which the crimes were reported.

1. Institutions must disclose statistics for reported Clery Act crimes that occur
  - a. On Campus - (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).
  - b. Non-Campus - (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
  - c. Public Property - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
  - d. On-Campus Student Housing Facility - Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

2. To whom the crimes were reported - Under the Clery Act, a crime is “reported” when it is brought to the attention of a campus security authority, the institution’s police department or campus safety office, or local law enforcement personnel by a victim, witness, other third party, or even the offender. It doesn’t matter whether or not the individuals involved in the crime, or reporting the crime, are associated with the institution. If a campus security authority receives a report, he or she must include it as a crime report. Therefore, statistics are based on reports of alleged criminal incidents. It is not necessary for the crime to have been investigated by the police or a campus security authority, nor must a finding of guilt or responsibility be made to include the reported crime in the institution’s crime statistics.
3. The types of crimes that were reported - The Clery Act directs the disclosure of the following categories of crime statistics:
  - a. Criminal Offenses—Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault (including Rape, Fondling, Incest, and Statutory Rape); Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson.
  - b. Hate Crimes—Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias;
  - c. VAWA Offenses—Any incidents of Domestic Violence, Dating Violence, and Stalking.
  - d. Arrests and Referrals for Disciplinary Action for Weapons Law Violations —Carrying, Possessing, etc., Drug Abuse Violations, and Liquor Law Violations.
4. The year in which the crimes were reported – Statistics for all Clery Act crimes must be reported by the year in which the crime was reported.

This report is prepared by St. John’s University Department of Public Safety in cooperation with the local law enforcement agencies surrounding our campuses, student life, general counsel, Title IX, and business affairs. Each entity provides updated information on their educational efforts and programs to comply with the act. Campus crime, arrest, and referral statistics include those reported to the St. John’s University Department of Public Safety, student conduct advisors, campus security authorities, and local law enforcement agencies. A procedure is in place to anonymously capture crime statistics disclosed confidentially to student health services; to the campus support advisor for students; and during a pastoral counseling session or professional counseling session.

Each year, an email notification is sent to all enrolled students and employees that provides the website to access this report. Copies of the report may also be obtained at the Department of Public Safety on all campuses. All prospective employees may obtain a copy from the Office of Human Resources and the website address will be included in the automated email response to all job applications. All prospective students are provided with a direct link to the website to access the report.

Crime statistics for the University can also be found at the US Department of Education website at <http://ope.ed.gov/security>.

## Daily Crime Log and Fire Log

The University maintains a daily crime log on each campus and a fire log on each campus that contains on-campus student housing facilities. The purpose of the daily crime log is to record all criminal incidents and alleged criminal incidents, not just Clery Act crimes. The purpose of the fire log is to record, by the date reported, any fire that occurs in an on-campus student housing facility. The crime and fire log for the most recent 60 days is open to the public for inspection during normal business hours. Portions of crime and fire logs that are older than 60 days will be made available for inspection within two business days. Information that could identify either the victim or the alleged perpetrator is excluded. To arrange a crime and fire log inspection, please contact the Executive Director of Public Safety.

## Timely Warning

**Timely Warning Policy** -In the event that a situation arises, either on or off campus of any St. John’s University sites, that, in the judgment of the Executive Director of Public Safety or designee constitutes an ongoing or continuing threat, a campus-wide Public Safety Alert will be issued. All University employees, students, and visitors are encouraged to report criminal activity or activity that poses a continuing threat to the campus community to the Department of Public Safety. The Executive Director or designee will assess the reported incident for the issuance of a timely warning. Timely Warnings will be issued through the University’s email



system to students, faculty, administrators, and staff, and it will be posted on the Public Safety website. Depending on the particular circumstances of the crime, especially in situations that could pose an immediate threat to the community and individuals, the Office of Public Safety may also issue an emergency text and voice message alert through the University Emergency Notification System and/or utilize the public address system on campus to alert the community. The names of victims will be withheld as confidential.

**Timely Warning Notices** - Timely Warnings will be titled “Public Safety Alerts” and will be issued to the affected campus-wide community. The warning will be issued through the University’s email system. The intent of the warning is to enhance the safety of the community by providing notification of crimes that occur on or nearby campus property and are considered by the Executive Director of Public Safety to present a serious or continuing threat to students and employees. “Public Safety Alerts” are issued in compliance with federal law, for Clery Act reportable crimes that occur the University’s Clery Act geography, and for reported incidents that in the judgment of the Executive Director of Public Safety or designee constitutes an ongoing or continuing threat. Incidents disclosed to a pastoral or professional counselor are exempt from the Timely Warning policy. They do not present, nor are they intended to present, a complete picture of crime on campus. These alerts also offer a tip that will aid in the prevention of similar occurrences.

## Emergency Response and Evacuation Procedures

**Emergency Response** - The University’s Emergency Preparedness Operating Plan includes information about Campus Emergency Operations Teams, University operating structure and emergency levels, and shelter-in-place and evacuation guidelines. The University conducts emergency response exercises each year, such as tabletop exercises, field exercises, and tests of the Emergency Notification Systems on campus.

These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.



Public Safety officers and supervisors have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually Public Safety personnel. Depending on the nature of the incident, other University departments and other local or federal agencies could also be involved in responding to the incident. General information about the emergency response and evacuation procedures for St. John’s University are publicized each year as part of the institution’s Clery Act compliance efforts.

All members of the St. John’s University community are notified by University email on an annual basis that they are required to notify the Department of Public Safety of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. The Department of

Public Safety has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. Often Public Safety personnel are the first responders, and as such, will often determine if the situation does in fact pose a threat to the community. If that is the case, federal law requires that the University immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

### **Notification to the St. John’s University Community about an Immediate Threat -**

The Office of Public Safety receives information from various offices, departments, and campuses, such as Facilities Services and Environmental Health and Safety. If the Department of Public Safety confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the University community, the Executive Director of Public Safety or his/her designee will determine the content of the notification and will use some or all of the systems described below to communicate the threat to the St. John’s University community. The message may be segmented to a particular building or to a particular segment of the population. The Executive Director of Public Safety or his/her designee will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event the emergency or dangerous situation involves an international campus site, the Executive Director or designee may communicate with the onsite senior member to confirm the emergency and issue the emergency notification. However, the onsite senior member has the authority to issue an emergency notification to the affected campus community once the emergency has been confirmed.

In the event of a serious incident that poses an immediate threat to members of the St. John's University community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. Some of the communication resources are the Emergency Notification Messaging System, voicemail broadcasts, public address system, designated electronic bulletin boards, and classroom telephones. All members of the University community are encouraged to enroll in the *Emergency Notification Messaging System*. This alert system issues both text and voice messages when a significant emergency occurs on our campuses. In order to be enrolled in the system, members of the University community must log in to UIS. On the personal information menu, click on "Update your emergency information for Instant Messaging System." Enter the phone (cell or off-campus wired phone) number to receive the emergency alert, starting with the area code and leaving out the hyphen between the third and fourth numbers.

The University will post updates during a critical incident on the University's website at <http://www.stjohns.edu> and the Campus Emergency Information Hotline 718-990-2000 will be staffed with essential personnel as needed. All decisions regarding external communication will be coordinated through Marketing and Communications and the Executive Director for University Relations. These representatives are responsible for disseminating emergency information to the larger community, and the media, as necessary.

### **Testing Emergency Response and Evacuation Procedures -**

An evacuation drill is coordinated by Fire Safety each semester for all on-campus residential facilities. A second drill is coordinated after sunset during the fall semester at all residential facilities. Thus, the emergency response and evacuation procedures are tested at least three times each year. Students are taught the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. St. John's University does not tell residents in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, Public Safety and Residence Life personnel on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At St. John's University, evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by Fire Safety, Public Safety, and Residence Life personnel to evaluate egress and behavioral patterns. Reports are prepared by participating departments that identify deficient equipment so that repairs can be made immediately. Any recommendations for improvements are also submitted to Fire Safety and Public Safety for consideration.

Students receive information about evacuation and stay-in-place procedures during first-year student orientation and floor meetings. Residence Life personnel are trained in these procedures as well, and act as an ongoing resource for the students living in residential facilities. Fire Safety and Public Safety conduct unannounced drills each year and conduct follow-through activities designed for assessment and evaluation of emergency plans and capabilities.

Public Safety publicizes through the University's email system its emergency response and evacuation procedure in conjunction with at least one test per calendar year. Public Safety coordinates announced and unannounced evacuation drills each semester, as described above, to test the emergency response and evacuation procedures and to assess and evaluate the emergency evacuation plans and capabilities. The University maintains a record with the following details on each such drill and exercise: description; date; time and

whether it was announced or unannounced.

On September 16, 2023, between 10:00 am and 11:00 am, the Department of Public Safety conducted an announced exercise designed to test the University's emergency response and evacuation plan. The exercise involved a simulated fire and hazardous material release in St. Albert's Hall. The scene of the fire and hazardous release was St. Albert's Hall and the surrounding area. The exercise consisted of an actual response by the New York City Fire Department and the New York City Police Department, responding to a fire and hazardous materials release. There was an activation and assembly of Public Safety Officers and Supervisors, Fire Safety Director, and the Director of Emergency Management. The team was tasked with a response to an ordered evacuation of St. Albert's Hall and the surrounding area due to an active fire and hazardous material release inside St. Albert's Hall.

## Reporting Criminal Actions or other Emergencies

### Reporting Crime or other Emergencies on Campus -

If you witness or become the victim of a crime, accident, medical emergency, fire, or suspicious or threatening circumstance on any St. John's University campus, you should call 911, the Public Safety emergency number the Dean of Students or a campus security authority promptly and provide an accurate description of the incident, when the victim of a crime elects to, or is unable to, make such a report. All telephones on University properties can dial 911 directly.



Any criminal act should be reported immediately either in person or via telephone to the Public Safety Department or the Dean of Students, as appropriate. Incidents occurring on international campuses can be directed to the site-specific security desk, which is staffed 24 hours a day, seven days a week. Incidents occurring on the Bartilucci campus and Manhattan campus should be referred to the on-duty public safety officer or the Public Safety emergency phone number. The Queens and Staten Island campuses have Public Safety/Security Officers on duty 24 hours a day, seven days a week. Contact information can be found in the "Important Phone Numbers" section earlier in this report.

All potential criminal activity, including any allegation of criminal sexual assault that is brought to the attention of any member of the University, must be reported to the Public Safety Department (with a specific, limited exemption for pastoral and professional counselors). A priest who has a crime disclosed during the sacrament of confession may not reveal anything that has been disclosed in the sacrament. The priest, however, will encourage and work with the penitent to find appropriate support services both on and off campus. Pastoral counselors or priests who have a crime disclosed to them outside of the sacrament of confession are required to report the crime in accordance with this policy. Every member of the faculty, administration, and staff of St. John's University, acting in his or her capacity as an employee of the University, is obligated to immediately report any incident of sexual assault against any member of the University community upon learning of the incident. Even when the individual requests confidentiality of the incident, the employee has a responsibility to report it. The University does not have procedures encouraging its pastoral and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of how to report crimes to the University on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

When a crime is reported by an individual while on the Queens, Staten Island, Manhattan, and Andrew Bartilucci campuses, Public Safety will dispatch an officer to the scene of the crime for a preliminary report of the date, time, and incident. When a crime is reported by an individual while on an international campus, Public Safety will confer with the senior staff member by telephone or email. The Executive Director of Public Safety or designee will be notified and will direct the University's response. If a student is involved, the preliminary report will be referred immediately to the Dean of Students for investigation. When appropriate, individuals are strongly encouraged to report complaints to the local law enforcement agency. Each report will be assessed by the Department of Public Safety to identify Clery Act crimes and to determine if the incident constitutes an ongoing or continuing threat to the campus community. The Executive Director of Public Safety, in accordance with the institution's policy, may

issue a Timely Warning for reported Clery Act crimes and for crimes that constitute an ongoing or continuing threat to the campus community. Prompt reporting will assure timely warning notices and timely disclosure of crime statistics in the annual security report.

The Department of Public Safety has established an automated 24-hour confidential tip line. This tip line enables anyone in the University community, including international campuses, to report information to Public Safety anonymously while being recorded on an answering machine. The number is 718-733-7233 or 718-RED-SAFE. No attempt will be made by Public Safety to identify callers; should a caller wish to be contacted by Public Safety, the caller should include contact information in the voice message. If the caller is in need of a Public Safety immediate response, the caller should call the Public Safety emergency number.

- Department of Public Safety: 718-990-5252
- Dean of Students: 718-990-6568
- Local law enforcement at any New York campus can be reached by dialing 911.
- Local law enforcement at our international campuses can be reached by dialing 112.

### **Criminal Activity Off-Campus -**

The Division of Student Affairs maintains contact with recognized fraternity and sorority organizations through the efforts of the Executive Director of Student Development and Engagement. St. John's University does not recognize off-campus residences or activities of recognized fraternity and sorority organizations that are held off-campus. Criminal activity at off-campus locations in New York is monitored and recorded by the local law enforcement agency. At our international campuses, the local law enforcement agency monitors off-campus locations. The Department of Public Safety has a close working relationship with these agencies and is often notified regarding violations of federal, state, or local laws. This cooperative approach addresses situations as they arise as well as future concerns.

### **Disclosure of the Outcome of a Crime of Violence or Sex Offense -**

Upon written request, the University will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Clery Act both the accused and accuser in these cases are given the results of any disciplinary proceedings without the need to make a written request.

## **Access Policy**

### **Queens Campus**

As the utilization of a building diminishes during the day or evening, the Department of Public Safety locks the building. These buildings are patrolled throughout the night on a random basis to ensure the safety and security of the campus. The same procedure is repeated during the weekend hours. Exterior door access to a locked building is granted only on a limited basis of proven need. Public Safety is prepared to escort anyone to and from a building during non-working hours. Anyone entering or leaving a building during non-working hours is required to notify the Department of Public Safety. Students, faculty, administrators, and staff are required to show a valid St. John's StormCard to gain entrance to the computer lab, Taffner Field House, Fitness Center, and the Law School library. After 7 p.m., all persons entering the St. Augustine library are required to show a valid St. John's StormCard



or valid identification to enter. All of the buildings on the Queens campus are monitored remotely by Public Safety via CCTV.

Students, faculty, administrators, staff, and guests are required to show a valid St. John's StormCard to gain entrance to all resident halls on the Queens campus, Henley Road Apartments, and Seton Apartments. Anyone



not associated with the University will be required to show valid government-issued identification. Each of these residence halls has a member of Public Safety assigned to the lobby of the building and is remotely monitored by Public Safety via CCTV. Access to the Founders Village residence is granted to those students assigned to this residence and authorized staff by electronically swiping a valid StormCard. The Founders Village residences are randomly patrolled by Public Safety and monitored by Public Safety via CCTV. Access to the Goethals Avenue houses and the DePaul houses is controlled by the assigned resident students. The assigned students are issued keys and the exterior of these locations are randomly patrolled by public safety. Access to the campus can be obtained daily from 7 a.m. to 11 p.m. Gate 7 is currently closed due to construction. Access can be obtained 24/7 via Gate 6 or through Gate 1B (walk-in only). Students, faculty, administrators, staff, and guests may be asked to show a valid St. John's StormCard or valid identification to gain entrance to the campus after 11 p.m.



### **Andrew Bartilucci Campus**

This campus is staffed with a Public Safety Officer who monitors access from the building's lobby on Monday through Friday from 7 a.m. to 11 p.m. and Saturday from 7 a.m. to 7 p.m. The campus is closed on Sundays. Students, faculty, administrators, staff, and guests are required to show a valid St. John's StormCard or valid identification to gain entrance. The building is locked at the end of the day and remotely monitored by Public Safety via CCTV. There are no residence halls on this campus.

### **Manhattan Campus**

This campus is staffed with a Public Safety Officer who monitors access from the building's lobby Monday through Friday from 8 a.m. to 10 p.m. and on Saturday from 8:30 a.m. to 5 p.m. The campus is closed on Sundays. Students, faculty, administrators, staff, and guests are required to show a valid St. John's StormCard or valid identification to gain entrance. The building is locked at the end of the day and remotely monitored by Public Safety via CCTV. There are no residence halls on this campus.

### **Staten Island Campus**

Access to this campus can be obtained daily between 7 a.m. and 11 p.m. As the utilization of a building diminishes during the day or evening, the Department of Public Safety locks the building. These buildings are patrolled throughout the night on a random basis to ensure the safety and security of the campus. The same procedure is repeated during the weekend hours. Exterior door access to a locked building is granted only on a limited basis of proven need. Public Safety is prepared to escort anyone to and from a building during nonworking hours. Anyone entering or leaving a building during nonworking hours is required to notify the Department of Public Safety. Students, faculty, administrators, and staff are required to show a valid St. John's StormCard to gain entrance to the fitness center. There are no residence halls on this campus.

### **International Campuses**

#### ***Rome, Italy –***



Access to the campus is granted through the main lobby. A receptionist is assigned to the lobby of the campus building at all times. Students, faculty, administrators, staff and guests are required to show a valid St. John's StormCard or valid identification to gain entrance. Classrooms are opened by authorized staff members as needed and secured when not in use. The residence hall is accessed from inside the building. Access to residence rooms is controlled by the assigned resident students by issuance of a key. This campus is equipped with CCTV monitors that monitor the exterior of the building, elevators, emergency exit doors, common

areas, and hallways. Public Safety in New York has the ability to monitor the CCTV system remotely.



### ***Paris, France -***

Access to the campus is granted through the main lobby. A receptionist is assigned to the lobby of the campus building at all times. Administrators, staff, and guests are required to show a valid St. John's StormCard or valid identification to gain entrance. Classrooms are opened by authorized staff members as needed and secured when not in use. The residence hall is accessed from inside the building. Access to residence rooms is controlled by the assigned resident students by issuance of a key. This campus is equipped with CCTV monitors that monitor the exterior of the building, elevators, emergency exit doors, common areas, and hallways. Public Safety in New York has the ability to monitor the CCTV system remotely.



### ***Limerick, Ireland -***

Students attend class on the Mary Immaculate College campus (MIC). This campus is patrolled by MIC security personnel at all times. The students are issued an electronic identification card that grants access electronically to classrooms, the library, the theater, and the international studies building. All buildings are secured by security personnel after 10 p.m., some earlier depending on their use. The campus is equipped with CCTV cameras that are monitored by MIC security personnel. Students reside at an off-campus location. The lobby of the off-campus location is open to the public and controlled by building staff. Access beyond the lobby area is granted through the use of an electronic card swipe. Students are not permitted to have a guest



beyond the lobby area.

Emergencies may necessitate changes or alterations to any posted schedules at any St. John's University site. Areas that are revealed as problematic have security surveys conducted on them. Administrators from the Departments of Public Safety, Student Life, and Facilities review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Additionally, during the academic year, Public Safety, Student Life, and Residence Life representatives meet weekly to discuss issues of pressing concern. Weekly conference calls are conducted with senior staff located on each of the international campuses. Security concerns are discussed and addressed. Our international campus staff members are instructed to contact senior Public Safety personnel in the event of an emergency so it is addressed without delay.

## **Campus Law Enforcement Policy**

The Department of Public Safety's primary role at St. John's is to protect life and property and to deter crime. Public Safety officers are not sworn law enforcement officers. Their arrest authority is equivalent to that of any



other citizen. Public Safety officers have the right to detain an individual(s) until the police arrive to make a formal arrest. St. John's Department of Public Safety maintains frequent contact with the local police departments: the 107th and 111th Precinct in Queens; 120th Precinct in Staten Island; and 9th Precinct in Manhattan. Agreements are in place with the New York City Police Department for them to investigate all crimes listed in NYS Penal Law section 70.02, and reports of students missing from a University-owned residence hall. The police come on campus at the request of Public Safety for the purpose of investigating crimes. The police regularly patrol the

perimeter of each campus.

Public Safety officers engage in routine motorized and foot patrols on a 24-hour basis on the Queens and Staten Island campuses, and provide lobby coverage from 7 a.m. until 11 p.m. on the Manhattan campus and the Andrew Bartilucci campus. The officers are stationed at various posts throughout the campus. Some of these posts include,

but are not limited to, the following locations on the Queens campus: the main gate, St. Augustine, and Taffner Field House. Public Safety officers are also assigned to patrol the Queens campus residence halls: Seton Complex, Henley Road Residence, Century, Carey, DaSilva, Hollis, Donovan, Founders Village, and John Cardinal O'Connor Halls. On the Manhattan and Andrew Bartilucci campuses, a Public Safety officer is posted at the main desk.

The international campuses are patrolled by administrators, staff, and receptionist/security personnel. They do not have arrest authority. St. John's University and the Office of International Education senior staff maintain a relationship with the local law enforcement agencies (i.e., Carabinieri in Rome, Italy; Police Nationale in Paris, France; and the Garda in Limerick, Ireland). The local law enforcement agencies come on campus at the request of Public Safety or the Office of International Education senior staff for the purpose of investigating crimes. These agencies patrol the perimeter of each campus. St. John's University has not entered into a formal written agreement with any of the local law enforcement agencies surrounding our International campuses.

Any questions or concerns regarding the reporting of crime at any St. John's University site can be addressed by contacting Public Safety via the emergency phone number.

## Campus Safety Programs

As an essential part of creating an atmosphere for learning, St. John's University is committed to ensuring a safe and secure University environment. St. John's University provides programs for students, parents, faculty, administrators, and staff addressing safety issues on campus. Programs at orientation for first-year students and their parents address fire safety and overall public safety measures on campus. Residence Assistants (RAs) and Residence Directors (RDs) are well-versed in the campus safety programs available to students and meet monthly to address safety concerns. They also hold a required floor meeting for residents at the beginning of the fall semester addressing safety concerns and invite the Office of Public Safety to provide additional information and updates. All faculty, administrators, and staff are required to attend an emergency response training program conducted by the Department of Public Safety. In addition, the campus provides an email and phone alert system that notifies the campus community of emergency situations that may impact the University community. All community members are urged to sign up for this alert system.

**Public Safety Escort** - If, at any time, a person on campus is uncomfortable going from one campus point to another, or to his or her car, Public Safety provides escort services on the Queens and Staten Island campuses. Public Safety honors any request for this service, supplying an officer to escort the individual to the desired location, including a building, a parking lot on campus, or, if needed, to a car off campus, provided the car is in the immediate vicinity. This service is offered 24/7.



**Vehicle lockout & battery boosts** – Public Safety is available to assist in situations when keys have been locked in a vehicle or when the vehicle will not start. Assistance may also be provided in situations concerning flat tires.

### Public Safety Shuttle Service -

Public Safety will operate a shuttle van service during the fall and spring semester when classes are in session. The Public Safety shuttle van will operate from 7 a.m. to 3 a.m. Monday through Friday and 6 p.m. to 3 a.m. Saturday and Sunday. The shuttle van will do a continuous loop starting at the LIRR Jamaica Station at 7:00 a.m. (Mon-Fri):



**Emergency Phone Service** - There are clearly marked emergency phones located throughout the Queens and Staten Island campuses. They can summon the Department of Public Safety, which will respond immediately. The phones are for emergency use only, which can include, but is not limited to, car trouble; injury, especially when an ambulance is required; a reported crime in progress or the potential for a criminal act is suspected; and the need for the escort service. Public Safety is also available to assist persons who have locked keys in a car or jump-start dead batteries.



**LiveSafe App** – As part of ongoing safety efforts, St. John's University has introduced a new mobile safety app called LiveSafe that allows you to report tips to Public Safety, virtually escort your friends in real-time on a map, place emergency calls, and access safety resources. Download the mobile app for free by visiting by <https://www.stjohns.edu/my-st-johns/public-safety/livesafe>



**CCTV Surveillance** – Public safety monitors numerous locations, inside and outside, on all of its campuses through the use of cameras which are monitored by both personnel at each campus and by personnel on the Queens campus.



**Bicycle Locks** - In an effort to safeguard the St. John's University community cycling property, the Department of Public Safety offers heavy duty kryptonite bicycle locks at a reduced price and enlists the etching and registration services of the local police department.



**Emergency Medical Technician** – Several Public Safety Officers have been certified as New York State Emergency Medical Technicians and routinely responded to assignments of sick and injured persons. This first-level triage is often sufficient in evaluating the patient and providing basic attention. If the need for additional treatment is determined, an ambulance will be requested and transportation to a local hospital may occur.

**Timely Warnings** – All members of the University community are given an explanation of the timely warning policy, as discussed earlier in this report.

**Emergency Notification Messaging System** - All members of the University community are encouraged to enroll in the Emergency Notification Messaging System. This alert system issues both text and voice messages when a significant emergency occurs on our campuses. These messages will communicate what emergency currently exists, the location of the emergency, and advise a course of action. There will be updates issued as the emergency situation evolves. In order to be enrolled in the system, members of the University community must log in to [signon.stjohns.edu](http://signon.stjohns.edu) and choose the UIS tab. On the Personal Information Menu, click on "Update your emergency information for Instant Messaging System. Enter the phone (cell or off-campus wired phone) number to receive the emergency alert, starting with the area code and leaving out the hyphen between the third and fourth numbers.

**Fire Drills** - Routine fire drills are conducted in each building once a semester on all campuses. In addition, all buildings have a public address system to be used in case of emergency. Fire drills are conducted four times a year in on-campus housing facilities.

**Student Orientation** - During new student orientation, the Department of Public Safety delivers presentations to students. At this meeting, students are:

- Given an overview of the security components the University has in place.
- Directed to enter the phone numbers of the Department of Public Safety into their cell phones.
- Made aware of the public safety confidential phone number in case they are apprehensive about getting involved in a matter.
- Shown a picture of the campus emergency call towers and are given an explanation as to how they work.
- Made aware of the surveillance systems utilized by the department.
- Encouraged to introduce themselves to Public Safety Officers in order to develop a rapport with

members of the Department of Public Safety. It is everyone's responsibility to help keep each other and the campus safe and to establish a relationship and comfort level, as "we are one community and family" with an obligation to help each other stay safe.

- Made aware that they should always remain alert and be aware of their surroundings. In addition, it is advised that whenever possible, particularly at night, that students try to walk in groups.
- Advised they can call the Department of Public Safety at any time, whether on or off campus, for help or support. The ability to respond may be limited by the Department's limited jurisdiction for off-campus matters.
- Advised that they should opt-in as soon as possible to the University's Emergency Notification System.
- Given information on the StormCard and detail how the card is key to both safety and information.
- Advised on how to maintain safety in the residence halls and other locations by using the access system and that access will not be granted without proper presentation of the StormCard.

### **Crime Prevention Programs –**

Crime prevention programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. Public Safety personnel facilitate programs for students, parents, faculty, residents, and resident advisors, providing a variety of educational strategies and tips on how to protect themselves. Members of the Department of Public Safety speak at various residence life meetings, covering security awareness, prevention, risk reduction, and avoidance.

St. John's University provides information about crime prevention programs during new student and family orientation and on the department website. Public Safety officers engage in routine patrol, through the use of vehicles, bicycles, and foot patrol on the Queens and Staten Island campuses on a 24-hour basis. The Department of Public Safety maintains frequent contact with the local police departments.

The Queens campus has more than 50 residence safety monitors, who are trained student leaders who help maintain safety at our on-campus housing facilities between 7 a.m. and 11 p.m. daily. There are Public Safety officers at each residence entrance between 11 p.m. and 7 a.m. daily.

The Queens and Staten Island campuses also have cameras that are monitored on a 24-hour basis. Public Safety personnel, upon request, are available to discuss safety tips with individual students, faculty, administrators, and staff.

### **Violence in the Workplace - Policy 708 in the Human Resource Policy Manual**

**Scope** - This policy applies to all members of the University community. For the purpose of this policy, the University community includes, but is not limited to, all faculty, administrators, staff (including student workers, teaching and research fellows, doctoral and graduate assistants, tutors, interns and any other students who perform work-related functions for the University), students, alumni, interns, members of the Board of Trustees, and members of University-sponsored advisory committees. Visitors to the University, vendors, and service providers also may be subject to this policy.

**Policy** - St. John's University has a zero-tolerance policy for violence in the workplace. Any form of violent behavior, from the seemingly insignificant to the significant, is inherently destructive to the fabric of our University community and will not be tolerated. Employees have a responsibility to report promptly to their immediate supervisor all threats or incidents of workplace violence, whether they are directed at the employee or at another member of the University community. The supervisor, the Department of Public Safety, and the Office of Human Resources will coordinate an appropriate response.

In crisis situations, or in any case where there is a concern about an immediate threat of violence or if a situation continues to escalate, employees should call 911 and contact the Department of Public Safety immediately. All campus phones can dial 911 directly.



***Prohibited Behaviors*** - St. John's University prohibits threatening or violent behaviors, directed at an individual, group of individuals, class of individuals, or relatives of those individuals. The University policy applies to any threats or acts of violence related to the University workplace. Prohibited behaviors include, but are not limited to:

- Threats or acts of violence made directly or indirectly by words, gestures, or symbols.
- Threats or acts of violence that are targeted at any specific class of individuals.
- Intimidating threats or acts in any manner or form that intimidate, coerce, or cause fear of harm.
- Other crimes that intimidate, interrupt departmental productivity, or cause fear of harm.
- The use of physical force with the intent to commit harm.

Violations of the University's policy on Violence in the Workplace may result in corrective action, up to and including termination of employment. Students may be referred to the Office of Student Conduct.

**Prohibition of Weapons on University Property** - The University expressly prohibits on University-owned or -controlled property or at University sponsored functions the possession, display, use, storage, or distribution of any weapon to include, but not limited to, any firearm, pistol, revolver, rifle, assault weapon, shotgun, air gun, pellet gun, BB gun, ammunition, explosive, firework, stun gun, switchblade and other automatic knife, and other deadly or dangerous weapons, such as are defined in NY Penal Law Article 265.

This prohibition extends to imitation firearms and other objects that can be construed or used as weapons, and to items that pose a potential hazard to the safety or health of others, unauthorized hazardous materials or chemicals. Any use of gun replicas for educational, filming, or theatrical acting purposes must be cleared through the Department of Public Safety prior to being used for the specified purpose.

Exceptions to this policy include on-duty law enforcement officers who are legally permitted to carry weapons on campus and individuals who have received specific, written authorization from the Vice President of Public Safety. Off-duty law enforcement personnel who are armed on University owned or controlled property or at University-sponsored functions are required to check in with Public Safety upon arrival to present proper identification and to secure authorization.

Violations, as well as any potentially dangerous situations, should be immediately reported to the Department of Public Safety.

## **Drug and Alcohol Policy**

### **Students and Employees:**

St. John's University is committed to an educational community that is free of illegal drug use and alcohol abuse. Therefore, the University strictly prohibits the unlawful possession, use or distribution of illicit drugs or alcohol on its property or as part of its activities. The St. John's University Department of Student Wellness publishes and distributes annually the Drug-free Campus Guidelines. These guidelines contain important information concerning drugs and alcohol that the University is legally obligated to communicate to its employees and students. The guidelines include detailed information on legal sanctions, federal trafficking penalties, health risks, and effects of using illicit drugs. They also contain hotline numbers and contact information for available New York City programs for detoxification, outpatient rehabilitation, inpatient rehabilitation, and re-entry programs. Employees and students receive this information each year. It is also available on the University's website. This information was communicated to its employees and students on October 7, 2022. Any employee or student found to possess, use or distribute alcohol or controlled substances on University property or at a University activity, in violation of law or University policy, is subject to University disciplinary action as well as possible referral for criminal prosecution. Such violations of the standards of conduct will be dealt with on a case-by-case basis, with the imposition of discipline being appropriate to the severity of the violation. Disciplinary action ranges from, but is not limited to, professional counseling to termination of employment, and referral for prosecution. In order to maintain a safe environment, the University enforces its policies and applicable laws concerning the possession, use, and sale of alcoholic beverages and illegal drugs.



## **Controlled Substances**

Federal law makes it a criminal offense to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance. The New York Penal Law makes it a criminal offense to possess, possess with intent to sell, or actually sell various drugs. The drugs to which this law applies include marijuana. The possible sanctions for violation of federal and state and local law involving controlled substances and drugs depend upon the particular offense violated. The various offenses are premised on factors which include the type and quantity of drugs involved. Depending upon the particular circumstances involved, violations of said law could result in sanctions ranging from a monetary fine to life imprisonment. A person need not be in actual physical possession of a controlled substance to be guilty of a crime. The unlawful presence of a controlled substance in an automobile is presumptive evidence of knowing possession of each passenger, unless the substance is concealed on the person of one of these occupants. Similarly, the presence of certain substances, including marijuana, in open view in a room under circumstances demonstrating an intent to prepare the substance for sale is presumptive evidence of knowing possession of anyone in close proximity.

## **New York State Marijuana law**

New York State legalized adult-use cannabis (also known as marijuana, or recreational marijuana) by passing the Marijuana Regulation & Taxation Act (MRTA). The legislation creates a new Office of Cannabis Management (OCM) governed by a Cannabis Control Board to oversee and implement the law. The MRTA modifies criminal violations and penalties relating to the sale and possession of cannabis. This law only applies to those persons age 21 or older.

The Drug-Free Schools and Communities Act of 1989, a federal law, continues to designate marijuana as an unlawful drug and the federal law applies to all on-campus, non-campus, public property, and on-campus student housing facilities.

## **Alcohol**

New York State law prohibits the misuse of alcohol. The Alcoholic Beverage Control laws (ABC), Article 5, Section 65- A, B, and C prohibit

- (65-A) Procurement of alcoholic beverages for persons under the age of twenty-one years. Upon conviction a fine of not more than two hundred dollars, or imprisonment for not more than five days, or by both such fine and imprisonment may be imposed.
- (65-B) Offense for one under-age of twenty-one years to purchase or attempt to purchase an alcoholic beverage through fraudulent means. Upon conviction shall a fine of not more than one hundred dollars and/or an appropriate amount of community service not to exceed thirty hours may be imposed. In addition, the court may order completion of an alcohol awareness program. Penalties increase for second and third conviction.
- (65-C) Unlawful possession of an alcoholic beverage with the intent to consume by persons under the age of twenty-one years. Upon conviction a fine not exceeding fifty dollars and/or completion of an alcohol awareness program and/or an appropriate amount of community service not to exceed thirty hours may be imposed.

## **Parental Notification**

Excessive, abusive, illegal and /or repetitive use of alcohol and/ or drugs is inconsistent with the maintenance of an educational environment. Such behavior threatens the well-being of persons and property and tends to diminish a student's prospects for personal and intellectual development and academic success. When students under the age of 21 are found to have committed serious or repetitive violations of University policies related to the possession, use, or distribution of alcohol and/or drugs, the Dean of Students or designee has the authority to determine when and by what means to notify parents or guardians. Whenever possible, students will be informed that a notification will occur in advance of a parent or guardian receiving the notice.

## **Education Program**

### ***Students:***

The Student Wellness Education Program operates as part of the Department of Student Wellness along with the Center for Counseling and Consultation and Student Health Services. Wellness Education seeks to challenge students about decisions concerning their overall wellness including those related to the use of alcohol and other drugs. It is also charged with raising the awareness of the entire University community of these same issues through

- Conducting educational programs and lectures that heighten awareness and sensitivity.
- Planning and facilitating events such as National Collegiate Alcohol Awareness Week activities, Safe Spring Break Campaign, Great American Smokeout, and Kick Butts Day.
- Distributing literature on alcohol and other drugs at information tables.
- Creating and supporting alcohol-free events on campus utilizing such programs as the Stressbusters to help reduce stress and promote having a good time without the use of alcohol.
- Promoting the services and resources available on campus that support students with overall wellness needs.
- Facilitating the Wellness Peer Education program where students are trained to work with their peers through participating in all major campus events, conducting workshops as part of the Don't Cancel that Class (DCTC) program (professors request programs in their absence and in lieu of canceling their classes) and other activities designed to focus on alcohol abuse prevention and other student health and safety issues including healthy relationships, use of over-the-counter drugs, smoking cessation, nutrition, and stress reduction.
- Requiring all incoming first-year students to complete the online course, Kognito -Alcohol and Other Drugs Course.
- Provide one-to-one BASICS programming for students found in violation of the University's Alcohol and Other Drug policies. BASICS is a multisession program that helps students learn about alcohol and drug use in the context of their overall health and creates an opportunity for students to look individually at their own situations and tendencies for at-risk behavior.

Wellness Education and Prevention Services utilizes evidenced-based prevention strategies focusing on early prevention with first-year students during orientation and a required prematriculation online course, Kognito - Alcohol and Other Drugs Course. Additional alcohol awareness programs are held each semester focusing on high-risk drinking times—Halloween and Spring Break. Harm Reduction workshops are offered to various student organizations including fraternities and sororities to help them meet educational requirements. BASICS (Brief Alcohol Screening and Intervention for College Students) is designed for students who need additional guidance in the decision-making process around using alcohol and other drugs. BASICS addresses expectancies, reasons for use, and healthy options. Parents also are engaged in our prevention strategies during Parent Orientation sessions and Parent Orientation Showcase events.

### ***Employees:***

The University's Employee Assistance Program (EAP), offered through an external professional service, provides employees and their family members with free and confidential assessment, referral, and follow-up services if they are experiencing problems with alcohol and substance abuse or need other assistance concerning personal or work-related issues, family and care giving concerns, emotional wellbeing, health and wellness, and daily living challenges.

Employees can request assistance and initiate these services 24 hours a day, seven days a week, by calling the helpline at 800-833-8707. The EAP program provides employees a wide range of support to help handle life's challenges successfully, from routine concerns to major crises. On-campus workshops are offered on a wide range of topics, in addition to online webinars and on-demand seminars. Employees and family members have continuous online access to the member website at [www.myccaonline.com](http://www.myccaonline.com). Additionally, professional consultants are available to employees 24 hours a day, 365 days a year, via immediate phone access. In-person sessions with a counselor can be arranged by appointment at convenient locations locally and nationwide. For more information on the EAP, visit Work-Life Programs on the Human Resources website or refer to policy #610 and #806 in the Human Resources Policy Manual.

- For direct assistance, call the confidential helpline at 800-833-8707.
- For the member website, please visit [www.myccaonline.com](http://www.myccaonline.com) (log in with company code: STJOHNS).

### **Drug-free Campus Guidelines**

The Alcohol and Other Drug policies on campus are reviewed biannually as part of the Biennial Review process, Department of Education, Part 86. For the full alcohol and drug policies of St. John's University see Drug-free Campus Guidelines - <https://www.stjohns.edu/life-st-johns/health-and-wellness/wellness-education-and-prevention-services>

# University Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking

The upcoming sections of this report regarding dating violence, domestic violence, sexual assault, and stalking apply to all students and employees of the University, regardless of which campus site they are attending. The term “Sexual Misconduct” refers to dating violence, domestic violence, sexual assault, and stalking.

## **Policy**

This Sexual Misconduct Policy and Procedures (“Policy”) is enacted pursuant to Title IX of the Education Amendments of 1972, the Final Rule titled “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance” and published in the Federal Register on May 19, 2020 (collectively, “Title IX”); New York Education Law Article 129-B (“N.Y. 129-B”); Title VII of the Civil Rights Act of 1964; the New York State Human Rights Law; the New York City Administrative Code; and all applicable laws, rules, and regulations.



Inquiries concerning this Policy and the laws referenced in this Policy may be referred to the Title IX Coordinator.

## ***Scope of the Policy***

This Policy applies to all members of the University community regardless of their sex, race, national origin, disability, sexual orientation, gender identity and gender expression, or other status protected under federal, state or local law. In event of a conflict between this Policy and an applicable law(s), the law(s) will control.

Alleged conduct that does not fall within the scope of Title IX and/or N.Y. 129-B may still violate other laws and/or University rules, regulations, and/or policies. The University reserves the right to determine at all stages of a matter which laws and/or University rules, regulations, and/or policies, if any, apply. Conduct that falls within the scope of Title IX and/or N.Y. 129-B may also violate the University’s Student Code of Conduct, and in such instances the University may initiate a separate proceeding to adjudicate such alleged violations.

Additional information relating to sexual assault is distributed annually to the University community. The Public Safety website lists programs concerning crime prevention, sexual assault, and campus safety, and the online Student Handbook addresses this in its chapter on Maintaining Safety and Security on the St. John’s Campus.

## **WHAT CAN I DO TO STAY SAFE?**

No one is ever responsible for the crime of dating violence, domestic violence, sexual assault, or stalking being perpetrated against them. However, every member of the St. John’s University community should familiarize themselves with consent and some behaviors that may help reduce the risk of being victimized. They can be safer.

### **Facts to Know**

- Consent must be active and full. If any type of manipulation, threat, or force is used to obtain a “yes” to sexual activity, then the “yes” does not qualify as consent.
- Even if you are in a long-term relationship, you have the right to refuse sexual activity with your partner. Prior consent to sexual contact does not imply current or future consent.
- An absence of “no” does not equal “yes.” Silence could mean many things other than “yes.” It could mean fear to say “no.”
- Respect a person’s expectations and limits. If you do not know what they are, it is your responsibility to ask.
- Do not assume that a person’s past behavior applies to the present. People have the right to make different choices about their sexual activity and level of desired intimacy at all times.
- You are responsible for your actions. Your attraction to someone does not give you the right to ignore that person’s expectations and limits.

### **Possible Protective Strategies**

- Trust your instincts. Honor your gut reaction in an uncomfortable situation or if you are feeling unsafe, even if you don't know why you feel that way. Leave immediately and seek help.
- The assailant and/or survivor are intoxicated in the majority of sexual offenses on college campuses. Because perpetrators use alcohol and other drugs to make their victims more vulnerable, be aware of who is serving you a drink and get help from someone you trust if you start to feel uncomfortable. Do not leave beverages unattended or accept drinks from someone you don't know; always keep your drinks in sight.
- Tell someone you trust where and with whom you're going out, and when you will return.
- Go out with friends whom you trust and agree to look out for one another. Leave with this group rather than leaving alone or with someone you don't know well.
- Communicate clearly what you are willing to do or not willing to do regarding sexual activity and do not feel pressured into doing something you do not want to do.

### **Prevention and Awareness Programs**

St. John's University does not tolerate violence, and strives to be a community where all members feel safe, and where all students will have a successful college experience. The Department of Student Wellness works to reduce instances of and the traumatic impact of dating violence, domestic violence, sexual assault, or stalking at St. John's University. We do this through education, coordination, treatment, and linking the person with information and resources. We offer programs to the entire student body, as well as training student leaders such as Resident Assistants and Orientation Leaders about dating violence, domestic violence, sexual assault and stalking.

### ***Trauma-Informed Support for Survivors***

SOAR Office (Sexual violence Outreach, Awareness, and Response) offers training to staff, faculty, and administrators regarding trauma-informed approaches to responding to disclosures of sexual and dating violence, and supporting survivors through their healing journeys. This training reviews on and off-campus resources available to survivors, discusses confidential and non-confidential reporting options, and explores what options are available to students after they report to Title IX. The training also focuses on the impacts trauma can have on a survivor, and best practices for supporting them in a way that reduces re-traumatization and prioritizes safety and empowerment.

### ***New Student Orientation: Interactive Peer Theater***

"FRIENDS—The College Years" is an interactive training that is held during New Student Orientation. The training addresses experiences that students may encounter during their time in college and focuses on identifying warning signs that someone may benefit from support, and strategies to intervene in each scenario. The interactive training engages students in complicated conversations about subjects such as sexual violence, consent, alcohol, and other drugs, and mental health issues including depression, anxiety, and homesickness. Each student is provided with a playbill that lists available resources, contact information, definitions, Title IX resources, and information on how to report an incident of sexual assault, dating violence, domestic violence, or stalking.

### ***Kognito: Sexual Misconduct Prevention Course***

The Kognito: Sexual Misconduct Prevention Course is a required course for incoming students. Students must complete this online course through Canvas before coming to campus. The course is an interactive role-play simulation that equips college students with the skills to navigate difficult situations related to sexual misconduct in a safe and private, practical environment. It provides information on the issues associated with dating violence, domestic violence, sexual assault, or stalking and relationship violence, taking into account their unique perspectives and experiences, providing key definitions and statistics; reflective and personalized content; bystander skill and confidence-building strategies; campus-specific policies, procedures, and resources; and rich data summaries to inform future programming.

### ***Knowing YES! Recognizing No:***

Affirmative Consent and Bystander Intervention Leadership Training Incoming undergraduate and graduate students are required to participate in Knowing YES! Recognizing No., a live 1-hour virtual training course via WebEx facilitated by SOAR. This course empowers students to think about their "yes" and what they expect out of their relationships. It prepares them to recognize risky behaviors and equips them with tools to safely intervene. By defining their own "yes" and understanding when consent may not be present, students are more likely to create and support healthy relationships for themselves and their fellow Johnnies.

### Knowing YES! Affirmative Consent

Affirmative consent is a knowing, voluntary, and mutual decision among all participants to participate in sexual activity. Knowing YES! prepares students to create healthy relationships by defining affirmative consent, discussing when to use it, and exploring how to practice affirmative consent using realistic scenarios. This training empowers students to think about what their “yes” is and what they expect out of their relationships. By defining their own yes, students are more likely to communicate that with their partners and respect their partner’s wishes.

### Bystander Intervention Leadership Training

Using an interactive training approach, this program prepares students to be leaders in bystander intervention by 1) identifying warning signs of harmful and high-risk behavior, 2) discussing barriers that stop us from getting involved, and 3) exploring tools to safely intervene and interrupt harm. Participants recognize the responsibility they have to creating a healthy and safe campus and practice these strategies using scenarios that focus on realistic dating violence, sexual assault, and stalking situations. Some ways for any of us to safely intervene are:

- Check in on the person being harmed and ask, “Are you ok?”
- Ask a friend to help you separate those in the situation
- Cause a distraction by asking for directions, to borrow a phone charger, etc. To de-escalate the situation
- Call Public Safety and notify them of the incident
- Check in on the person later and offer support and resources

### Bystander Intervention Training

Through our campus video that is screened at large events and regularly scheduled pledge drives, the campaign has become a familiar program across campus. It’s On Us also provides the publicity and logo for our Bystander Intervention Leadership Training. More than 150 students are trained each semester in Bystander Intervention as well as all para-professional staff such as Orientation Leaders and Resident Advisors. This program prepares students to be leaders in preventing sexual violence on our campus by discussing warning signs, barriers to intervening, practical intervention options and each university member’s responsibility to act.

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

- Look out for those around you.
- Realize that it is important to intervene to help others.
- Treat everyone respectfully. Do not be hostile or an antagonist.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.
- If things get out of hand, don’t hesitate to contact the police.



### **Annual Awareness Events**

**Take Back the Night:** The Division of Student Affairs conducts an annual event open to the campus community in which attendees talk about how to prevent gender-based violence at St. John’s University. This program provides a place to celebrate survivor’s healing while empowering the student body to break the silence of sexual violence and to speak up and be a part of prevention.



### ***Turn Off the Violence Week***

The Division of Student Affairs hosts a week of educational events each April during Sexual Violence Awareness Month. Each year the program has a theme that students can engage more deeply with through panel discussions, film screenings, and academic lectures. In addition to the events held during the week, the St. John's University Clothesline is also exhibited across campus in honor of those who have survived violence. It is a vehicle for anyone affected by violence to express their emotions by decorating and hanging a shirt to be viewed by others as testimony to the problem of sexual violence. This exhibit demonstrates the prevalence of these crimes, as well as provides hope as we join our voices to speak up for change.

### **Staff, Faculty and Administrators**

The University regularly conducts training programs for its community members in order to educate, promote and maintain a safe campus and learning environment free from sexual misconduct. This includes training on dating violence, domestic violence, sexual assault, and stalking.

The University's mandatory comprehensive Title IX education and awareness training programs are regularly conducted and employees must attend. Training on preventing and responding to sexual misconduct, including dating violence, domestic violence, sexual assault, and stalking is provided to all employee populations online. Registering for a training session is easily accomplished by logging in to [signon.stjohns.edu](http://signon.stjohns.edu) and choosing the UIS tab or by contacting the Title IX Coordinator. Simply navigate to the "HR employee training" tab and choose a training session such as "Title IX Training: Reporting and Responding to Sexual Assault on Campus."

This training program, offered by the University's Title IX Coordinators, provides a comprehensive overview of Title IX. It defines sexual violence, including dating violence, domestic violence, sexual assault, and stalking. It provides participants with information regarding the appropriate ways to respond in the event that a student approaches you with a claim that he or she has experienced or witnessed such treatment. The Title IX training program educates participants about the possible effects sexual violence may have on victim(s) and on all members of the University community. The training program thoroughly explains St. John's policies and procedures for addressing complaints, as well as your responsibility as a University employee and what you can do if you are a bystander.

The University's Title IX Coordinator holds semimonthly meetings with the deputy coordinator, director of student conduct, and associate director of Public Safety compliance to monitor the campus environment and to advance the University's collective efforts to ensure that the University responds promptly and equitably to prevent a recurrence and eliminate the effects of dating violence, domestic violence, sexual assault, and stalking.

## **Procedures Victims Should Follow in the Case of Alleged Dating Violence, Domestic Violence, Sexual Assault, or Stalking:**

### **Confidential and Non-Confidential (Reporting Options)**

The University offers a number of confidential and non-confidential resources on-campus. The available reporting and confidential disclosure options are described below so individuals can make informed choices about where to turn should they become the victim of Sexual Misconduct. If you are unsure of a person's reporting obligations, please ask. Confidential resources can connect you with other on- or off-campus resources and explain the options for assistance that are available to you as well.

- Title IX Coordinators: Non-Confidential
- Public Safety: Non-Confidential
- Anonymous Reporting: Non-Confidential
- Center for Counseling and Consultation (students only): Confidential
- Campus Ministry: Non-Confidential
- Pastoral counselor: Confidential
- Student Health Services: Confidential
- Campus Support Advisor (students only): Confidential
- Employee Assistance Program (employees only): Confidential

## **You Are Not Alone resource guide – Appendix H**

The University strongly encourages anyone who has experienced Sexual Misconduct or who has been the victim of a crime to seek immediate assistance to ensure physical safety and to obtain medical or other support services. There is a wide range of community resources available. Reports to these off-campus community resources will not constitute a report to the University and will not result in the University taking any action against the Respondent. Please review Appendix H in this report for a wide range of community resources that are available.

### **How do I file a report? (Reporting Options)**

You have the right to make a report to Public Safety, the Title IX Coordinator, the Deputy Title IX Coordinators, the local law enforcement agency, the state police, or choose not to report; to report the incident to St. John's University; to be protected by the University from retaliation for reporting an incident; and to receive assistance and resources from the University.

**Anonymous Report** - Reports of Sexual Misconduct can be made anonymously by filling out the online form available at [www.stjohns.edu/reportsexualmisconduct](http://www.stjohns.edu/reportsexualmisconduct). Reports submitted via the online form are reviewed by the Title IX Coordinator, who will promptly evaluate the matter in accordance with the procedures outlined in this Policy. However, when a Formal Complaint is initiated by a Complainant or signed by the Title IX Coordinator with knowledge of the Complainant's identity, the Complainant's anonymity cannot be maintained. Please copy and paste this address into a web browser: [www.stjohns.edu/reportsexualmisconduct](http://www.stjohns.edu/reportsexualmisconduct)

International students have the same rights as all students to report and to receive support and resources for sexual violence, dating violence, domestic violence, and/or stalking regardless of immigration or visa status. The University will not retaliate against international students or treat them differently. Furthermore, international students may obtain additional support and information about immigration or visa status, including options for U and T visas, through the International Students and Scholars Office at 718-990-6083.

You also have the right to file a report with Human Resources if the accused is an employee and to have an employee confidentially assist you with filing that report.

If you choose to report an incident to the Title IX Coordinator, a Deputy Title IX Coordinator and/or the Department of Public Safety, these individuals will document the incident, offer Supportive Measures, and explain the process of filing a Formal Complaint. To the extent the Title IX Coordinator is unavailable to perform their duties, they may assign a designee where appropriate.

These individuals and offices are not confidential resources. However, even University offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. This means that the information you provide in connection with a report will be shared only as necessary and, on a need-to-know basis. Complainants are not required to make a Formal Complaint if they choose not to do so.

The University offers a number of confidential and non-confidential resources on campus. The available reporting and confidential disclosure options are described below so individuals can make informed choices about where to turn should they become the victim of Sexual Misconduct. If you are unsure of a person's reporting obligations, please ask.

Confidential resources can connect you with other on or off-campus resources and explain the options for assistance that are available to you as well. All University employees (except for those employees who have a recognized confidentiality privilege) are required to report incidents of Sexual Misconduct to the Title IX Coordinator, a Deputy Title IX Coordinator, and/or the Department of Public Safety.

## **Law Enforcement Notification**

In keeping with its commitment to taking all appropriate steps to eliminate, prevent, and remedy Sexual Misconduct, the University urges the Complainant to report all instances of Sexual Misconduct or criminal activity to local law enforcement (NYPD Special Victims Division: 646-610-7272)/New York State Police Sexual Assault Hotline: 844-845-7269).

Timing is a critical factor in collecting and preserving evidence that may assist in proving that the alleged Sexual Misconduct or crime occurred and may also be helpful in obtaining a protection or restraining order from the police. The Complainant may contact local law enforcement directly, whether or not a complaint has been filed with the University. If requested, University representatives are available to assist the Complainant in notifying law enforcement or legal service organizations to learn about these remedies. The Complainant may also decline to notify law enforcement.

- **In New York State, when reporting to law enforcement** – Law enforcement will likely conduct an interview outside the presence of University employees at a law enforcement facility. Law enforcement will likely request that the victim be examined at a local hospital, and they may collect evidence. Law enforcement does not recognize the University's definition of affirmative consent as listed in Appendix B and they do not recognize New York State Education law, Title 7, Article 129-B, section 6441- affirmative consent.
- **In Rome, Italy, when reporting to law enforcement** – Law enforcement will likely conduct an interview at a law enforcement facility and a report will be prepared. Law enforcement will likely request that the victim be examined at a local hospital, and they may collect evidence. Law enforcement in Rome do not recognize the University's definition of affirmative consent as listed in Appendix B and they do not recognize New York State Education law, Title 7, Article 129-B, section 6441- affirmative consent.
- **In Paris, France, when reporting to law enforcement** – Law enforcement will likely conduct an interview in the presence of University employees who will serve as translators at a law enforcement facility. A detailed statement will be drafted into a report that the law enforcement officer will print and hand to the victim for confirmation of accuracy and completeness before requesting the victim's signature. Law enforcement will likely request that the victim be examined at a state forensic hospital, and they may collect evidence. The victim may be requested to participate in a face-to-face interview with a law enforcement officer and the accused. Additional interviews may be conducted as the investigation proceeds. Law enforcement in Paris does not recognize the University's definition of affirmative consent as listed in Appendix B and they do not recognize New York State Education law, Title 7, Article 129-B, section 6441- affirmative consent.
- **In Limerick, Ireland, when reporting to law enforcement** – A report can be made at any Garda station. The investigation is then conducted at the station local to where the offence occurred. The complainant will normally be requested to submit to an examination where evidence can be gathered in a designated medical facility (hospital). As soon as the investigation is completed a file will be forwarded to the Director of Public Prosecutions. Law enforcement in Ireland does not recognize the University's definition of affirmative consent as listed in Appendix B and they do not recognize New York State Education law, Title 7, Article 129-B, section 6441- affirmative consent.

## **How do I file a Formal Complaint? (Reporting Options)**

### ***Filing a Formal Complaint***

A Complainant may file a Formal Complaint alleging dating violence, domestic violence, sexual assault, or stalking against a Respondent and requesting that the University investigate the allegation of Sexual Misconduct. Such a complaint may be filed with the Title IX Coordinator in person, by mail, or by email. A Formal Complaint may also be submitted to the Title IX Coordinator via the online reporting form. Please copy and paste this address into a web browser: [www.stjohns.edu/reportsexualmisconduct](http://www.stjohns.edu/reportsexualmisconduct)

### ***Option to Decline Filing a Formal Complaint***

A Complainant may decline to file a Formal Complaint or request that the University not investigate the Formal Complaint. The Title IX Coordinator will weigh the Complainant's request against the University's obligation to provide a safe, nondiscriminatory environment for the University community and decide whether the request can be honored. In evaluating the request, the Title IX Coordinator may consider the following factors:

- whether there have been other Sexual Misconduct complaints about the same Respondent;
- whether the Respondent has a history of arrests or records from a prior school indicating a history of violence;
- whether the incident represents escalation and unlawful conduct on behalf of the Respondent from previously noted behavior;
- whether there is an increased risk that the Respondent will commit additional acts of violence;
- whether the Sexual Misconduct was committed by multiple perpetrators;
- whether the Complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group;
- whether the alleged Sexual Misconduct was perpetrated with a weapon;
- the age of the Complainant;
- the seriousness of the offense;
- whether the University has other means to obtain relevant evidence (e.g., security cameras or personal, physical evidence).

If the Title IX Coordinator determines that the University will honor the request not to investigate, the Title IX Coordinator will notify the Complainant of the decision. Ultimately, the University retains the right to act upon any information that comes to its attention, and the Title IX Coordinator may sign a Formal Complaint alleging Sexual Misconduct against a Respondent and order an investigation of the alleged Sexual Misconduct. The University may also consider broader remedial action, such as increased monitoring and/or security at locations where the reported Sexual Misconduct occurred, increasing training, education, and prevention efforts, and conducting climate surveys.

There may be times when the Department of Public Safety or another administrator may contact local law enforcement regarding the nature of an alleged incident. However, it is always your decision whether or not to cooperate with any law enforcement investigation.

Information that could identify either the victim or the alleged perpetrator will be protected and not disclosed on any publicly available records, including Clery Act reporting and disclosures. The institution will also maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. Students reporting a complaint of dating violence, domestic violence, sexual assault, or stalking will be provided with a written University resource guide, *You Are Not Alone*. This resource guide contains the Students' Bill of Rights and available supportive measures.

### **When Should I Contact a Title IX Coordinator?**

Any student, faculty, administrator, staff member, or applicant for admission who has concerns about sexual misconduct is encouraged to seek the assistance of a Title IX Coordinator. For example, students are encouraged to contact a Title IX Coordinator if they

- Wish to understand your options if you think you may have encountered sexual misconduct.
- Learn of a situation that you feel may warrant a University investigation.
- Need help on how to handle a situation by which you are indirectly affected.
- Seek guidance on possible methods of de-escalating or alleviating a difficult situation.
- Have questions on St. John's University policies and procedures.

### **Survivors of Sexual Assault**

St. John's University is committed to supporting survivors of sexual violence, dating violence, domestic violence, and/or stalking by providing the necessary safety and support services so that students can remain

at St. John's University, meet academic standards, obtain necessary health/mental health treatment, and maintain social relationships. This is written for survivors of sexual misconduct, including sexual assault, stalking, and relationship violence, to provide support as well as important information about prohibited conduct, available resources on and off campus, and ways to file a complaint in order to assist survivors in the recovery process and in their efforts to heal from this unacceptable form of violence. If you have survived sexual misconduct or know someone who has, please be assured that there are people who care about what you have endured.

**You are not alone** in what happened to you, or in how you feel, no matter what form your experience took. It is important for you to know that the feelings, reactions, and questions you may be experiencing are similar to those of other people who have been victimized through no fault of their own. Sexual misconduct is never the fault of the victim. You are not to blame for what another person has done to you. You, as others have, can learn to regain a sense of power over your life. You may feel very isolated and alone, but there are resources and support available and people ready and able to help you.

While the needs and issues of different populations on campus may be unique, the resources, support and procedures apply to all students.

Whether you are an undergraduate student, a graduate student, a woman or man, identify as LGBTQ or cisgender or straight, you receive the same dedicated support and services at St. John's University. Emotional support, counseling, advisement regarding your options, medical treatment, and academic assistance are all available. Please review this as the first step in understanding how St. John's University can support you. If you have questions about this document please ask them of any of the support resources listed.

You have the right to make a report to Public Safety, the local law enforcement and state police or choose not to report; to report the incident to St. John's University; to be protected by the University from retaliation for reporting an incident; and to receive assistance and resources from the University.

St. John's University. Emotional support, counseling, advisement regarding your options, medical treatment, and academic assistance are all available. Please review the You Are Not Alone resource guide (see Appendix H), as the first step in understanding how St. John's University can support you. If you have questions about this document please seek assistance through one of the listed confidential options.

### **Emergency Medical Assistance**

The first step in taking care of yourself is making sure you are physically well. Even if you do not have any visible physical injuries following an incident of any form of sexual assault, dating violence, intimate partner violence, and/or stalking, there may be injuries that you cannot see. Medical and health centers can provide additional services such as testing for sexually transmitted diseases, evidence collection, and/or counseling. New York State has a network of hospitals with Sexual Assault Forensic Examiner (SAFE) programs. SAFE programs have specially trained health professionals who provide medical care to patients who report sexual assault, including evaluation, treatment, referral, and follow-up. Trained advocates may also be available to provide you with additional support and to guide you through the experience at the hospital.

### **Preserving Evidence**

Since evidence dissipates quickly, you may wish to preserve evidence and are encouraged to seek medical attention within 48 hours (and no more than 96 hours) of the incident. Preservation of evidence is important for possible use in legal actions or requests for civil no-contact orders and/or orders of protection. If you choose to preserve evidence, it is important that you do not bathe, douche, brush your teeth, or comb your hair. Also, the clothes you were wearing may be held as evidence, so it is recommended that you bring a change of clothes with you to the hospital. Additionally, photographs may be taken of you, including anywhere there are bruises, scrapes, or cuts. If you are unsure about participating in criminal prosecution, having the evidence preserved will help keep your options open. Taking the step to gather evidence immediately will not commit you to a specific course of action; you do not have to make a police report.

If you would like to receive medical care, you may call 911, call Public Safety at 718-990-5252, or visit one of the hospitals with SAFE programs listed in the You Are Not Alone resource guide (see Appendix H). The University offers free transportation to and from a hospital for a SAFE examination.



## **Counseling and Support**

### **Students:**

Experiencing sexual assault, dating violence, intimate partner violence and/or stalking may bring up many different types of feelings that can be painful, confusing, and/or overwhelming. Obtaining support from family and friends can be very beneficial to your healing. In addition, enlisting support from a professional who is specially trained in working with survivors of sexual assault can also be helpful for recovery.

Often survivors may experience acute stress that may include a range of difficulties such as nightmares, flashbacks, numbness, and withdrawal from family and friends. In addition, survivors may sometimes blame themselves, feel upset about the reactions of their friends and/or family, feel ashamed and/or angry about what happened. These responses can make it difficult for some survivors to manage these feelings alone. Many survivors find comfort in sharing their story in a supportive and confidential environment. It is also possible to learn new coping skills and facilitate returning to activities that you find meaningful and important. You have a number of options if you would like to receive support. Both on and off campus resources are available to all survivors.

### **On-Campus Resources**

**Center for Counseling and Consultation (CCC)** - The Center for Counseling and Consultation (CCC) has mental health professionals available to provide support and assistance. Services at the CCC are free and confidential.

**Campus Support Advisor (CSA)** - The Campus Support Advisor is a trained St. John's University administrator who serves as a confidential resource to survivors. The CSA provides information on University procedures, discusses all remedies available to you, and facilitates referrals for other needs you might have.

**Campus Ministry** - Campus ministers are available for spiritual support and follow-up referrals. (non-confidential)

**Student Health Services** - Student Health Services also has staff available to provide medical assistance and support. Services are free and confidential.

### **Employees:**

Employees can obtain assistance concerning dating violence, domestic violence, sexual assault, and stalking by contacting the Employee Assistance Program. The University has engaged the services of Corporate Counseling Associates, Inc. (CCA) to be the Employee Assistance Program (EAP) vendor. CCA is charged with providing exceptional wellness services to the St. John's employee community.

### **What is the Employee Assistance Program?**

The EAP is free, confidential assistance for employees and their families in a wide range of areas. EAP services are available 24/7 by calling the hotline or logging on to the website. Professional consultants are available 24 hours a day, 365 days a year to offer support and resources, simply by calling the confidential helpline. Your call will always be answered by a licensed/certified mental health professional who will assess your needs, respond competently to emergency situations, and direct you promptly to the appropriate expert area(s).

To meet with a counselor in person (locally or nationwide) call the helpline to schedule an appointment.

- Log on to the EAP vendor website directly to access services at myccaonline.com and enter the portal using company code: STJOHNS.
- Call the confidential EAP helpline at 800-833-8707 to reach a professional consultant on the phone or to schedule an in-person appointment, locally or nationwide.

## When the University Receives a Report of Sexual Misconduct

The University encourages reporting Sexual Misconduct to the University in accordance with this Policy regardless of whether the incident took place on or off campus, and even if it is also reported to local law enforcement.

There is no time limit for reporting Sexual Misconduct to the Title IX Coordinators under this Policy. Nevertheless, any member of the University community who believes that they have been a victim of Sexual Misconduct is encouraged to report the alleged Sexual Misconduct immediately.

When the University receives a report of alleged Sexual Misconduct, the Title IX Coordinator will promptly evaluate the matter and handle it in accordance with Policy 703 and applicable law.

### ***Supportive Measures Students and employees***

The University offers a wide range of Supportive Measures for students and employees designed to protect the safety and well-being of the individuals involved and the University Community, and to deter Sexual Misconduct. Supportive Measures are non-disciplinary and non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Supportive Measures may be temporary or permanent and are available regardless of whether a Complainant chooses to report the crime to law enforcement or files a Formal Complaint under this Policy. The determination of appropriate Supportive Measures is based on the specific facts and circumstances of the situation. Such measures include, but are not limited to:

- Extensions of class or work deadlines
- Excused absences or leaves of absence
- Changes in University housing or work locations
- Adjustments to academic or University work schedules
- Transportation assistance including security escorts
- Increased security and monitoring of certain areas of campus
- Support for reporting to local law enforcement Referral to Health Services, Counseling Services or other support services
- Access to Community Resources
- Restrictions on contact (No Contact Orders)
- Issuing No Trespass Orders
- Protection from Retaliation
- Guidance through the University Complaint Process

Requests for Supportive Measures in connection with an incident of Sexual Misconduct should be made to the University's Title IX Coordinator. The Title IX Coordinator will pursue a meaningful dialogue with the Complainant to determine which Supportive Measures may restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party. Such requests are kept private, and information will be shared as needed to facilitate providing the Supportive Measures.

### **No Contact Orders:**

The Title IX Coordinator may impose a No Contact Order, which typically will include a directive that the parties refrain from having contact with one another, directly or indirectly, including personal contact, email, telephone, text message, social media, or by means of a third party. Both the Complainant and Respondent may request a prompt review, reasonable under the circumstances, of the need for and terms of a No Contact Order or other Supportive Measures. Such a request may be made in writing to the Title IX Coordinator, providing the basis for that request and any evidence to support the request.

Upon receipt of such a request, the Title IX Coordinator will inform the other party of the request and allow the other party to respond, including the submission of evidence if desired. The Title IX Coordinator will determine whether a modification is appropriate. An individual who wishes to report a violation of a No Contact Order can contact the Title IX Coordinator. Any individual who violates a No Contact Order may be subject to disciplinary action up to and including expulsion (or termination of employment).

**Emergency Removal (Students):**

The University may remove a Respondent from the University's education program or activity on an emergency basis if the University, after an individualized safety and risk analysis, determines the Respondent poses an immediate threat to the physical health or safety to the University community arising from the allegations of Sexual Misconduct justifying removal. In such cases, the University provides the Respondent with written notice of the emergency removal.

The Respondent may challenge an emergency removal by writing to the Title IX Coordinator, providing the basis for the request, and any evidence to support the request. Upon receipt of such a request, the Title IX Coordinator will inform the Complainant of the request and allow the Complainant to respond, including the submission of evidence if desired. The Title IX Coordinator determines whether a modification is appropriate.

**Administrative Leave (Employees):**

The University may place an employee-Respondent on administrative leave (with or without pay) upon receipt of allegations of Sexual Misconduct against the employee-Respondent and pending an investigation of such allegations pursuant to this Policy, and the grievance process outlined in Policy 703 (appendix I).

**Legal Orders of Protection and Temporary Restraining Orders**

In addition, you might be interested in obtaining an "Order of Protection" or "Temporary Restraining Order." An Order of Protection is a document issued by a public court to limit the behavior of someone who harms or threatens to harm another person. It is used to address various types of safety issues, including, but not limited to, situations involving domestic violence. For example, it can require a person not to assault, threaten, harass, or stalk you; it can forbid a person from having any contact with you and/or your family; or it can require a person to stay away from your home or the University (where you study, work, and live).

Upon request, Public Safety officers within St. John's Department of Public Safety are available to provide you with assistance in seeking an Order of Protection or a Temporary Restraining Order, but a Public Safety officer cannot request an Order of Protection or Temporary Restraining Order on your behalf.

In New York, family courts, criminal courts, and supreme courts can all issue Orders of Protection.

**Family Court Order of Protection**

This is issued as part of a civil proceeding. Its purpose is to stop violence within a family, or within an intimate relationship, and provide protection for those individuals affected. To obtain an order of protection in the family court, your relationship to the other person must fall into one of the following categories:

- Current or former spouse
- Someone with whom you have a child in common
- A family member to whom you are related by blood or marriage
- Someone with whom you have or have had an "intimate relationship." An intimate relationship does not have to be a sexual relationship. A relationship may be considered intimate depending on factors such as how often you see each other, or how long you have known each other. (After a petition is filed, the court will decide if it is an intimate relationship).

To start a proceeding in family court, you need to file a form called a Family Offense Petition. You can contact the family court in your county for help completing and filing the petition.

**Criminal Court Order of Protection**

A criminal court order of protection may only be issued against a person who has been charged with a crime. There does not need to be a relationship between the complaining witness and the defendant.

### **Supreme Court Order of Protection**

This can only be issued as part of an ongoing divorce proceeding. If you have an ongoing divorce case and would like to request an order of protection, you may do so by making a written request by Motion or Order to Show Cause, or you may make an oral request at a court appearance.

In addition, there are many community resources available to assist in matters relating to sexual assault, such as the New York City Alliance Against Sexual Assault ([www.svfreenyc.org](http://www.svfreenyc.org)). Through contact with the University Resources listed above, members of the University community can get help to identify appropriate resources.

## **University disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking**

### **Application of this Policy**

The complaint resolution procedures set forth in Policy 703 (appendix I) apply to complaints made against students, staff, administrators, employees of the University, and other persons with or without affiliation with the University. Complaints against faculty members will also follow this Policy's procedures, as well as any additional procedures set forth in the Collective bargaining Agreement and University Statutes. In cases where the person accused of Sexual Misconduct is neither a student nor an employee of the University, the University's ability to take responsive action is extremely limited. However, the University shall take all appropriate steps within its control and in accordance with the law to ensure a safe and nondiscriminatory campus community such as restricting the visitor's access to campus, and/or referring the matter to local law enforcement for legal action, where appropriate.

### **Process for Investigating and Resolving Complaints of Sexual Misconduct**

The University will promptly, thoroughly, and impartially investigate and address complaints of Sexual Misconduct by and against its students, employees, and third parties (including visitors and community members), in order to stop prohibited conduct, prevent its recurrence, and address its effects. Any University officials involved in the complaint resolution process, including the Title IX Coordinator, the Investigator, and the Hearing Officer shall receive appropriate training consistent with Policy #703 – Title IX and N.Y. Education Law Article 129-B Sexual Misconduct Policy and Procedure (see Appendix I).

### **Notice of Investigation**

After making a threshold determination that the conduct alleged, if proved, may constitute Sexual Misconduct under this Policy, the Title IX Coordinator will commence an investigation by issuing a Notice of Investigation to the Complainant and the Respondent.

The notice will state the following:

- the identities of the parties involved, if known;
- a description of the alleged conduct that if proven, would violate this Policy, including the date(s), time(s), and location(s) of the alleged conduct, if known;
- a description of the grievance process;
- an instruction to preserve any relevant evidence;
- the specific University policy alleged to have been violated and possible sanctions;
- the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint resolution process;
- where to review the New York State Student Bill of Rights;
- the parties may have an advisor of their choice throughout the investigatory and/or hearing processes, who may be, but is not required to be, an attorney;
- the parties will have an opportunity to inspect and review evidence;
- the availability of Supportive Measures;

- the prohibition against retaliation;
- the University policy or provision that prohibits knowingly making false statements or knowingly submitting false information during a University investigation or hearing, which in the case of students would be adjudicated through the Student Code of Conduct process (or in the case of employees through the applicable policies and/or Collective Bargaining Agreement); and
- the parties' option to select informal resolution of the complaint (except in cases involving allegations that an employee sexually harassed a student).

The Investigator will provide to any party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

### **Advisors**

During an investigation and at any hearing conducted pursuant to this Policy to adjudicate a Formal Complaint of Sexual Misconduct, the Complainant and Respondent have the right to an advisor of their choice. The Complainant and Respondent may request that the University provide them with an advisor at no expense, or they may choose their own advisor or hire one at their own expense. The advisor may be any person who is not otherwise a party or witness involved in the investigation. The advisor may also be, but is not required to be, an attorney. If any advisor's conduct is not consistent with these guidelines, they may be excluded from the process, and the party will have the right to use a different advisor or will be assigned a new advisor by the University. The University reserves the right to have its own legal counsel (in-house and/or retained) present at any point in the process.

Any faculty member who is accused of Sexual Misconduct will be advised that they may choose to be accompanied by an AAUP-FA representative, as their advisor of choice under this Policy, to any interviews in connection with the subject matter of the complaint in accordance with the procedures outlined in the University's Collective Bargaining Agreement.

### **Investigation**

The Title IX Coordinator will assign an Investigator to conduct an investigation. An investigation may include all or some of the following steps, depending on the determination of the appropriate scope of the investigation for each circumstance, as well as any additional steps determined to be appropriate: meetings or other communication with the Complainant, the Respondent, and any other appropriate individuals who may have knowledge of the situation, as well as review of documents and materials that may relate to the situation.

The Complainant and the Respondent will have an equal opportunity to gather and present relevant evidence, participate in the investigation and present witnesses and any inculpatory (implying or imputing guilt) and exculpatory (to clear from alleged fault or guilt) evidence. The Investigator will have the discretion to determine the relevance of any proffered witnesses and evidence, and accordingly, will determine which witnesses to interview and what evidence to obtain.

The Investigator will request interviews with the Complainant, the Respondent, and witnesses by sending written notice of the date, time, location, expected participants, and purpose of the interview. The parties will receive notice of interviews with sufficient time to prepare to participate in the interviews.

The Investigator will also gather relevant evidence, which may include physical evidence, documentary evidence, communications between the parties, and electronic records and media as appropriate. The Investigator may request evidence in the possession of the parties if there are no other means to obtain such evidence. The University cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional (or someone acting or assisting in professional or paraprofessional's capacity) and which are made and maintained in connection with the provision of treatment to the party, unless the party provides the University with their voluntary, written consent to do so.

All members of the University community are expected to cooperate with an investigation pursuant to this Policy. However, parties may refuse to participate in the grievance process.



### **Opportunity to Review and Inspect Evidence**

The Complainant and the Respondent will each have an equal opportunity to inspect and review evidence obtained as part of any investigation conducted pursuant to this Policy, which is directly related to the allegations raised in a Formal Complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, except for evidence that is protected by a legally recognized privilege (e.g., attorney-client privilege, doctor-patient privilege) unless the party has given their voluntary, written consent.

Towards the end of the investigative process, but before finalizing the investigative report, the Title IX Coordinator will send to each party and their advisors, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Complainant and the Respondent will each have 10 calendar days to submit a written response to the evidence, which will be incorporated into the investigative file and considered by the Investigator in compiling the investigative report.

### **Opportunity to Review Investigative Report**

At the conclusion of the investigation, the Investigator will create an investigative report that fairly summarizes relevant evidence. The Complainant and the Respondent will each have an equal opportunity to review the investigative report. The Title IX Coordinator will send to each party and their Advisors, if any, the investigative report in an electronic format or a hard copy at least 10 days prior to a hearing or other time of determination regarding responsibility, for their review and written response. The Complainant and the Respondent, and the parties' advisor, if any, will each have 10 calendar days to submit a written response to the report, which will be incorporated into the investigative file. If parties wish to make an impact statement, they should include it as part of their written response.

### **Notice of Hearing**

Once the investigative process has concluded, the Title IX Coordinator will schedule a hearing and provide the Complainant and Respondent, and their advisor(s), if any, with written notice of the hearing, allowing sufficient time to prepare for the hearing.

### **Transfer of Investigative Record**

Within a reasonable time prior to the scheduled hearing, the Title IX Coordinator will transfer the investigative record to the Hearing Officer. The investigative record will include, at a minimum, the following:

- the Formal Complaint of Sexual Misconduct;
- the Notices of Investigation sent to the parties;
- relevant evidence collected during the investigation;
- any written responses provided by the parties upon inspection and review of evidence;
- the investigative report;
- any written responses provided by the parties upon review of the investigative report; and
- the hearing notices sent to the parties.

The investigative record and information contained therein may be redacted by the Investigator, to exclude information not directly related to the allegations or that is otherwise barred from use under this policy, such as information protected by a legally recognized privilege, or a party's treatment records if the party has not given written consent. The investigative record will be made available to the Complainant and the Respondent at the hearing, and each party will have equal opportunity to refer to any information in the investigative record during the hearing.

### **Evidentiary Standard**

The evidentiary standard in determining the facts will be based upon a preponderance of the evidence, i.e., a finding that it is more likely than not that the alleged Sexual Misconduct occurred or did not occur. The Respondent is presumed to be not responsible for the conduct alleged in a Formal Complaint of Sexual Misconduct until a finding of responsibility is made pursuant to the procedures set forth in this Policy.

**Hearing Procedure** - An impartial, live hearing will be held to give the Complainant and the Respondent, through their advisors, equal opportunity to present relevant evidence to the Hearing Officer, who will determine whether the Respondent is responsible or not responsible for the Sexual Misconduct alleged by the Complainant. The Hearing Officer will not be the Title IX Coordinator or the Investigator assigned to the case.

At the University's discretion and with consideration for requests made by the parties, the hearing may be conducted with all parties physically present in the same location, or any or all participants may appear at the hearing virtually, with technology enabling participants to simultaneously see and hear each other in real-time. The participants in the hearing will generally be limited to the Hearing Officer, the Complainant, the Complainant's advisor, the Respondent, the Respondent's advisor, the Investigator, and witnesses (who will only be present for their own testimony). If a party's chosen advisor does not appear at the hearing, the University will appoint an advisor to represent the party at the hearing. The hearing will be recorded.

The hearing will typically proceed as follows:

- Introduction by the Hearing Officer, including an explanation of the hearing process, the rules of decorum, and any other rules governing the hearing.
- Testimony by the Investigator, with questioning by the Hearing Officer and cross-examination by the parties' advisors.
- Testimony by the Complainant, with questioning by the Hearing Officer and cross-examination by the Respondent's advisor.
- Testimony by the Respondent, with questioning by the Hearing Officer and cross-examination by the Complainant's advisor.
- Testimony by witnesses, with questioning by the Hearing Officer and cross-examination by the parties' advisors.
- Closing statement by the Complainant.
- Closing statement by the Respondent.
- The Hearing Officer closes the hearing, informing the parties that a written decision will be forthcoming.

The Hearing Officer may consider statements of persons who were not present at the hearing, or persons who were present but not subject to cross-examination, so long as the statements are deemed reliable and relevant by the Hearing Officer and not otherwise subject to exclusion under this policy. Such statements may include, but are not limited to, statements in police reports or other official reports, medical records, court records and filings, investigation notes of interviews, investigation transcripts, emails, written statements, affidavits, text messages, and social media postings.

In determining responsibility, the Hearing Officer will not draw any inferences based solely on the absence of a party or witness, or the refusal of a party or witness to answer questions or be cross-examined. This exclusion shall not apply to a Respondent's alleged verbal conduct, that itself constitutes the alleged sexual harassment at issue.

During the testimony phases of the hearing, the Hearing Officer will question the testifying individual first. The Complainant's advisor will then have an opportunity to question or cross-examine the testifying individual, followed by the Respondent's advisor. The Hearing Officer will give both parties' advisors the opportunity to ask any follow-up questions before moving to the next round of testimony. Only relevant cross-examination and other questions may be asked of a party or witness. The Hearing Officer must decide on the relevancy of any questions asked by the parties' advisors before they are answered, and will provide an explanation whenever questions are excluded as not relevant. In general, questions and evidence about either party's sexual predisposition or prior sexual behavior are not relevant. However, such questions and evidence may be permitted if offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove Consent. At no time may the Complainant and the Respondent question each other directly.

The Hearing Officer will have the discretion to admit or not admit any new evidence introduced by either party that had not been included in the investigative record on the basis of relevance. Formal rules of evidence will not apply to the hearing.

### **Decision Regarding Responsibility**

Upon consideration of the investigative record and the hearing record, the Hearing Officer will issue a written decision regarding responsibility. The Complainant and the Respondent will receive copies of the written decision simultaneously.

The decision will include the following:

- the allegations potentially constituting sexual harassment, sexual assault, dating violence, domestic violence, or stalking as defined in this Policy;
- a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- findings of fact supporting the determination;
- conclusions regarding the application of University Policies to the facts;
- a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- any disciplinary sanctions to be imposed on the Respondent;
- whether remedies designed to restore or preserve equal access to the University's education program or activity or employment will be provided to the Complainant; and
- the University's procedures and permissible bases for the Complainant and the Respondent to appeal.

### **Transfer of the Hearing Record**

Upon issuing the written decision regarding responsibility, the Hearing Officer will transfer the hearing record to the Title IX Coordinator. The hearing record will include, at a minimum, the following:

- the recording of the hearing; any information admitted by the Hearing Officer during the hearing that had not been included in the investigative record;
- the written decision; and
- the notices sent to the parties regarding the outcome.

### **Appeals**

All appeals will be heard by a three-member panel. The panel shall not include the Hearing Officer, the Title IX Coordinator, or the Investigator assigned to the case.

The Complainant and the Respondent have the right to appeal a determination regarding responsibility, sanctions, or the dismissal of a Formal Complaint or any allegations therein, by submitting a written appeal to the Title IX Coordinator within 10 calendar days of the determination or dismissal. If a party does not file an appeal within that period, their right to appeal is waived. If neither party files an appeal within that period, the determination regarding responsibility or dismissal is considered final as of the date the ability to appeal expired.

Appeals must be based on one or more of the following bases:

- procedural irregularity that affected the outcome;
- new evidence that was not reasonably available at the time the decision regarding responsibility or dismissal was made, that could affect the outcome;
- the Title IX Coordinator, Investigator, or the Hearing Officer had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent, that affected the outcome.

Upon receipt of a party's appeal, the Title IX Coordinator will promptly send a Notice of Appeal to both parties, informing them in writing that an appeal has been filed and that each party may submit a written statement in support of, or challenging the decision regarding responsibility within 10 calendar days of the Notice of Appeal.

After 10 calendar days from issuance of the Notice of Appeal have passed, the Title IX Coordinator will share each party's statement, if any, with the other party. The Title IX Coordinator will also send such statements, if any, along with the investigative record, the hearing record, and the written appeal to the appeal panel.

The appeal panel will review the investigative record, the hearing record, and all written submissions provided by the parties on appeal, and within a reasonable time, issue a written decision describing the result of the appeal and the rationale for the result. The appeal panel may:

- affirm the decision of the Hearing Officer;
- reverse a finding; or
- change a sanction or remedy.

The Complainant and the Respondent will be simultaneously notified of the appeal result, which shall be final and binding on all parties.

### ***Time Frame for Investigation and Complaint Resolution***

While the time to resolve a reported incident will vary from case to case, depending on the specific facts and circumstances, the University will investigate and resolve complaints as expeditiously as possible. The grievance process may allow temporary delays and limited extension for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

The Complainant and the Respondent may request reasonable extensions on deadlines set forth in this Policy, to be granted at the University's discretion.

## **Possible Sanctions**

### ***For Staff and Administrators***

Any staff or administrator who has been found to have violated this Policy will be subject to disciplinary action including, but not limited to: letter of reprimand or warning; probation; suspension (with or without pay); termination; or other discipline or resolution deemed appropriate based on the circumstances and severity of the findings of fact.

### ***For Faculty***

The University will follow applicable University procedures, including those provided in the Collective Bargaining Agreement and University Statutes, in taking any disciplinary action against faculty members found to have violated this Policy. Potential sanctions will range from a letter of reprimand or warning to termination of employment.

### ***For Students***

Possible sanctions for students can include, but are not limited to, a formal warning, housing probation, University premises restriction, suspension or expulsion from the University's housing, student life probation, University disciplinary probation and suspension, or expulsion from the University.

Where required by federal, state and/or local law, the transcripts of students found responsible after a hearing and appeal, if any, or who withdraw from the University while certain disciplinary charges are pending, shall include the following notation:

- Suspended after a finding of responsibility for a code of conduct violation;
- Expelled after a finding of responsibility for a code of conduct violation; or
- Withdrew with conduct charges pending.

Transcript notations for suspensions may be removed at the discretion of the University, but no earlier than one (1) year after the conclusion of the suspension. Transcript notations for expulsion shall not be removed.

## Informal Resolution

After a Formal Complaint has been filed, but before any determination regarding the respondent's responsibility has been made, either the complainant or the respondent may request by writing to the Title IX Coordinator that the University facilitate an informal resolution process that does not involve a full investigation and adjudication. Upon receiving such a request, the Title IX Coordinator will notify the other party.

To proceed with informal resolution, the Title IX Coordinator will provide both parties with written notice disclosing the following:

- 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.

If both parties agree to resolve the Formal Complaint through an informal resolution process, they must provide the Title IX Coordinator with their voluntary, written consent to participate in the informal resolution process.

Before the conclusion of any informal resolution process, either party has the right to withdraw from the informal resolution process and resume the Formal Complaint resolution process. Informal resolution is not permissible to resolve allegations that an employee sexually harassed a student.

## Sex Offender Registry Information

Information regarding a registered sex offender can be obtained by calling the New York State Sex Offender Registry Information Line at 1 (800) 262-3257 or online at [http://www.criminaljustice.ny.gov/SomsSUBDirectory/search\\_index.jsp](http://www.criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp).

### ***International campuses and locations***

Rome, Italy; Paris, France; and Limerick, Ireland – Law enforcement in these countries do not publish a registry of sex offenders.

## Missing Student Policy

**Purpose** - The term “missing student,” for the purpose of this policy, shall refer to any St. John's University student who resides in on-campus student housing who has not been seen in 24 hours, and whose whereabouts is unknown. The following procedure will be initiated once it is determined that a student is missing, with no reasonable explanation for his or her absence. Ordinarily, this procedure will be initiated after a 24-hour period from the time the student was last seen, but this procedure may be implemented in less than 24 hours if circumstances warrant a faster implementation.

Each student living in on-campus student housing may identify an individual or individuals the University can contact in accordance with the University's official notification procedures described below if such student is determined missing. The missing contact information will be kept confidential. Only authorized campus officials may access this contact information and may disclose the contact information only to law enforcement officials and only for the purpose of a missing student investigation. A confidential contact person can be registered by entering such contact information where requested during such student's provision of general emergency contact information. In order to list or update a missing person contact; resident students must log into UIS. On your Personal Information Menu click on “Personal Information” then choose “View/Update emergency contacts” then choose “New Contact”. In the field “relationship,” choose from the drop-down menu Missing Person Contact.” Complete the remaining fields and submit the information.





In the event a student under the age of 18—who is not emancipated—is determined to be missing, the student’s custodial parent or legal guardian will be notified no later than 24 hours after the student is determined to be missing, in addition to notifying any additional contact person designated by the student. In cases where the missing student is over the age of 18 and has not designated an emergency contact, St. John’s will inform the appropriate law enforcement agency that the student is missing.

The Department of Public Safety will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency is the entity that made the determination the student is missing.

### **Notification Procedures**

1. Reports of a student missing for at least 24 hours who resides in an on-campus student housing should be made to any or all of the below listed persons:
  - a. Dean of Students
  - b. Director of Residence Life
  - c. Director of Student Conduct
  - d. Associate Director of Student Life
  - e. Residence Directors
  - f. Residence Assistants
  - g. Residence Ministry
  - h. Executive Director of Public Safety
  - i. Public Safety Officers
2. Upon being notified of a missing student, each of the above individuals will ensure an immediate notification is made to the Department of Public Safety. Public Safety, together with Residence Life, will initiate a prompt investigation into the whereabouts of the missing student to include, but not limited to, making inquiries of roommates/suitemates, residents living on the same floor, and any other known associates of the missing student.
3. The Director of Residence Life on the Queens, NY, campus (or, for international locations, the Resident Director of such location), or his or her designee, in conjunction with the Department of Public Safety, will work with the Dean of Students, or his or her designee, to review the student’s academic schedule and ascertain whether the student is attending classes. The Executive Director of Public Safety, or his or her designee, will request the StormCard Office to review the use of the student’s StormCard to assist in ascertaining the location of the missing student.
4. The Director of Residence Life on the Queens, NY, campus (or, for international locations, the Resident Director of such location), or his or her designee, in conjunction with the Department of Public Safety, will promptly contact the individual’s registered confidential contact, or if less than 18 years of age and not emancipated, the student’s custodial parent or legal guardian, in addition to notifying any additional contact person designated by the student. All of the designated contact persons will be apprised of the situation and asked whether they have any knowledge of the student’s whereabouts.
5. The Director of Residence Life on the Queens, NY, campus (or, for international locations, the Resident Director of such location), or his or her designee, will promptly inform the Vice President for Student Success and Retention Strategy that all efforts, including notification of all designated persons, have met with negative results. The Executive Director of Public Safety, or his or her designee, within 24 hours after it has been determined that the student is missing, will contact the New York City Police Department for those students residing in on-campus housing in Queens.
6. In Rome, Italy, the Carabinieri, in Paris, France, the Police Nationale, and in Limerick, Ireland, the Gard, the Executive Director of Public Safety, or his or her designee, within 24 hours after it has been determined that the student is missing, will request that the local law enforcement agency initiate an investigation and search based on their departmental policy and procedures. The Department of Public Safety and other offices of the University will cooperate fully with the investigation. The Department of Public Safety will assist the authorities in identifying parties needed for questioning. The Executive Director of Public Safety and/or the Vice President for Student Success and Retention Strategy will contact the Vice President for Administration, Secretary, and General Counsel.

If circumstances warrant a faster implementation of the notification procedures, the Directors of Residence Life on the Queens campus or for international locations, the Resident Director of such location, or his or her designees, will contact the Department of Public Safety and the Dean of Students immediately. The Office of Public Safety will notify the respective law enforcement agency immediately to begin an investigation in accordance with their policy and procedures.

\*Important: Local law enforcement departments have a standard operating procedure in place to respond to missing persons. The New York City Police Department has agreed they will address such a situation promptly and in accordance with their respective procedures. There are no formal agreements in place for an international campus.

## Fire Safety

The University Fire Safety staff consists of full-time and part-time Fire Prevention Officers. These officers work closely with all departments within the University, as well as with the New York City Fire Department and the New York City Department of Buildings. The Office of Fire Safety's goal is to educate the University community about fire and life safety, to prevent fire emergencies and to reduce alarms.



The Office of Fire Safety works in conjunction with the Department of Environmental Health and Safety to protect the University. This report addresses the following campuses and locations that have "on-campus student housing facilities": Queens Campus, Rome Campus, Paris location, and Ireland location.

### ***Annual Fire Safety Report***

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, requires an institution that maintains any on-campus student housing facilities to publish an annual fire safety report by Oct. 1. The purpose of this report is to disclose fire safety policies and procedures related to on-campus student housing and to disclose statistics for fires that occurred in those facilities. Information that must be reported includes (1) Description of each on-campus student housing facility fire safety system; (2) Number of fire drills held during the previous calendar year; and (3) Policies or rules on portable electrical appliances, smoking and open flames in a student housing facility.

The institution is also required to disclose procedures for student housing evacuation in the case of a fire, policies regarding fire safety education and training programs provided to the students and employees, and plans for future improvements in fire safety, if determined necessary by the institution and fire statistics for on-campus housing facilities.

Fire statistics for the University can also be found on the US Department of Education website at <http://ope.ed.gov/security>.

### ***Fire Log***

The University maintains a fire log. The fire log for the most recent 60 days is open to the public for inspection during normal business hours. Portions of the fire log that are older than 60 days will be made available for inspection within two business days. To arrange a fire log inspection, please contact the Executive Director of Public Safety.

### ***Fire Statistics***

All reports of fires and fire alarms are captured and memorialized in a database by the Department of Public Safety. The data collected includes, but is not limited to, the building name; alarm location; time and date; the number and cause of each fire; any and all injuries; any fatalities; and dollar values for property damaged by the fire. Please see Appendix F for statistics on all reported on-campus housing facilities fires. Please see Appendix G for a description of each on-campus student housing facility fire safety system, which includes the number of fire drills held during the previous calendar year.

## **Fire Safety Policies**

St. John's University strives to maintain a safe environment that is free from potential fire hazards. The fire safety policy enjoins the entire University community to cooperate with our fire protection programs which are designed to save lives and protect property. The fire safety officers increase campus fire safety awareness of both students and employees by conducting periodic training on essential fire safety elements. Both Fire Safety officers, Public Safety officers, and Resident Life staff conduct frequent fire safety inspections in several University buildings. They are trained to recognize hazardous conditions and take appropriate action before such conditions result in a fire emergency.

### **Portable Electrical Appliances**

All portable electrical appliances must be U.L. rated and approved for use. Surge protectors should be used with items that require a large amount of electricity (i.e., televisions, refrigerators, and computers, etc.). Extension cords may not be taped, tacked, or stapled to any surface.

The following appliances are permissible in the residence halls, with the stipulation that they have an automatic shut-off feature and are U.L. rated and approved for use:

- Coffee pots and single cup coffee systems
- Pop-up toasters
- Closed-element popcorn poppers
- Hot pot and rice cookers
- Foreman grills and panini presses
- Irons

### **Smoking**

To comply with the Smoke-Free Air Act, as enacted by the City of New York, and to provide employees and students with a healthy environment, it is the policy of St. John's University to prohibit smoking of any type in all University facilities. At our international campuses and locations, it is the policy of St. John's University to prohibit smoking of any type in all University facilities.

### **Open Flames (i.e. candles)**

To decrease the potential for fire at St. John's, the University prohibits the use of open flames, such as candles and incense, in all buildings at all times. Maintenance activities, such as torching and welding, can occur only with the express authorization from the fire safety office.

### **Procedures for Evacuation**

If the fire alarm sounds, the occupants of the building must evacuate the residence hall immediately, unless they cannot because of hazardous surroundings. Building evacuation may also be initiated via the Public Address system, or by Public Safety and Fire Safety officers. Please note that fire drills are conducted four times a year.

If a fire alarm is activated or Public Safety initiates an emergency evacuation of your building:

1. Stay calm and do not panic.
2. If your door is hot to the touch, do not open it. Roll up a wet towel and place it at the base of the door to prevent smoke penetration. Go to the window, open it a crack and stay there until help arrives. DO NOT JUMP.
3. If your door is cool to touch, open it slowly. If the hallway is clear, close and lock your door behind you and proceed to the nearest exit.
4. Proceed to the closest emergency exit. Do not take the elevator. Always use the stairs to evacuate the building.
5. If you encounter smoke, take short breaths through your nose and stay close to the floor.
6. Once outside the building, proceed to a designated waiting area away from the building and wait for instructions from an authorized University official. Without risking one's safety, try and remember to carry your ID with you as you exit the building.



### **Reporting Fires**

The University is required to disclose each year statistical data on all fires that occurred in on-campus student housing. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. If you encounter a fire that presents an emergency situation, ensure your own safety and then please call 911 (or 112 at an international campus).

There may also be instances when a fire is extinguished quickly, and an alarm is not pulled or a response by the fire department was not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one or hear about one, you should contact one of the departments listed below. When providing notification of a fire, give as much information as possible about the location, date, time, and cause of the fire. Students or employees should report that a fire has occurred to:



- 911 (Municipal Emergency Response System)
- St. John's University Department of Public Safety
- St. John's University Fire Safety Director
- St. John's University Director of Residence Life

At our international campuses and locations, students and employees should report that a fire has occurred to

- 112 (Municipal Emergency Response System)
- St. John's University Resident Life staff
- On-duty security personnel

### **Emergency Evacuation Volunteers (EEVs)**

To enhance the University's evacuation procedures, individual members of the University community have volunteered to be emergency evacuation volunteers (EEVs). Every building on the Queens, Staten Island and Manhattan campuses has pre-designated EEVs. The only exception are resident halls, which are evacuated with the assistants of resident life staff. The EEVs are under the direction of Public Safety. They assist evacuation by encouraging others in their area to evacuate, as necessary. Such employees are capable of directing the overall evacuation of the occupants and can assist Public Safety by accounting for building occupants. The EEVs will direct their respective floor evacuations and are expected to relay information to Public Safety concerning injured or special-needs personnel that require immediate attention.

### **Training Programs in Fire Safety for Students, Faculty and Staff**

Training and instruction in the University's fire safety program is provided to all first-time incoming resident students during the student orientation program. Upon arrival, each resident student receives a printed copy of the St. John's University fire safety brochure and a printed copy of their respective building fire safety plans. These plans provide information on the specific fire safety features for each individual building and the appropriate actions to take during a fire alarm or fire emergency.

Residence Life staff, particularly the Resident Directors and Resident Assistants, receive additional targeted fire safety training at the beginning of each academic year.

All faculty and staff are required to attend the University's mandatory emergency response training. Fire Safety and building evacuation procedures are covered during this training, which is delivered at various times throughout the year.

Fire safety instructions and building fire safety plans are posted on the University's fire safety website. Throughout the year, the Office of Fire Safety posts helpful fire safety tips via electronic format to the University community at large.

**Fire Safety Future Improvement Plan**

All on-campus housing facilities meet or exceed fire safety requirements. As the University renovates buildings, the fire suppression and detection systems are evaluated and improved to bring our buildings above, or beyond, current requirements. At this present time the University is replacing the Fire Detection system on the Rome ,Italy campus.

**Mandatory Fire Drills**

Residence hall fire drills are conducted at least once during each semester. Fire drills are conducted in our academic classroom and research facilities at least three times a year. These supervised fire drills are performed jointly by St. John's University's Departments of Fire Safety and Public Safety.



## Appendix A

Definitions of reportable crimes disclosed in the Annual Security Report. The following definitions are in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program.

### Primary Crimes:

- **Criminal Homicide - Manslaughter by Negligence:** The killing of another person through gross negligence.
- **Criminal Homicide - Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program
- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.
- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)
- **Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)
- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

### Other offenses:

- **Weapons: Carrying, Possessing, Etc.:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.
- **Drug Abuse Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
- **Liquor Law Violations:** The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

### Definitions as defined by the Violence Against Women Act:

- **Dating violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. (i) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. (ii) For the purposes of this definition— (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (B) Dating violence does not include acts covered under the definition of domestic violence.
- **Domestic violence:** A felony or misdemeanor crime of violence committed— (A) By a current or former spouse or intimate partner of the victim;

(B) By a person with whom the victim shares a child in common; (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to— (A) Fear for the person's safety or the safety of others; or (B) Suffer substantial emotional distress. For the purposes of this definition— (A) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. (B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim. (C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Hate crime:** A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability. In addition to murder and non-negligent manslaughter, *rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft and arson*, the following acts are reportable as Hate Crimes under the Clery Act.

- **Larceny-Theft (Except Motor Vehicle Theft):** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.
- **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth,

possible internal injury, severe laceration, or loss of consciousness.

- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Hierarchy Rule:** A requirement in the FBI's UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted.

## Appendix B

University definition of sexual assault, dating violence, domestic violence, stalking and affirmative consent:

**Sexual Assault:** is any offense classified as a sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, which includes:

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Consent of the Complainant.
- **Fondling:** The touching of the private body parts of the Complainant for the purpose of sexual gratification, without the Consent of the Complainant, including instances where the Complainant is incapable of giving Consent because of their age or because of their temporary or permanent mental incapacity.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape:** Sexual intercourse with a person who is under the statutory age of Consent.
- **Domestic Violence:** includes felony or misdemeanor crimes of violence committed by (i) a current or former spouse or intimate partner of the Complainant, (ii) a person with whom the Complainant shares a child in common, (iii) a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, (iv) a person similarly situated

to a spouse of the Complainant under applicable domestic or family violence laws, or (v) any other person against an adult or youth Complainant who is protected from that person's acts under applicable domestic or family violence laws.

- **Dating Violence:** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant, and where the existence of such of a relationship shall be determined based on a consideration of the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.
- **Stalking:** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for their safety or the safety of others; or (2) suffer substantial emotional distress. For purposes of this definition:
  - “Course of conduct” means two or more acts, including, but not limited to, acts in which the respondent directly, indirectly, or through third parties, by any action, method, device, or other means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
  - “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
  - “Reasonable person” means reasonable person under similar circumstances and with similar identities to the complainant.

**Affirmative Consent:** (referred to herein as “Consent”) is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate Consent. The definition of Consent does not vary based upon a participant's sex, sexual orientation, gender identity or gender expression.

The following principles provide guidance on the notion of Consent:

- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.

- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.

When Consent is withdrawn or can no longer be given, sexual activity must stop.

## **Appendix C**

New York State Law – definitions related to Dating Violence, Domestic Violence, Stalking, Sexual Assault and Consent

- **Dating Violence:** New York State does not specifically define “Dating Violence”.
- **Domestic Violence:** New York State does not specifically define “Domestic Violence”. However, a violation of the following penal law statutes may be considered “domestic incidents” when the incident is between spouses or former spouses, between parent and child, between members of the same family or household. Family and Criminal court shall have concurrent jurisdiction over any proceeding. The listed penal law statutes are applicable: (a)disorderly conduct, (b)harassment in the 1<sup>st</sup> or 2<sup>nd</sup> degree, (c)aggravated harassment 2<sup>nd</sup> degree, (d)sexual misconduct, (e)forcible touching, (f)sexual abuse 3<sup>rd</sup> degree, (g)sexual abuse 2<sup>nd</sup> degree as set forth in subdivision one of section 130.60 of the penal law, (h)stalking 1<sup>st</sup>, 2<sup>nd</sup> 3<sup>rd</sup> or 4<sup>th</sup> degree, (i)criminal mischief, (j)menacing in the 2<sup>nd</sup> and 3<sup>rd</sup> degree, (k)reckless endangerment, (l)criminal obstruction of breathing or blood circulation, (m)strangulation in the 1<sup>st</sup> and 2<sup>nd</sup> degree, (n)assault in the 2<sup>nd</sup> and 3<sup>rd</sup> degree or an attempted assault, (o)identity theft in the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> degree, (p)grand larceny in the 3<sup>rd</sup> and 4<sup>th</sup> degree or (q)coercion in the second degree as set

forth in subdivisions one, two and three of section 135.60 of the penal law.

### **Stalking**

- ***Stalking in the fourth degree, Penal Law section 120.45*** — A person is guilty of stalking in the fourth degree when he or she intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct: 1. is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or 2. causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or 3. is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct. For the purposes of subdivision two of this section, "following" shall include the unauthorized tracking of such person's movements or location through the use of a global positioning system or other device.
- ***Stalking in the third degree, Penal Law section 120.50*** — A person is guilty in violation of section 120.45 of this article against three or more persons, in three or more separate transactions, for which the actor has not been previously convicted; or 2. Commits the crime of stalking in the fourth degree in violation of section 120.45 of this article against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime, as defined in subdivision five of section 120.40 of this article, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or 3. With intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or 4. Commits the crime of stalking in the fourth degree and has previously

been convicted within the preceding ten years of stalking in the fourth degree.

- ***Stalking in the second degree, Penal Law section 120.55*** — A person is guilty of stalking in the second degree when he or she: 1. Commits the crime of stalking in the third degree as defined in subdivision three of section 120.50 of this article and in the course of and in furtherance of the commission of such offense: (i) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, shotgun, machine gun, electronic dart gun, electronic stun gun, cane sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, slingshot, slungshot, shirken, "Kung Fu Star", dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapon; or (ii) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or 2. Commits the crime of stalking in the third degree in violation of subdivision three of section 120.50 of this article against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime as defined in subdivision five of section 120.40 of this article, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or 3. Commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree as defined in subdivision four of section 120.50 of this article against any person; or 4. Being twenty-one years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or 5. Commits the crime of stalking in the third degree, as defined in subdivision three of section 120.50 of this article, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.
- ***Stalking in the first degree, Penal Law section 120.60*** — A person is guilty of stalking in the first degree when he or she commits the crime of stalking in the third degree as defined in subdivision three of section 120.50 or stalking in the second degree as defined in section 120.55 of this article and, in the course and furtherance thereof, he or she: 1. intentionally or recklessly causes physical injury to the victim of such crime; or 2. commits a class A misdemeanor defined in article one hundred thirty of this chapter, or a class E felony defined in section 130.25, 130.40 or

130.85 of this chapter, or a class D felony defined in section 130.30 or 130.45 of this chapter.

- **SEXUAL ASSAULT**

New York State does not specifically define sexual assault. However, according to the Federal Regulations, sexual assault includes offenses that meet the definitions of rape, fondling, incest, or statutory rape as used in the FBI's UCR program. Sections 130 and 255 of the New York State Penal Law address these crimes.

- ***Sexual Misconduct, Penal Law section 130.20*** - When a person (1) engages in sexual intercourse with another person without such person's consent; or (2) engages in oral sexual conduct or anal sexual conduct without such person's consent; or (3) engages in sexual conduct with an animal or a dead human body.
- ***Rape in the third degree, Penal Law section 130.25*** - When a person (1) engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) Being 21 years old or more, engages in sexual intercourse with another person less than 17 years old; or (3) engages in sexual intercourse with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.
- ***Rape in the second degree, Penal Law section 130.30*** - When a person (1) being 18 years old or more, engages in sexual intercourse with another person less than 15 years old; or (2) engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense to the crime of rape in the second degree the defendant was less than four years older than the victim at the time of the act.
- ***Rape in the first degree, Penal law section 130.35*** - When a person engages in sexual intercourse with another person (1) by forcible compulsion; or (2) Who is incapable of consent by reason of being physically helpless; or (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.
- ***Criminal sexual act in the third degree, Penal law section 130.40*** - A person is guilty of criminal sexual act in the third degree when: 1. He or she engages in oral sexual conduct or anal sexual conduct with a person who is incapable of consent by reason of some factor other than being less than seventeen years old; 2. Being twenty-one years old or more, he or she engages in oral sexual conduct or anal sexual conduct with a

person less than seventeen years old; or 3. He or she engages in oral sexual conduct or anal sexual conduct with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

- ***Criminal sexual act in the second degree, Penal law section 130.45*** - A person is guilty of criminal sexual act in the second degree when: 1. being eighteen years old or more, he or she engages in oral sexual conduct or anal sexual conduct with another person less than fifteen years old; or 2. he or she engages in oral sexual conduct or anal sexual conduct with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It shall be an affirmative defense to the crime of criminal sexual act in the second degree as defined in subdivision one of this section that the defendant was less than four years older than the victim at the time of the act.
- ***Criminal sexual act in the first degree, Penal law section 130.50*** - A person is guilty of criminal sexual act in the first degree when he or she engages in oral sexual conduct or anal sexual conduct with another person: 1. By forcible compulsion; or 2. Who is incapable of consent by reason of being physically helpless; or 3. Who is less than eleven years old; or 4. Who is less than thirteen years old and the actor is eighteen years old or more.
- ***Forcible touching, Penal law section 130.52*** - A person is guilty of forcible touching when such person intentionally, and for no legitimate purpose: 1. forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person, or for the purpose of gratifying the actor's sexual desire; or 2. Subjects another person to sexual contact for the purpose of gratifying the actor's sexual desire and with intent to degrade or abuse such other person while such other person is a passenger on a bus, train, or subway car operated by any transit agency, authority or company, public or private, whose operation is authorized by New York state or any of its political subdivisions. For the purposes of this section, forcible touching includes squeezing, grabbing or pinching.
- ***Persistent sexual abuse, Penal law section 130.53*** - A person is guilty of persistent sexual abuse when he or she commits the crime of forcible touching, as defined in section 130.52 of this article, sexual abuse in the third degree, as defined in section 130.55 of this article, or sexual abuse in the second degree, as defined in section 130.60 of this article, and, within the previous ten year period, excluding any time during which



such person was incarcerated for any reason, has been convicted two or more times, in separate criminal transactions for which sentence was imposed on separate occasions, of forcible touching, as defined in section 130.52 of this article, sexual abuse in the third degree as defined in section 130.55 of this article, sexual abuse in the second degree, as defined in section 130.60 of this article, or any offense defined in this article, of which the commission or attempted commission thereof is a felony.

- ***Sexual abuse in the third degree, penal law section 130.55*** - A person is guilty of sexual abuse in the third degree when he or she subjects another person to sexual contact without the latter's consent; except that in any prosecution under this section, it is an affirmative defense that (a) such other person's lack of consent was due solely to incapacity to consent by reason of being less than seventeen years old, and (b) such other person was more than fourteen years old, and (c) the defendant was less than five years older than such other person.
- ***Sexual abuse in the second degree, Penal law section 130.60*** - A person is guilty of sexual abuse in the second degree when he or she subjects another person to sexual contact and when such other person is: 1. Incapable of consent by reason of some factor other than being less than seventeen years old; or 2. Less than fourteen years old.
- ***Sexual abuse in the first degree, Penal law section 130.65*** - A person is guilty of sexual abuse in the first degree when he or she subjects another person to sexual contact: 1. By forcible compulsion; or 2. When the other person is incapable of consent by reason of being physically helpless; or 3. When the other person is less than eleven years old; or 4. When the other person is less than thirteen years old and the actor is twenty-one years old or older.
- ***Aggravated sexual abuse in the fourth degree, Penal law section 130.65a*** - A person is guilty of aggravated sexual abuse in the fourth degree when: (a) He or she inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person and the other person is incapable of consent by reason of some factor other than being less than seventeen years old; or (b) He or she inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than seventeen years old.  
2. Conduct performed for a valid medical purpose does not violate the provisions of this section.

- ***Aggravated sexual abuse in the third degree, Penal law section 130.66*** - A person is guilty of aggravated sexual abuse in the third degree when he or she inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person: (a) By forcible compulsion; or (b) When the other person is incapable of consent by reason of being physically helpless; or (c) When the other person is less than eleven years old.  
2. A person is guilty of aggravated sexual abuse in the third degree when he or she inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.  
3. Conduct performed for a valid medical purpose does not violate the provisions of this section.
- ***Aggravated sexual abuse in the second degree, Penal law section 130.67*** - A person is guilty of aggravated sexual abuse in the second degree when he or she inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person: (a) By forcible compulsion; or (b) When the other person is incapable of consent by reason of being physically helpless; or (c) When the other person is less than eleven years old.  
2. Conduct performed for a valid medical purpose does not violate the provisions of this section.
- ***Aggravated sexual abuse in the first degree, Penal law section 130.70*** - A person is guilty of aggravated sexual abuse in the first degree when he or she inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person: (a) By forcible compulsion; or (b) When the other person is incapable of consent by reason of being physically helpless; or (c) When the other person is less than eleven years old.  
2. Conduct performed for a valid medical purpose does not violate the provisions of this section.
- ***Course of sexual conduct against a child in the first degree, Penal law section 130.75*** - A person is guilty of course of sexual conduct against a child in the first degree when, over a period of time not less than three months in duration: (a) he or she engages in two or more acts of sexual conduct, which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact, with a child less than eleven years old ; or (b) he or she, being eighteen years old or more, engages in two or more acts of sexual conduct, which include at least one act of sexual intercourse, oral sexual

conduct, anal sexual conduct or aggravated sexual contact, with a child less than thirteen years old. 2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.

- ***Course of sexual conduct against a child in the second degree, Penal law section 130.80*** - A person is guilty of course of sexual conduct against a child in the second degree when, over a period of time not less than three months in duration: (a) he or she engages in two or more acts of sexual conduct with a child less than eleven years old; or (b) he or she, being eighteen years old or more, engages in two or more acts of sexual conduct with a child less than thirteen years old. 2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.
- ***Facilitating a sex offense with a controlled substance, Penal law section 130.90*** - A person is guilty of facilitating a sex offense with a controlled substance when he or she: 1. knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance or preparation, compound, mixture or substance that requires a prescription to obtain to another person without such person's consent and with intent to commit against such person conduct constituting a felony defined in this article; and 2. Commits or attempts to commit such conduct constituting a felony defined in this article.
- ***Incest in the third degree, Penal law section 255.25*** - A person is guilty of incest in the third degree when he or she marries or engages in sexual intercourse, oral sexual conduct or anal sexual conduct with a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.
- ***Incest in the second degree, Penal law section 255.26*** - A person is guilty of incest in the second degree when he or she commits the crime of rape in the second degree, as defined in section 130.30 of this part, or criminal sexual act in the second degree, as defined in section 130.45 of this part, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor,

descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.

- ***Incest in the first degree, Penal law section 255.27*** - A person is guilty of incest in the first degree when he or she commits the crime of rape in the first degree, as defined in subdivision three or four of section 130.35 of this part, or criminal sexual act in the first degree, as defined in subdivision three or four of section 130.50 of this part, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or half blood, uncle, aunt, nephew or niece.

#### **Consent -**

- ***Sex Offenses; lack of consent, Penal law section 130.05*** - Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without consent of the victim. 2. Lack of consent results from: (a) Forcible compulsion; or (b) Incapacity to consent; or (c) Where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct; or (d) Where the offense charged is rape in the third degree as defined in subdivision three of section 130.25, or criminal sexual act in the third degree as defined in subdivision three of section 130.40, in addition to forcible compulsion, circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of lack of consent to such act under all the circumstances. 3. A person is deemed incapable of consent when he or she is: (a) less than seventeen years old; or (b) mentally disabled; or (c) mentally incapacitated; or (d) physically helpless; or (e) committed to the care and custody or supervision of the state department of corrections and community supervision or a hospital, as such term is defined in subdivision two of section four hundred of the correction law, and the actor is an employee who knows or reasonably should know that such person is committed to the care and custody or supervision of such department or hospital.

## Consent-

- **New York State Education law, Title 7, Article 129-B, section 6441** - Affirmative consent to sexual activity Every institution shall adopt the following definition of affirmative consent as part of its code of conduct: "Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression."

2. Each institution's code of conduct shall reflect the following principles as guidance for the institution's community: a. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act. b. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. c. Consent may be initially given but withdrawn at any time. d. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent. e. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm. f. When consent is withdrawn or can no longer be given, sexual activity must stop.

## Appendix D

Other definitions and terms used in this Report

- **United States Code Title 18, section 16 - Crime of violence** -The term "crime of violence" means— (a) an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or (b) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.
- **Campus Security Authorities (CSA)** - is a "Clery-specific" term encompassing four groups of

individuals and organizations associated with the institution. The function of the CSA is to report allegations of Clery Act crimes that he or she concludes were made in good faith:

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department such as an individual who is responsible for monitoring entrance into institutional property.
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.
- **Pastoral counselor** - A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.
- **Professional counselor** - A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification.
- **Fire** – any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner
- **Cause of Fire** – is defined as the factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.
- **Fire-related injury** - is defined as any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term "person" may include

students, employees, visitors, firefighters or any other individuals.

- **Fire-related death** - is defined as any instance in which a person (1) is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) dies within one year of injuries sustained as a result of the fire.
- **Value of property damage** - is defined as the estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.
- **Fire safety system** - is defined as any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.
- **Fire drill** - is defined as a supervised practice of a mandatory evacuation of a building for a fire.
- **Sexual Misconduct** – the term “sexual misconduct” includes (a) Dating Violence, (b) Domestic Violence, (c) Stalking, (d) Sexual Assault and (e) Sexual Activity without Consent. Dating Violence, Domestic Violence, Stalking and Sexual Assault are defined in Appendix B. The term Sexual Activity without Consent refers to the crime of Incest and Statutory Rape. These crimes are defined in Appendix B.
- **Bystander** - is a person who observes a crime, impending crime, conflict, potentially violent or

violent behavior, or conduct that is in violation of University rules or policies.

- **Complainant** - is the individual who is alleged to be the victim of conduct that could constitute Sexual Misconduct under this Policy.
- **Education Program or Activity** - includes locations, events, or circumstances over which the University exercised substantial control over both the Respondent and the context in which the Sexual Misconduct occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University.
- **Formal Complaint** - is a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Misconduct against a Respondent and requesting that the University investigate the allegation of Sexual Misconduct.
- **Respondent** - is an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Misconduct.
- **Retaliation** - is an action to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, N.Y. 129-B, and/or any applicable law, rule, regulation and/or policy, or because the individual has made a complaint of Sexual Misconduct or participated in an investigation or proceeding related to alleged Sexual Misconduct.
- **Supportive Measures** - are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed.

## Appendix E – University Crime Statistics

### St. John's University Crime Statistics – Andrew Bartilucci Campus

Crime	On Campus			Public Property		
	2020	2021	2022	2020	2021	2022
<b>Criminal Homicide</b>						
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0
<b>Sex Offenses</b>						
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
<b>Other Criminal Offenses</b>						
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	1	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
<b>VAWA Offenses</b>						
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
<b>Referred for Disciplinary Action</b>						
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0
<b>Arrests</b>						
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0

#### Hate Crimes: Andrew Bartilucci Center

There were no reported hate crimes for the year 2020, 2021 or 2022.

#### Unfounded Crimes: Andrew Bartilucci Center

There are no unfounded crimes to disclose for the year 2020, 2021 or 2022.

## St. John's University Crime Statistics – Queens Campus

Crime	On Campus			Non-Campus Buildings/Property			Public Property			Residence Hall		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
<b>Criminal Homicide</b>												
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sex Offenses</b>												
Rape	2	1	3	0	0	0	0	0	0	2	1	1
Fondling	1	0	3	0	0	0	0	1	1	1	0	2
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
<b>Other Criminal Offenses</b>												
Robbery	0	0	0	0	0	0	0	1	2	0	0	0
Aggravated Assault	0	1	1	0	0	0	0	4	1	0	1	0
Burglary	0	1	6	0	0	0	0	0	0	0	1	0
Motor Vehicle Theft	0	1	1	0	0	0	0	1	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
<b>VAWA Offenses</b>												
Domestic Violence	0	0	1	0	0	0	0	0	0	0	0	0
Dating Violence	0	2	3	0	0	0	0	0	3	0	2	3
Stalking	3	2	3	0	0	0	0	0	0	1	1	2
<b>Referred for Disciplinary Action</b>												
Liquor Law Violations	59	81	40	0	0	0	0	0	0	59	80	40
Drug Law Violations	51	62	97	0	0	0	0	0	3	51	58	92
Illegal Weapons Violations	0	0	3	0	0	0	0	0	0	0	0	3
<b>Arrests</b>												
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Violations	1	0	1	0	0	0	0	0	0	0	0	0

\*All statistics in the Residence Halls column are also represented in the On-Campus column.

\*\*Upon additional review of the crime statistics in preparation for the 2023 Annual Security Report, it was determined that one fondling statistic for 2021 was erroneously placed in the on-campus column. The correct statistic is zero fondling on-campus and one fondling on public property in 2021. The correction is reflected in the above chart.

\*\*\* Upon additional review of the crime statistics in preparation for the 2023 Annual Security Report, it was determined that one robbery statistic for 2021 was erroneously placed in the on-campus column. The correct statistic is zero robberies on-campus and one robbery on public property in 2021. The correction is reflected in the above chart.

\*\*\*\* Upon additional review of the crime statistics in preparation for the 2023 Annual Security Report, it was determined the aggravated assault statistics for 2021 were erroneously over reported for the residence hall category by one statistic resulting in a disclosure of 2 crimes. Additionally, the 2021 on-campus statistic reflected in error the sum of the resident hall and public property categories. The correct statistic is 1 on-campus aggravated assault and 1 resident hall aggravated assault in 2021. The correction is reflected in the above chart.

### Hate Crimes: Queens Campus

There were no reported hate crimes for the year 2020, 2021 or 2022.

### Unfounded Crimes: Queens Campus

There are no unfounded crimes to disclose for the year 2020, 2021 or 2022.



## St. John's University Crime Statistics – Staten Island Campus

Crime	On Campus			Public Property		
	2020	2021	2022	2020	2021	2022
<b>Criminal Homicide</b>						
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0
<b>Sex Offenses</b>						
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
<b>Other Criminal Offenses</b>						
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
<b>VAWA Offenses</b>						
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
<b>Referred for Disciplinary Action</b>						
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0
<b>Arrests</b>						
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0

### Hate Crimes: Staten Island Campus

There were no reported hate crimes for the year 2020, 2021 or 2022.

### Unfounded Crimes: Staten Island Campus

There are no unfounded crimes to disclose for the year 2020, 2021 or 2022.

## St. John's University Crime Statistics – Manhattan Campus

Crime	On Campus			Public Property		
	2020	2021	2022	2020	2021	2022
<b>Criminal Homicide</b>						
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0
<b>Sex Offenses</b>						
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
<b>Other Criminal Offenses</b>						
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
<b>VAWA Offenses</b>						
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
<b>Referred for Disciplinary Action</b>						
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0
<b>Arrests</b>						
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0

### Hate Crimes: Manhattan Campus

There were no reported hate crimes for the year 2020, 2021 or 2022.

### Unfounded Crimes: Manhattan Campus

There are no unfounded crimes to disclose for the year 2020, 2021 or 2022.

## St. John's University Crime Statistics – Rome, Italy, Campus

Crime	On Campus			Public Property			Residence Hall		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
<b>Criminal Homicide</b>									
Murder and Non- Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
<b>Sex Offenses</b>									
Rape	0	0	0	0	0	1	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
<b>Other Criminal Offenses</b>									
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
<b>VAWA Offenses</b>									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
<b>Referred for Disciplinary Action</b>									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	2	0	0	0	0	0	2
Illegal Weapons Violations	0	0	0	0	0	0	0	0	0
<b>Arrests</b>									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0	0	0	0

\*All statistics in the Residence Halls column are also represented in the On-Campus column.

\*\*The University contacted the local law enforcement authority and requested all relevant crime statistics, but to date none have been provided.

### Hate Crimes: Rome, Italy Campus

There were no reported hate crimes for the year 2020, 2021 or 2022.

### Unfounded Crimes: Rome, Italy Campus

There are no unfounded crimes to disclose for the year 2020, 2021 or 2022.

## St. John's University Crime Statistics – Paris, France, Campus

Crime	On Campus			Public Property			Residence Hall		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
<b>Criminal Homicide</b>									
Murder and Non- Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
<b>Sex Offenses</b>									
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
<b>Other Criminal Offenses</b>									
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
<b>VAWA Offenses</b>									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	2	0	0	0	0	0	2	0	0
Stalking	0	0	0	0	0	0	0	0	0
<b>Referred for Disciplinary Action</b>									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0	0	0	0
<b>Arrests</b>									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0	0	0	0

\*All statistics in the Residence Halls column are also represented in the On-Campus column.

\*\*The University contacted the local law enforcement authority and requested all relevant crime statistics, but to date none have been provided.

### Hate Crimes: Paris, France Campus

There were no reported hate crimes for the year 2020, 2021 or 2022.

### Unfounded Crimes: Paris, France Campus

There are no unfounded crimes to disclose for the year 2020, 2021 or 2022.

## St. John's University Crime Statistics – Limerick, Ireland, Campus

Crime	On Campus			Public Property			Residence Hall		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
<b>Criminal Homicide</b>									
Murder and Non- Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
<b>Sex Offenses</b>									
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
<b>Other Criminal Offenses</b>									
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	0	0	0	1	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
<b>VAWA Offenses</b>									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
<b>Referred for Disciplinary Action</b>									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0	0	0	0
<b>Arrests</b>									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0	0	0	0

\*All statistics in the Residence Halls column are also represented in the On-Campus column.

\*\*The University contacted the local law enforcement authority and requested all relevant crime statistics, but to date none have been provided.

### Hate Crimes: Limerick, Ireland Campus

There were no reported hate crimes for the year 2020, 2021 or 2022.

### Unfounded Crimes: Limerick, Ireland Campus

There are no unfounded crimes to disclose for the year 2020, 2021 or 2022.

## Appendix F – Fire Statistics

Calendar Year 2022						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage caused by Fire ***
<b>Queens Campus</b>						
John Cardinal O'Connor Hall	0	0	Not Applicable	0	0	\$0.00
Helen and Hugh L. Carey Hall	0	0	Not Applicable	0	0	\$0.00
Century Hall	1	1	Machinery Industrial	0	0	\$99.00
DaSilva Hall	0	0	Not Applicable	0	0	\$0.00
Hollis Hall	0	0	Not Applicable	0	0	\$0.00
Donovan Hall	1	1	Machinery Industrial	0	0	\$99.00
Founder Village Townhouses	0	0	Not Applicable	0	0	\$0.00
Henley Dorm, 172-14 Henley	1	1	Unintentional – Cooking	0	0	\$0.00
Seton Complex, 152-11 Union	0	0	Not Applicable	0	0	\$0.00
164-07 Goethals Avenue	0	0	Not Applicable	0	0	\$0.00
164-09 Goethals Avenue	0	0	Not Applicable	0	0	\$0.00
170-19 Grand Central Parkway	0	0	Not Applicable	0	0	\$0.00
<b>Rome, Italy Campus</b>						
Leoniano	0	0	Not Applicable	0	0	\$0.00
<b>Paris, France Campus</b>						
Maison Mere	0	0	Not Applicable	0	0	\$0.00
<b>Limerick, Ireland Campus</b>						
Perry's Hotel	0	0	Not Applicable	0	0	\$0.00

\*\*\*Values are in dollars.



Calendar Year 2021						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage caused by Fire ***
<b>Queens Campus</b>						
John Cardinal O'Connor Hall	0	0	Not Applicable	0	0	\$0.00
Helen and Hugh L. Carey Hall	0	0	Not Applicable	0	0	\$0.00
Century Hall	0	0	Not Applicable	0	0	\$0.00
DaSilva Hall	0	0	Not Applicable	0	0	\$0.00
Hollis Hall	1	1	Unintentional – Cooking	0	0	\$0.00
Donovan Hall	1	1	Unintentional Electrical	0	0	\$25.00
St. Vincent's Hall	0	0	Not Applicable	0	0	0.00
Founder Village Townhouses	0	0	Not Applicable	0	0	0.00
Henley Dorm, 172-14 Henley	3	1	Unintentional – Cooking	0	0	\$163.36
Henley Dorm, 172-14		2	Unintentional – Cooking	0	0	0.00
Henley Dorm, 172-14		3	Machinery Industrial	0	0	\$3200.00
Seton Complex, 152-11 Union	0	0	Not Applicable	0	0	\$0.00
164-07 Goethals Avenue	0	0	Not Applicable	0	0	\$0.00
164-09 Goethals Avenue	0	0	Not Applicable	0	0	\$0.00
170-19 Grand Central Parkway	0	0	Not Applicable	0	0	\$0.00
<b>Staten Island Campus</b>						
19 Arlo Road	0	0	Not Applicable	0	0	\$0.00
23 Arlo Road	0	0	Not Applicable	0	0	\$0.00
27 Arlo Road	0	0	Not Applicable	0	0	\$0.00
29 Arlo Road	0	0	Not Applicable	0	0	\$0.00
31 Arlo Road	0	0	Not Applicable	0	0	\$0.00
33 Arlo Road	0	0	Not Applicable	0	0	\$0.00
37 Arlo Road	0	0	Not Applicable	0	0	\$0.00
41 Arlo Road	0	0	Not Applicable	0	0	\$0.00
<b>Rome, Italy Campus</b>						
Leoniano	0	0	Not Applicable	0	0	\$0.00
<b>Paris, France Campus</b>						
Maison Mere	0	0	Not Applicable	0	0	\$0.00
<b>Limerick, Ireland Campus</b>						
Perry's Hotel	0	0	Not Applicable	0	0	\$0.00

\*\*\*Values are in dollars.

Calendar Year 2020						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage caused by Fire ***
<b>Queens Campus</b>						
John Cardinal O'Connor	0	0	Not Applicable	0	0	\$0.00
Helen and Hugh L.	0	0	Not Applicable	0	0	\$0.00
Century Hall	0	0	Not Applicable	0	0	\$0.00
DaSilva Hall	0	0	Not Applicable	0	0	\$0.00
Hollis Hall	0	0	Not Applicable	0	0	\$0.00
Donovan Hall	0	0	Not Applicable	0	0	\$0.00
St. Vincent's Hall	0	0	Not Applicable	0	0	\$0.00
Founder Village	0	0	Not Applicable	0	0	\$0.00
Henley Dorm, 172-	0	0	Not Applicable	0	0	\$0.00
Seton Complex,	0	0	Not Applicable	0	0	\$0.00
164-07 Goethals	0	0	Not Applicable	0	0	\$0.00
164-09 Goethals	0	0	Not Applicable	0	0	\$0.00
170-19 Grand	0	0	Not Applicable	0	0	\$0.00
<b>Staten Island Campus</b>						
6 Arlo Road	0	0	Not Applicable	0	0	\$0.00
7 Arlo Road	0	0	Not Applicable	0	0	\$0.00
19 Arlo Road	0	0	Not Applicable	0	0	\$0.00
22 Arlo Road	0	0	Not Applicable	0	0	\$0.00
23 Arlo Road	0	0	Not Applicable	0	0	\$0.00
26 Arlo Road	0	0	Not Applicable	0	0	\$0.00
27 Arlo Road	0	0	Not Applicable	0	0	\$0.00
29 Arlo Road	0	0	Not Applicable	0	0	\$0.00
31 Arlo Road	0	0	Not Applicable	0	0	\$0.00
33 Arlo Road	0	0	Not Applicable	0	0	\$0.00
35 Arlo Road	0	0	Not Applicable	0	0	\$0.00
37 Arlo Road	0	0	Not Applicable	0	0	\$0.00
41 Arlo Road	0	0	Not Applicable	0	0	\$0.00
42 Arlo Road	0	0	Not Applicable	0	0	\$0.00
434 Howard Avenue	0	0	Not Applicable	0	0	\$0.00
440 Howard Avenue	0	0	Not Applicable	0	0	\$0.00
488 Howard Avenue	0	0	Not Applicable	0	0	\$0.00
490 Howard Avenue	0	0	Not Applicable	0	0	\$0.00
492 Howard Avenue	0	0	Not Applicable	0	0	\$0.00
496 Howard Avenue	0	0	Not Applicable	0	0	\$0.00
504 Howard Avenue	0	0	Not Applicable	0	0	\$0.00
<b>Rome, Italy Campus</b>						
Leoniano	0	0	Not Applicable	0	0	\$0.00
<b>Paris, France Campus</b>						
Maison Mere	0	0	Not Applicable	0	0	\$0.00

\*\*\*Values are in dollars.

## Appendix G

Description of On-Campus Student Housing Facility Fire Safety							
Building	Interior Fire Alarm System	Full Sprinkler System	Partial Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans	Number of Fire Drills in Previous Calendar Year
<b>Queens Campus</b>							
John Cardinal O'Connor Hall	Yes	Yes	No	Yes	Yes	Yes	2
Helen and Hugh L. Carey Hall	Yes	Yes	No	Yes	Yes	Yes	2
Century Hall	Yes	Yes	No	Yes	Yes	Yes	2
DaSilva Hall	Yes	Yes	No	Yes	Yes	Yes	2
Hollis Hall	Yes	Yes	No	Yes	Yes	Yes	2
Donovan Hall	Yes	Yes	No	Yes	Yes	Yes	2
Founder Village Townhouses	Yes	Yes	No	Yes	Yes	Yes	2
Henley Dorm, 172-14 Henley Road	Yes	Yes	No	Yes	Yes	Yes	2
Seton Complex, 152-11 Union Tpke	Yes	Yes	No	Yes	Yes	Yes	2
164-07 Goethals Ave	No	No	No	Yes	Yes	No	0
164-09 Goethals Ave	No	No	No	Yes	Yes	No	0
172-19 Grand Central Parkway	Yes	No	No	Yes	Yes	No	0
<b>Rome, Italy Campus</b>							
Leoniano	Yes	No	No	Yes	Yes	Yes	4
<b>Paris, France Campus</b>							
Maison Mère	Yes	No	No	Yes	Yes	Yes	4
<b>Limerick, Ireland</b>							
Perry's Hotel	Yes	No	No	Yes	Yes	Yes	4

## Appendix H

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YOU ARE NOT ALONE



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St. John's University does not tolerate any incidents of sexual harassment, sexual assault, dating violence, domestic violence, intimate partner violence or stalking, and wants to support you. We are proud that you have reached out to take care of yourself. It takes a lot of courage to share your experiences, and you have taken the necessary first step. This document will share with you available resources to further support your healing.

In this document you will find helpful information regarding:

04 PREFACE

06 EMERGENCY MEDICAL ASSISTANCE

11 COUNSELING AND SUPPORT

20 REPORTING OPTIONS AT-A-GLANCE

26 STUDENTS' BILL OF RIGHTS

28 SUPPORTIVE MEASURES

30 REPORTING OPTIONS

39 LEGAL ORDERS OF PROTECTION AND  
TEMPORARY RESTRAINING ORDERS

# PREFACE

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St. John's University is committed to supporting survivors of sexual harassment, sexual assault, dating violence, domestic violence, intimate partner violence, or stalking by providing the necessary safety and support services so that students can remain at St. John's University, meet academic standards, obtain necessary health/mental health treatment, and maintain social relationships. This document is written for survivors of sexual misconduct, including sexual harassment, sexual assault, dating violence, domestic violence, intimate partner violence or stalking to provide support as well as important information about prohibited conduct, available resources on and off campus, and ways to file a complaint in order to assist survivors in the recovery process and in their efforts to heal from this unacceptable form of violence. If you have survived sexual misconduct or know someone who has, please be assured that there are people who care about what you have endured.

You are not alone in what happened to you, or in how you feel, no matter what form your experience took. It is important for you to know that the feelings, reactions, and questions you may be experiencing are similar to those of other people who have been victimized through no fault of their own. Sexual misconduct is never the fault of the victim. You are not to blame for what another person has done to you. You, as others have, can learn to regain a sense of power over your life. You may feel very isolated and alone, but there are resources and support available and people ready and able to help you.

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While the needs and issues of different populations on campus may be unique, there are resources, support and procedures available to all. Whether you are an undergraduate student, graduate student, or an employee, and irrespective of your sex, gender identity or expression, sexual orientation, race, ethnicity, national origin, or other protected status, you will receive dedicated support and services at St. John's University. Emotional support, counseling, advisement regarding your options, medical treatment, and academic assistance are all available. Please review this document as the first step in understanding how St. John's University can support you. If you have questions about this document please ask them of any of the support resources listed.

You have the right to make a report to Public Safety, the local law enforcement and State Police and/or to report the incident to St. John's University. You also have the right to choose not to report. If you report an incident to the University, you have the right to be protected by the University from retaliation and to receive assistance and resources from the University.



# EMERGENCY MEDICAL ASSISTANCE

The first step in taking care of yourself is making sure you are physically well. Even if you do not have any visible physical injuries following an incident of any form of sexual harassment, sexual assault, dating violence, domestic violence, intimate partner violence or stalking, there may be physical injuries that you cannot see. Medical and health centers can provide additional services such as testing for sexually transmitted diseases, evidence collection, and/or counseling. New York State has a network of hospitals with Sexual Assault Forensic Examiner (SAFE) Programs. SAFE Programs have specially trained health professionals who provide medical care to patients who report sexual assault, including evaluation, treatment, referral and follow-up. Trained advocates may also be available to provide you with additional support and to guide you through the experience at the hospital.

Since evidence dissipates quickly, you may wish to preserve evidence and are encouraged to seek medical attention within 48 hours (and no more than 96 hours) of the incident. Preservation of evidence is important for possible use in legal actions or requests for civil no-contact orders and/or orders of protection. If you choose to preserve evidence, it is important that you do not bathe, douche, brush your teeth or comb your hair.

Also, the clothes you were wearing may be held as evidence, so it is recommended that you bring a change of clothes with you to the hospital. Additionally, photographs may be taken of you, including anywhere there are bruises, scrapes or cuts. If you are unsure about participating in criminal prosecution, having the evidence preserved will help keep your options open. Taking the step to gather evidence immediately will not commit you to a specific course of action; you do not have to make a police report.

If you would like to receive medical care, you may call 911, call Public Safety at 1-718-990-5252, or visit one of the hospitals with SAFE programs listed on the next page. The University offers free transportation to and from a hospital for a SAFE examination.

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## QUEENS

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NYC Health &  
Hospitals / Elmhurst  
79-01 Broadway  
Elmhurst, NY 11373  
**1-718-334-4000**

NYC Health &  
Hospitals / Queens  
82-68 164th Street  
Jamaica, NY 11432  
**1-718-883-3000**

## BROOKLYN

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NYC Health &  
Hospitals / Coney Island  
2601 Ocean Parkway  
Brooklyn, NY 11235  
**1-718-616-3000**

NYC Health &  
Hospitals / Kings County  
451 Clarkson Avenue  
Brooklyn, NY 11203  
**1-718-245-3131**

NYC Health &  
Hospitals / Woodhull  
760 Broadway  
Brooklyn, NY 11206  
**1-718-963-8000**

## BRONX

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NYC Health &  
Hospitals / Jacobi  
1400 Pelham Parkway South  
Bronx, NY 10461  
**1-718-918-5000**

NYC Health &  
Hospitals / North Central Bronx  
3424 Kossuth Avenue  
Bronx, NY 10467  
**1-718-519-5000**

NYC Health &  
Hospitals / Lincoln  
234 East 149th Street  
Bronx, NY 10451  
**1-718-579-5000**

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## MANHATTAN

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Mount Sinai Medical Center  
1 Gustave L. Levy Place  
New York, NY 10029  
**1-212-241-6500**

Mount Sinai-St. Luke's Hospital  
1111 Amsterdam Avenue  
New York, NY 10025  
**1-212-523-4000**

New York-Presbyterian  
Medical Center - Weill Cornell  
525 East 68th Street  
New York, NY, 10065  
**1-212-746-5454**

Mount Sinai-Beth Israel Hospital  
281 First Avenue (16th Street)  
New York, NY 10003  
**1-212-420-2000**

New York-Presbyterian  
Hospital – The Allen Pavilion  
5141 Broadway  
New York, NY 10034  
**1-212-932-4000**

NYC Health &  
Hospitals / Metropolitan  
1901 First Avenue  
New York, NY 10029  
**1-212-423-6262**

NYC Health &  
Hospitals / Harlem  
506 Lenox Avenue  
New York, NY 10037  
**1-212-939-1000**

NYC Health &  
Hospitals / Bellevue  
462 First Avenue (E. 27th Street)  
New York, NY 10016  
**1-212-562-5555**

New York-Presbyterian /  
Columbia University Medical Center  
622 West 168th Street  
New York, NY 10032  
**1-212-305-9060**

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## NASSAU COUNTY

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Nassau University  
Medical Center  
2201 Hempstead Turnpike  
East Meadow, NY 11554  
**1-516-572-5277**

North Shore University Hospital  
300 Community Drive  
Manhasset, NY 11030  
**1-516-562-0100**

## SUFFOLK COUNTY

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Good Samaritan Hospital  
Medical Center  
1000 Montauk Highway  
West Islip, NY 11795  
**1-631-376-3000**

Long Island Community Hospital  
101 Hospital Road  
Patchogue, NY 11772  
**1-631-654-7100**

## STATEN ISLAND

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Richmond University Medical Center  
355 Bard Avenue  
Staten Island, NY 10310  
**1-833-295-2458**

## COUNSELING AND SUPPORT

Experiencing sexual harassment, sexual assault, dating violence, domestic violence, intimate partner violence or stalking may bring up many different types of feelings that can be painful, confusing, and/or overwhelming. Obtaining support from family and friends can be very beneficial to your healing. In addition, enlisting support from a professional who is specially trained in working with survivors of sexual assault can also be helpful for recovery.

Often survivors may experience acute stress that may include a range of difficulties such as nightmares, flashbacks, numbness, and withdrawal from family and friends. In addition, survivors may sometimes blame themselves, feel upset about the reactions of their friends and/or family, feel ashamed and/or angry about what happened. These responses can make it difficult for some survivors to manage these feelings alone. Many survivors find comfort in sharing their story in a supportive and confidential environment. It is also possible to learn new coping skills and facilitate returning to activities that you find meaningful and important. You have a number of options if you would like to receive support. Both on and off campus resources are available.

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# ON-CAMPUS RESOURCES

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## CENTER FOR COUNSELING AND CONSULTATION (CCC)

The Center for Counseling and Consultation (CCC) has mental health professionals available to provide support and assistance to students. Services at the CCC are free and confidential.

### All Campuses

Marillac Hall Room 130

**1-718-990-6384**

After Hours Helpline: **1-718-990-6352**

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## EMPLOYEE ASSISTANCE PROGRAM (EAP)

The EAP provides free and confidential counseling services to employees and their family members. Professional consultants are available 24/7.

**1-800-833-8707**

**www.myccaonline.com (company code: STJOHNS)**

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## CAMPUS SUPPORT ADVISOR (CSA)

The Campus Support Advisor is a trained SJU Administrator who serves as a confidential resource to survivors. The CSA will provide information on SJU procedures, discuss all remedies available to you, and facilitate referrals for other needs you might have.

### All Campuses

**1-718-990-8484**

## CAMPUS MINISTRY

Campus ministers are available for spiritual support and follow-up referrals.

### Queens Campus

Marillac Hall Room 239

**1-718-990-6255**

### Staten Island Campus

Notre Dame House

**1-718-390-4475**

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## STUDENT HEALTH SERVICES

Student Health Services also has staff available to provide medical assistance and support. Services are free and confidential.

### All Campuses

DaSilva Hall First Floor

**1-718-990-6360**

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## STUDENT FINANCIAL SERVICES

The Office of Student Financial Services is committed to providing students financial assistance and support.

### All Campuses

**1-718-990-2000**

**studentfinancialserv@stjohns.edu**

# OFF-CAMPUS RESOURCES

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## 24 HOUR FREE AND CONFIDENTIAL HOTLINES

### New York State Sexual Assault and Domestic Violence Hotline

Provides crisis intervention, shelter services, and referrals.

**English: 1-800-942-6906**

**Spanish: 1-800-942-6908**

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### New York City Domestic Violence Hotline

Provides immediate safety planning, shelter assistance, and other resources.

**1-800-621-HOPE (4673)**

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### NYC Well

NYC Well is a free service offering confidential support, crisis intervention, information and referral service for anyone seeking help for mental health and/or substance misuse concerns available 24/7 in English, Spanish and Mandarin/Cantonese with telephone interpretation in over 200 languages.

**English: 1-888-NYC-WELL (1-888-692-9355)**

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### National Suicide Prevention Lifeline

**1-800-273-8255**

### LGBTQ and HIV-affected victims NYC Anti-Violence Project Hotline

**1-212-714-1141**

### National Sexual Assault Hotline

**1-800-656-HOPE (4673)**

### National Coalition Against Domestic Violence Hotline (NCADV)

**1-800-799-SAFE (7233)**

### Safe Horizon Rape and Sexual Assault Hotline

**1-212-227-3000**

# QUEENS

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### Sexual Assault and Violence Intervention Program (SAVI) at Elmhurst Hospital

SAVI provides free and confidential support services (counseling, medical, legal, and advocacy) for victims of rape, sexual assault, domestic violence and relationship abuse.

**1-718-334-1418**

### Safe Horizon

Safe Horizon's community program offers crisis intervention, case management, practical/emergency assistance, information and referrals, individual counseling, support groups, advocacy, and community/public education presentations.

**1-212-227-3000**

### Queens Rape Counseling Center

Not-for-profit center providing individuals (ages 4+) who are victims of sexual assault, domestic violence, and/or other trauma with outpatient psychotherapy, play/art therapy, and group counseling.

**1-718-263-2013**

### Turning Point

Turning Point is a community based, nonprofit organization addressing the needs of Muslim women and children. Culturally and religiously sensitive staff provide free and confidential counseling, advocacy, and referral services for women and children affected by domestic violence.

**1-718-262-8722/8744 | [www.tpony.org](http://www.tpony.org)**

### Womankind

Womankind helps women and their children overcome domestic violence and other forms of abuse by empowering them to govern their own lives. Womankind provides a safe haven through multi-lingual support programs and shelter services. Community offices are located in Manhattan, Queens and Brooklyn.

**1-888-888-7702 | [www.iamwomankind.org](http://www.iamwomankind.org)**

## BROOKLYN

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### New York City Children's Centers (NYCCC): NYCCC Brooklyn Behavioral Health Clinic

The BHC provides services to youth ages 5-21 that have exhibited mental health and/or behavioral challenges. The BHC also provides services to children and adolescents who have committed sexual crimes.

**1-718-613-3055/3056**

### CAMBA: Victims Assistance Program (VAP)

CAMBA's VAP helps victim survivors of rape and sexual assault and their families residing in Brooklyn. They offer services including accompanying victim survivors and family members to hospitals and/or police precincts (if requested) and to mental health counseling facilities. The Sexual Assault Hotline is available 24/7.

**1-800-310-2449 | [www.camba.org](http://www.camba.org)**

### Coney Island Hospital - Rape Crisis Program

Public hospital-based program offering counseling and medical services to victims of rape and sexual abuse who enter through Coney Island Hospital's ER.

**1-718-616-4209**

### Wyckoff Heights Medical Center - Rape Crisis Program

WHMC serves clients who are primary or secondary victims of domestic violence and sexual assault/rape (13+). All services are free and confidential regardless of sex, gender expression or immigration status.

**1-718-906-3846**

## MANHATTAN

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### Bellevue Hospital Center: Victim Services Program

This is an outpatient clinic for adult (18+) survivors of rape or sexual assault that offers free individual and group counseling and advocacy services.

**1-212-562-3755**

### Beth Israel Medical Center: Rape Crisis & Domestic Violence Intervention

Program also offers free individual and group counseling and advocacy services.

**1-212-420-4516**

### Harlem Hospital: Center For Victim Support

Services for adult (18+) crime victims include crisis counseling, advocacy, therapy, support groups, and information (referrals).

**1-212-939-4613**

### Mount Sinai Medical Center: Adolescent Victims Program

An outpatient comprehensive mental and medical health service for adolescent survivors (ages 10-21) of sexual abuse and their family members.

**1-212-423-3000**

### Mount Sinai Medical Center: Mt. Sinai SAVI: Survivors Of Rape

This is part of the SAVI Rape Crisis program of Mt. Sinai Hospital. Offers individual and group counseling, crisis intervention and advocacy services.

**1-212-423-2140**



## MANHATTAN

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### New York Presbyterian – Weill Cornell Medical College, Domestic and Other Violent Emergencies (DOVE) Program

The DOVE Program provides free crisis intervention as well as short and long term individual and family counseling, support groups, advocacy services and assistance with office of victim services compensation application.

**1-212-305-9060 | [www.nyp.org/dove](http://www.nyp.org/dove)**

### Safe Horizon: Rape Crisis Center

Provide short-term crisis counseling and advocacy for crime and trauma survivors. Advocacy includes entitlements assistance and assistance within the criminal justice system.

**1-855-234-1042 | [www.safehorizon.org](http://www.safehorizon.org)**

### Violence Intervention Program (VIP) Inc.

This organization specializes and focuses on Latina victims of domestic violence who are in need of culturally sensitive services to free themselves from their abusive relationships.

**1-800-664-5880**

### Gay and Lesbian Anti-Violence Project

AVP empowers lesbian, gay, bisexual, transgender, queer, and HIV-affected communities and allies to end all forms of violence through organizing and education, and supports survivors through counseling and advocacy.

**1-212-714-1141 | [www.avp.org](http://www.avp.org)**

### New York City Alliance Against Sexual Assault

The Alliance offers advocacy, referrals, and confidential counseling for survivors of sexual assault.

**1-212-514-SAFE (7233) | [www.svfreenyc.org](http://www.svfreenyc.org)**

## BRONX

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### Fordham-Tremont Community Mental Health Center Family Crisis Services/Crime Victim Assistance Program

Not-for-profit mental health center that provides trauma survivors with therapeutic counseling, case management, crisis intervention, and psychiatric care.

**1-718-960-0300**

### North Central Bronx Hospital: Sexual Assault Treatment Program

This is a 24 hour service that provides individual and group counseling, medical and advocacy services to survivors (15+) who have been recently raped or sexually assaulted and reside in Bronx.

**1-718-519-5722**

### Jacobi Medical Center–Family Advocacy Center

The Family Advocacy Center is dedicated to the identification, assessment and treatment of children and adolescents who have been sexually abused or physically abused and/or neglected.

**1-718-918-4184 | [www.familyadvocacy.net](http://www.familyadvocacy.net)**

### Barrier Free Living

Barrier Free Living supports individuals with disabilities to live dignified lives free of all forms of abuse and bias. They offer counseling, support groups and safety planning for survivors of domestic violence with disabilities.

**1-212-533-4358 | [www.bflnyc.org](http://www.bflnyc.org)**

## NASSAU COUNTY

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### The Safe Center LI, Inc.

The Safe Center offers a broad spectrum of services from counseling to housing, from advocacy to referrals, etc. through a highly trained, compassionate staff of professionals qualified to provide the highest level of services to enhance the recovery of trauma victims and their non-offending family members.

**1-516-542-0404 | [www.tscli.org](http://www.tscli.org)**

I have been a victim of sexual harassment, sexual assault, dating violence, domestic violence, intimate partner violence, or stalking.



ST. JOHN'S  
UNIVERSITY

## CONFIDENTIAL OPTIONS

### The Center for Counseling and Consultation

All Campuses  
718-990-6384

After-Hours Helpline  
718-990-6352

Campus Support Advisor  
718-990-8484

Want to learn more about University resources?  
[www.stjohns.edu/titleix](http://www.stjohns.edu/titleix)

Off-campus resources:

Sexual Assault Violence Intervention (SAVI) Program  
212-423-2140

Womankind  
888-888-7702



## WHAT ARE MY OPTIONS?

Student survivors, witnesses, and bystanders who report, in good faith, any incident of sexual harassment, sexual assault, dating violence, domestic violence, intimate partner violence, or stalking will NOT be charged with an alcohol or drug violation of the Student Code of Conduct. Reports can be made at [www.stjohns.edu/reportsexualmisconduct](http://www.stjohns.edu/reportsexualmisconduct). Reporters can remain anonymous.

## NONCONFIDENTIAL REPORTING OPTIONS

### Local Law Enforcement

In an EMERGENCY, or to file a report, please contact local law enforcement at **911**. St. John's global campuses call **112**.

### St. John's Employee (Faculty, Administrator, or Staff)

If you decide to tell any St. John's staff, administrator, or faculty member (except for confidential services), they are required to notify Public Safety or the Title IX Coordinator.

### Public Safety Queens

718-990-5252

Staten Island  
718-390-4487

Available 24/7

### Title IX Coordinator

718-990-2660  
or [titleix@stjohns.edu](mailto:titleix@stjohns.edu)

### Activates Campus Response

The Title IX Coordinator leads the University response, which will include offering supportive measures and information on how to file a complaint.

### Interim remedies may be taken, including

- A no-contact order
- Classroom and housing adjustments
- Access to on- and off-campus support services

If a complaint is filed, the Title IX Coordinator can order a thorough investigation of the incident. A hearing will then be held, and if the accused is found responsible for the conduct, sanctions will be imposed.

## YOU ALWAYS HAVE THE RIGHT TO

Choose to report to local law enforcement.

Choose to be connected with a **campus support advisor**. These are trained and confidential St. John's administrators who offer support.

Choose to either participate in the Title IX and student conduct investigation, or not. You may decide to no longer participate at any time.

Request specific remedies, including

- Adjustments to class schedule
- Room change requests
- Adjustments to your work schedule
- Transportation assistance
- Support for reporting to local law enforcement

Have an advisor present at any interview, hearing, or other related meeting. You can choose your own advisor or ask the University to appoint one for you at no cost.

## HAVE A CONCERN OR COMPLAINT?

Concerns or complaints regarding the University's response may be filed with the St. John's Title IX Coordinator at 718-990-2660 or [titleix@stjohns.edu](mailto:titleix@stjohns.edu).  
[www.stjohns.edu/sexualassault](http://www.stjohns.edu/sexualassault)

## SUFFOLK COUNTY

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### Victims Information Bureau of Suffolk (VIBS) Family Violence and Rape Crisis Center

VIBS provides hotline intervention, counseling, advocacy, court accompaniment, outreach, and community education.

**1-631-360-3606 | [www.vibs.org](http://www.vibs.org)**

### The Retreat – Domestic Violence Services

Services include a residential shelter, a 24/7 domestic violence crisis hotline, individual and group counseling, legal advocacy, and a violence prevention education program taught in local area schools. All services are provided free of charge.

**1-631-329-2200 | [www.theretreatinc.org](http://www.theretreatinc.org)**

## STATEN ISLAND

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### Safe Horizon Community Programs

Safe Horizon's Community Programs offer crisis intervention, case management, practical/emergency assistance, information and referrals, individual counseling, support groups, advocacy, and community/public education presentations.

**1-718-720-2591 | [www.safehorizon.org](http://www.safehorizon.org)**

### Seamen's Society for Children and Families: Safe Passage Program

Safe Passage is a non-residential domestic violence intervention program on Staten Island. Services include crisis intervention, counseling, advocacy, legal services and parent/child support groups.

**1-718-447-7740 | [www.seamenssociety.org](http://www.seamenssociety.org)**

## ROME, ITALY

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San Camillo Hospital on Circonvallazione Gianicolense has a "Sportello Donne" or office for women, near the emergency room that is set up to assist female victims of violence. Upon entering, the patient will be examined and treated as necessary and an examination comparable to the "rape kit" could be performed. Psychologists and social services staff will assist the patient. At this time the patient may request to file a police report and the hospital will contact the police so that the patient can file a police report. It is up to the victim to decide whether to file charges.

### Sportello Donna

**Address: Circonvallazione Gianicolense 87**

**Tel: 3273603369**

**Email: [sportellodonna.sancamillo@gmail.com](mailto:sportellodonna.sancamillo@gmail.com)**

### SOS Donna

The Commune di Roma has a specialized office, "SOS Donna," which provides the following services free of charge to female victims of violent crime:

- 24-hour hotline
- Psychological, medical assistance
- Assistance filing a police report without going to the hospital
- Legal consultation
- Emergency interventions
- Mediation
- Information via website and communication via email

**[www.sosdonnacomunedirioma.org](http://www.sosdonnacomunedirioma.org)**

**Via di Grotta Perfetta, 610, 00142 Roma RM**

**Email: [sosdonnacomune.roma@gmail.com](mailto:sosdonnacomune.roma@gmail.com)**

**Tel: 06.96678236**

## PARIS, FRANCE

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A victim of sexual assault can seek treatment at any emergency room. Should the victim seek to press charges/file a case with the police, she/he must call 17 and the police will open a case. The police will provide a requisition for a medical exam at the 'Urgences Medico-Judiciaries' (Medico-legal emergencies) at the Hotel-Dieu hospital at 1, Place du Parvis-de-Notre-Dame, Paris 75004. The police officer would contact the Medico-legal emergency service to alert them of the arrival of the victim. Psychologists and social services staff would assist the patient.

### Hopital Hotel-Dieu

1, place du Parvis Notre-Dame  
75004 Paris

Tel: +33 (0)1 42348234 | Métro: Cité (line 4)

For filing a case, the victim must contact one of the three Judicial Police Districts:

- 1er DPJ (1er, 2e, 3e, 4e, 8e, 9e, 16e, 17ème arrondissements)  
46/58 boulevard Bessières – 75017  
Paris - 01 53 11 23 00
- 2ème DPJ (10e, 11e, 12e, 18e, 19e, 20ème arrondissements)  
26/28 rue Louis Blanc - 75010  
Paris - 01 53 19 44 60
- 3ème DPJ (5e, 6e, 7e, 13e, 14e, 15ème arrondissements)  
114/116 avenue du Maine – 75014  
Paris - 01 53 74 12 06

In addition, there is an English-language support line, SOS Help, which provides psychological support and counseling. They receive calls from 3pm to 11pm daily.

**Tel: +33 (0)1 46214646**

There is also a 24-hour helpline based in the United Kingdom called Samaritans.

**Tel: +33 44 8457909090**

## LIMERICK, IRELAND

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Rape Crisis Midwest provides free and confidential support to men and women survivors of sexual violence. They offer counseling, advocacy and accompaniment services. Staff members guide the survivor through the options and give advice on reporting, obtaining a forensic examination as well as advice on aftercare. If and when the survivor decides to report the incident, staff will guide them through the process providing someone to accompany them when making a statement to the Gardai (Irish Police).

### Phoenix House, Punch's Close

**[www.rapecrisis.ie](http://www.rapecrisis.ie) | [info@rapecrisis.ie](mailto:info@rapecrisis.ie)**

**1-800-311-511 (M-F: 9-5pm)**

**Rosbrien Road, Limerick**

**24-Hour National Helpline: 1-800-778-888**

In the event of an attack or rape, the Gardaí should be contacted by ringing number 999 and this will activate the support and hospital process. They will guide the person through the process and the Gardaí will contact the Rape Crisis Midwest centre for a support worker to assist the survivor.

If a student wishes to obtain a forensic medical examination, this is available if a complaint is made to the Gardaí following a rape/sexual assault. The forensic service is activated by the Gardaí in Limerick and takes place at University Hospital Limerick (10 minutes from Mary Immaculate College campus). A support worker

Local English-speaking therapists are also available by appointment.

from Rape Crisis Midwest will be present to guide the person and provide emotional and psychological support.

If a student wishes to obtain a forensic medical examination, but does not wish to report the crime, they can do this by calling services across the country where this service is offered. The nearest one is Galway (087) 633 118 available weekdays 8am to 4pm or 091-524222 after 4pm or weekends and they should ask for SATU.

# STUDENTS' BILL OF RIGHTS

In compliance with NYS Law 129-B addressing sexual assault, dating violence, domestic violence, and stalking, St. John's University students have the following rights:

- 1 Make a report to local law enforcement and/or NY State Police
- 2 Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously
- 3 Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the University
- 4 Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard
- 5 Be treated with dignity and receive from the University courteous, fair, and respectful health care and counseling services, where available
- 6 Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations
- 7 Describe the incident to as few University representatives as practicable and not be required to unnecessarily repeat a description of the incident

## STUDENTS' BILL OF RIGHTS

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- 8 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 Access to at least one level of appeal of a determination
- 10 Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent through the conduct process including during all meetings and hearings related to such process
- 11 Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the University

Find out more about the resources available at St. John's University as well as details on how to make a report by visiting:

**[stjohns.edu/sexualassault](http://stjohns.edu/sexualassault).**

# SUPPORTIVE MEASURES

The following supportive measures are available to victims of sexual harassment, sexual assault, dating violence, domestic violence, intimate partner violence or stalking regardless of whether they choose to file a report or disclose the incident confidentially:

- Extensions of class or work deadlines
- Excused absences or leaves of absence
- Changes in University housing or work locations
- Adjustments to academic or University work schedules
- Transportation assistance including security escorts
- Increased security and monitoring of certain areas of campus
- Support for reporting to local law enforcement, referral to Health Services, Counseling Services, or other support services.
- Access to Community Resources
- Restrictions on contact (No Contact Orders)
- Issuing No Trespass Orders
- Protection from Retaliation
- Guidance through the University Complaint Process

## SUPPORTIVE MEASURES

St. John's University will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

For more information about available supportive measures or to request supportive measures, contact the St. John's University Title IX Coordinator at (718) 990-2660 or [titleix@stjohns.edu](mailto:titleix@stjohns.edu).



# REPORTING OPTIONS

You have the right to make a report to Public Safety, or the Title IX Coordinator. You also have the right to make a report to local law enforcement and State Police or to choose not to report. If you choose to report the incident to St. John's University, you have the right to be protected by the University from retaliation and to receive assistance and resources from the University.

International students have the same rights as all students to report and to receive support and resources for sexual harassment, sexual assault, dating violence, domestic violence, intimate partner violence or stalking regardless of immigration or visa status. The University will not retaliate against international students or treat them differently. Furthermore, international students may obtain additional support and information about their immigration or visa status, including options for U and T visas, through the International Students and Scholars Office at 718-990-6083.

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## Faculty, Staff, and Administrators

If you share an incident of sexual harassment, sexual assault, dating violence, domestic violence, intimate partner violence or stalking with a St. John's employee (excluding members of the Center for Counseling and Consultation, Health Services and the Campus Support Advisors working in their respective capacities), they are required by University policy to report this information to Public Safety and/or the Title IX Coordinator. Reports made to a St. John's administrator or faculty member will trigger a University response which may involve an investigation by Public Safety and/or the Title IX Coordinator.

## Title IX Coordinator

Reports of sexual violence can also be made to the St. John's Title IX Coordinator. Danielle Haynes, Director of Equal Opportunity, Compliance and Title IX, serves as the Title IX Coordinator for overall campus compliance for the University. The Title IX Coordinator's office is located on the Queens campus in the Office of Human Resources in the University Center Suite C. The Title IX Coordinator can be contacted by phone, **718-990-2660** or **[titleix@stjohns.edu](mailto:titleix@stjohns.edu)**.

**Jackie Lochrie**, Associate Dean for Student Services, serves as the Deputy Title IX Coordinator for the Division of Student Affairs. Ms. Lochrie's office is located on the Queens campus in the Peter J. Tobin College of Business, Garden Level – Judiciary Suite-17C, and she can be contacted at **1-718-990-6568**.

**Kristin Quinn**, Senior Associate Athletic Director/Senior Women Administrator, serves as the Title IX Deputy Coordinator for Athletics. Ms. Quinn's office is located on the Queens campus in Carnesecca Arena Room 136, and she can be contacted at 718-990-6736.

## Online Reporting Form

Reports can be made at **[stjohns.edu/reportsexualmisconduct](https://stjohns.edu/reportsexualmisconduct)**. Reporters can remain anonymous.

### When Should I Contact a Title IX Coordinator?

If you have concerns about sex discrimination including sexual harassment, sexual violence, or misconduct please seek the assistance of a Title IX Coordinator. For example, we encourage you to contact a Title IX Coordinator if you:

Think you may have encountered sex discrimination or sexual misconduct and wish to understand your options

Learn of a situation that you feel may warrant a University investigation

Need help on how to handle a situation by which you are indirectly affected

Seek guidance on possible methods of de-escalating or alleviating a difficult situation

Have questions on St. John's policies and procedures

### St. John's Department of Public Safety

St. John's Department of Public Safety is available 24 hours a day, 7 days a week at **1-718-990-5252**. Public Safety Officers are available to assist you with contacting or reporting an incident to local law enforcement and/or to the local District Attorney's Office. You also have a right to decline to report incidents to law enforcement. Reports made to Public Safety will trigger a University response which may involve an investigation by Public Safety and/or the Title IX Coordinator. There may be times when the Department of Public Safety or another administrator may contact local law enforcement regarding the nature of an alleged incident, however, it is always your decision whether or not to cooperate with any law enforcement investigation.

### St. John's University – Disciplinary Actions

When an allegation of sexual harassment, sexual assault, dating violence, domestic violence, intimate partner violence or stalking is reported to a non-confidential university official, the report will be forwarded to the Department of Public Safety. The Title IX Coordinator will lead the university response by offering supportive measures and information about filing a complaint. If a complaint is filed, the University will initiate an investigation into the complaint. The investigation will be conducted by officials who, at a minimum, receive annual training on the issues related to sexual harassment, sexual assault, dating violence, domestic violence, intimate partner violence and stalking and who do not have a conflict of interest or bias for or against the complainant or the respondent, and is prompt, fair and impartial to all students involved.

The complainant and the respondent are both permitted to participate in the investigation. At the conclusion of the investigation, both parties will have an opportunity to inspect the evidence collected, as well as to review the investigative report. A hearing will then be held to determine whether the respondent violated University policy, and if found responsible, the hearing officer will also determine the appropriate sanctions. The hearing decision may be appealed by either the complainant or the respondent. The University uses a preponderance of the evidence standard to reach conclusions. i.e., whether the evidence demonstrates that it is more likely than not that the conduct occurred.

Throughout this process, the complainant and the respondent may have an advisor of their choice present during any interview, hearing, or other related meeting. At any hearing, the complainant and the respondent must have an advisor present. Either party can request that the University provide them with an advisor at no cost to them.

### Reporting Incidents to Law Enforcement

To report incidents of sexual harassment, sexual assault, dating violence, domestic violence, intimate partner violence or stalking or conduct that may constitute a crime while attending St. John's, please contact the St. John's University's Department of Public Safety, local law enforcement, or the law enforcement agency in the applicable jurisdiction. Please note that the University's standards for finding someone in violation of sexual misconduct are different than those used by the criminal justice system. If you have specific questions about potential violation of criminal law, we will assist you with connecting with the NYPD and/or local district attorney's office.

St. John's University will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim.

### New York City Police Department

The New York City Police Department can be reached by calling 911 or one of the following:

Sex Crimes Report Line  
**1-212-267-RAPE (7273)**

Special Victims Division 24-hour Hotline  
**1-646-610-7272**

### Prosecutor's Office

Queens District  
Attorney's Office  
Special Victims Bureau  
**1-718-286-6505**

Manhattan District  
Attorney's Office  
Sex Crimes Unit Hotline  
**1-212-335-9373**

Nassau County District  
Attorney's Office  
Special Victims Bureau  
**1-516-571-1267**

Richmond County District  
Attorney's Office  
Special Victims Bureau  
**1-718-697-8313**

Suffolk County District Attorney's Office  
Child Abuse and Domestic Violence Bureau  
**1-631-852-2555**

### New York City Family Justice Centers

NYC Family Justice Centers offer FREE and confidential assistance for victims and survivors of domestic and gender-based violence. Offices are located in all five boroughs and provide case management, economic empowerment, counseling, civil legal and criminal legal assistance.

**<https://www1.nyc.gov/nychope/site/page/family-justice-centers>**

### NYC Family Justice Center, Bronx

198 East 161st Street, 2nd Floor  
Bronx, NY 10451  
**1-718-508-1220**

### NYC Family Justice Center, Brooklyn

350 Jay Street, 15th Floor  
Brooklyn, NY 11201  
**1-718-250-5113**

### NYC Family Justice Center, Manhattan

80 Centre Street, 5th Floor  
New York, NY 10013  
**1-212-602-2800**

### NYC Family Justice Center, Queens

126-02 82nd Avenue  
Kew Gardens, NY 11415  
**1-718-575-4545**

### NYC Family Justice Center, Staten Island

126 Stuyvesant Place  
Staten Island, NY 10301  
**1-718-697-4300**

Additional NYC Organizations that provide FREE legal assistance for survivors of sexual violence:

#### Sanctuary for Families

**1-212-349-6009 | [www.sanctuaryforfamilies.org](http://www.sanctuaryforfamilies.org) | [info@sffny.org](mailto:info@sffny.org)**

New York's leading service provider and advocate for survivors of domestic violence, sex trafficking and related forms of gender violence. The main office is in a confidential location in Manhattan, but they have staff in all five NYC Family Justice Centers. Attorneys provide legal consultations and representation to student survivors of gender-based violence, including sexual violence. Services are offered to students considering the Title IX process, the criminal/civil justice system, or seeking advice regarding their legal options.

#### New York Legal Assistance Group (NYLAG)

**100 Pearl Street, 19th Fl. New York, NY 10004**

**1-212-613-5000 | [www.nylag.org](http://www.nylag.org) | [info@nylag.org](mailto:info@nylag.org)**

Offers legal assistance from obtaining and enforcing orders of protection to safety planning to standing with survivors in court.

#### Safe Horizon

**1-800-621-HOPE (4673) | [www.safehorizon.org](http://www.safehorizon.org)**

24/7 hotline for counseling, legal services and shelter. Provides services for victims of crime and abuse and their families navigating medical, legal and mental health options. Locations throughout the five boroughs.

#### Crime Victims Treatment Center

**40 Exchange Place, Suite 510, New York, NY 10005**

**1-212-523-4728 | [www.cvtcnyc.org](http://www.cvtcnyc.org) | [cvtc@cvtcnyc.org](mailto:cvtc@cvtcnyc.org)**

Provides various services including crisis intervention, individual and group trauma-focused therapy, legal advocacy, and psychiatric consultation.

#### Mount Sinai Sexual Assault and Violence Intervention Program **One Gustave L. Levy Place, Box 1670, New York, NY 10029 1-212-423-2140**

Provides services to victims of sexual assault. Has a general counseling program as well as one for Orthodox Jewish survivors. They also provide legal and emergency room advocacy.

#### The Legal Aid Society

The Legal Aid Society has offices in all five boroughs providing legal services and representation in several areas of practice including civil, criminal, family, housing and juvenile law.

**[www.legalaidnyc.org](http://www.legalaidnyc.org)**

#### The Legal Aid Society Manhattan Headquarters

199 Water Street

New York, NY 10038

**1-212-577-3300**

#### The Legal Aid Society Queens Neighborhood Office

120-46 Queens Boulevard

Kew Gardens, NY 11415

**1-718-286-2450**

#### The Legal Aid Society Brooklyn Neighborhood Office

111 Livingston Street, 7th Fl.

Brooklyn, NY 11201

**1-718-722-3100**

#### The Legal Aid Society Bronx Neighborhood Office

260 E. 161st Street

Bronx, NY 10451

**1-718-991-4758**

#### The Legal Aid Society Staten Island Neighborhood Office

60 Bay Street, 3rd Fl.

Staten Island, NY 10301

**1-347-422-5333**

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To report criminal actions or emergencies while attending a global site, promptly contact the onsite Resident Director, the Queens campus Department of Public Safety, or local law enforcement personnel by calling 112.

## GLOBAL CAMPUSES

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<b>Rome, Italy</b> <b>Security Desk</b> <b>+39-06-393-84299</b>	Local Law Enforcement 112	Public Safety (Queens) 1-718-990-5252
<b>Paris, France</b> <b>Security Desk</b> <b>+33-(0)-1-7745-8901</b>	Local Law Enforcement 112	Public Safety (Queens) 1-718-990-5252
<b>Limerick, Ireland</b> <b>MIC Security</b> <b>+353-6-120-4300</b>	Local Law Enforcement 112	Public Safety (Queens) 1-718-990-5252

## LEGAL ORDERS OF PROTECTION & TEMPORARY RESTRAINING ORDERS

In addition, you might be interested in obtaining an “Order of Protection” or “Temporary Restraining Order.” An Order of Protection is a document issued by a public court to limit the behavior of someone who harms or threatens to harm another person. It is used to address various types of safety issues, including, but not limited to, situations involving domestic violence. For example, it can require a person not to assault, threaten, harass or stalk you; it can forbid a person from having any contact with you and/or your family or it can require a person to stay away from your home or the University (where you study, work and live).

Upon request, Public Safety Officers within St. John’s Department of Public Safety are available to provide you with assistance in seeking an Order of Protection or a Temporary Restraining Order, but a Public Safety Office cannot request an Order of Protection or Temporary Restraining Order on your behalf.

In New York, Family Courts, Criminal Courts and Supreme Courts can all issue Orders of Protection.

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### Family Court Order of Protection

This is issued as part of a civil proceeding. Its purpose is to stop violence within a family, or within an intimate relationship, and provide protection for those individuals affected.

To obtain an order of protection in the Family Court, your relationship to the other person must fall into one of the following categories:

Current or former spouse

Someone with whom you have a child in common

A family member to whom you are related by blood or marriage

Someone with whom you have or have had an "intimate relationship." An intimate relationship does not have to be a sexual relationship. A relationship may be considered intimate depending on factors such as how often you see each other, or how long you have known each other. (After a petition is filed, the court will decide if it is an intimate relationship).

To start a proceeding in Family Court, you need to file a form called a Family Offense Petition. You can contact the Family Court in your county for help completing and filing the petition.

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### Criminal Court Order of Protection

A criminal court order of protection may only be issued against a person who has been charged with a crime. There does not need to be a relationship between the complaining witness and the defendant.

### Supreme Court Order of Protection

This can only be issued as part of an ongoing divorce proceeding. If you have an ongoing divorce case and would like to request an order of protection, you may do so by making a written request by Motion or Order to Show Cause; or you may make an oral request at a court appearance.

In addition, there are many community resources available to assist in matters relating to sexual assault, such as the New York City Alliance Against Sexual Assault on the web at [www.svfreennyc.org](http://www.svfreennyc.org).

Through contact with the University Resources listed above, members of the University community can get help to identify appropriate resources.

Our Global Campus locations provide similar options:

- Rome, Italy: Ordini Restrittivi
- Paris, France: Ordonnance de protection
- Limerick, Ireland: Protection Order, Safety Order, Barring Order

The Student Affairs Administrator on-site can assist with these requests through local police. Students can also email requests for assistance to [titleix@stjohns.edu](mailto:titleix@stjohns.edu).

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## NOTICE OF NON-DISCRIMINATION AND EQUAL OPPORTUNITY

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**St. John's University does not discriminate on the basis of race, color, national or ethnic origin, sex (including sexual harassment and sexual violence), gender identity or expression, sexual orientation, disability, religion, age, status in the uniformed services of the United States (including veteran status), marital status, status as a victim of domestic violence, citizenship status, genetic predisposition or carrier status or any other basis prohibited by law in its programs and activities as required by Title IX of the Educational Amendments of 1972, the Americans with Disabilities Act of 1990 and the Amendments Act, Section 504 of the Rehabilitation Act of 1973, Title VI or Title VII of the Civil Rights Act of 1964, and other applicable statutes and University policies.**

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NOTES





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## Appendix I

# Policy 703 - Title IX and N.Y. Education Law Article 129-B Sexual Misconduct Policy and Procedures

Section: Employee Relations

Policy Number: 703

Responsible Office: [Equal Opportunity, Compliance, and Title IX Coordinator](#)

Effective Date: 6/27/16

Revised: 8/25/16; 8/1/17; 11/1/17; 3/13/18; 8/14/20; 7/1/21; 10/19/21; 4/7/22; 5/25/22

Adapted from and replaces former policy #703 Sexual Misconduct Policy and Procedures

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## I. Policy Statement

This Sexual Misconduct Policy and Procedures (“Policy”) is enacted pursuant to Title IX of the Education Amendments of 1972, the Final Rule titled “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance” and published in the Federal Register on May 19, 2020 (collectively, “Title IX”); New York Education Law Article 129-B (“N.Y. 129-B”); Title VII of the Civil Rights Act of 1964; the New York State Human Rights Law; the New York City Administrative Code; and all applicable laws, rules, and regulations.

This Policy applies to Sexual Misconduct that allegedly occurs on or after August 14, 2020. Sexual Misconduct that allegedly occurs on or before August 13, 2020 shall be governed by the prior version of this Policy, which is published [here](#).

Inquiries concerning this Policy and the laws referenced in this Policy may be referred to:

Danielle Haynes

Director of Equal Opportunity, Compliance and Title IX Coordinator

St. John’s University

Office of Human Resources, University Center Suite C

8000 Utopia Parkway  
Queens, NY 11439  
Phone: 718-990-2660  
[titleix@stjohns.edu](mailto:titleix@stjohns.edu) or [haynesd1@stjohns.edu](mailto:haynesd1@stjohns.edu)

Jackie Lochrie  
Associate Dean for Student Services and Deputy Title IX Coordinator  
St. John's University  
Student Affairs, Peter J. Tobin College of Business, Garden Level-Judiciary  
Suite-17C  
8000 Utopia Parkway  
Queens, NY 11439  
Phone: 718-990-6568  
[lochriej@stjohns.edu](mailto:lochriej@stjohns.edu)

Kristin Quinn  
Senior Associate Athletic Director/Senior Women Administrator and  
Deputy Title IX Coordinator  
St. John's University  
Athletic Department  
Carnesecca Arena, Room 136  
8000 Utopia Parkway  
Queens, NY 11439  
Phone: 718-990-6736  
[quinnk@stjohns.edu](mailto:quinnk@stjohns.edu)  
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## II. Scope of the Policy

This Policy applies to all members of the University Community regardless of

their sex, race, national origin, disability, sexual orientation, gender identity and gender expression, or other status protected under federal, state or local law. In event of a conflict between this Policy and an applicable law(s), the law(s) will control.

Alleged conduct that does not fall within the scope of Title IX and/or N.Y. 129-B may still violate other laws and/or University rules, regulations, and/or policies. The University reserves the right to determine at all stages of a matter which laws and/or University rules, regulations, and/or policies, if any, apply. Conduct that falls within the scope of Title IX and/or N.Y. 129-B may also violate the University's Student Code of Conduct, and in such instances the University may initiate a separate proceeding to adjudicate such alleged violations.

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### III. Policy Definitions

Affirmative Consent (referred to herein as "Consent") is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate Consent. The definition of Consent does not vary based upon a participant's sex, sexual orientation, gender identity or gender expression.

The following principles provide guidance on the notion of Consent:

- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether the person initiating the act is

under the influence of drugs and/or alcohol.

- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When Consent is withdrawn or can no longer be given, sexual activity must stop.

Bystander is a person who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of University rules or policies.

Complainant is the individual who is alleged to be the victim of conduct that could constitute Sexual Misconduct under this Policy.

Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant, and where the existence of such of a relationship shall be determined based on a consideration of the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.

Domestic Violence includes felony or misdemeanor crimes of violence committed by (i) a current or former spouse or intimate partner of the

Complainant, (ii) a person with whom the Complainant shares a child in common, (iii) a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, (iv) a person similarly situated to a spouse of the Complainant under applicable domestic or family violence laws, or (v) any other person against an adult or youth Complainant who is protected from that person's acts under applicable domestic or family violence laws.

Education Program or Activity includes locations, events, or circumstances over which the University exercised substantial control over both the Respondent and the context in which the Sexual Misconduct occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University.

Formal Complaint is a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Misconduct against a Respondent and requesting that the University investigate the allegation of Sexual Misconduct.

Preponderance of the Evidence is the burden of proof applicable to proceedings brought pursuant to this Policy. A determination based on the preponderance of the evidence is a determination based on facts that are more likely true than not.

Respondent is an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Misconduct.

Retaliation is an action to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, N.Y. 129-B, and/or any applicable law, rule, regulation and/or policy, or because the individual has made a complaint of Sexual Misconduct or participated in an investigation or proceeding related to



alleged Sexual Misconduct.

Sexual Activity without Consent is any conduct or act of a sexual nature perpetrated against an individual without their Consent, as set forth in N.Y. 129-B.

Sexual Assault is any offense that meets the definition of rape, fondling, incest, or statutory rape as used in the Federal Bureau of Investigation's Uniformed Crime Reporting (UCR) program. This includes:

- Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Consent of the Complainant.
- Fondling: The touching of the private body parts of the Complainant for the purpose of sexual gratification, without the Consent of the Complainant, including instances where the Complainant is incapable of giving Consent because of their age or because of their temporary or permanent mental incapacity.
- Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory rape: Sexual intercourse with a person who is under the statutory age of Consent.

Sexual Harassment is conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditions the provision of an aid, benefit, or service of the University on the Complainant's participation in unwelcome sexual conduct.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity.

In evaluating severity, pervasiveness, and offensiveness, the University will consider the totality of known circumstances, including, but not limited to:

- The frequency, nature and severity of the conduct;
- Whether the conduct was an isolated incident or repeated;
- Whether the conduct was physically threatening;
- The effect of the conduct on the Complainant's mental or emotional state;
- Whether the conduct was directed at more than one person;
- The relationship of the individuals involved in the conduct;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct unreasonably interfered with the Complainant's educational or work performance and/or University programs or activities; and
- Whether the conduct implicates concerns related to academic freedom or protected speech.

Sexual Misconduct includes:

- Dating Violence, as defined in this Policy;
- Domestic Violence, as defined in this Policy;
- Sexual Activity without Consent, as defined in this Policy and N.Y. 129-B;
- Sexual Assault, as defined in this Policy;
- Sexual Harassment, as defined in this Policy; and
- Stalking, as defined in this Policy.

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a

Formal Complaint or where no Formal Complaint has been filed.

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for their safety or the safety of others; or (2) suffer substantial emotional distress. For purposes of this definition:

- “Course of conduct” means two or more acts, including, but not limited to, acts in which the respondent directly, indirectly, or through third parties, by any action, method, device, or other means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- “Reasonable person” means reasonable person under similar circumstances and with similar identities to the complainant.

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## IV. On-Campus Confidential and Non-Confidential Reporting Options

The University offers a number of confidential and non-confidential resources on-campus. The available reporting and confidential disclosure options are described below so individuals can make informed choices about where to turn should they become the victim of Sexual Misconduct. If you are unsure of a person's reporting obligations, please ask.

Confidential resources can connect you with other on or off-campus resources and explain the options for assistance that are available to you as well.

If you choose to report an incident to the Title IX Coordinator, a Deputy Title IX Coordinator and/or the Department of Public Safety, these individuals will document the incident, offer Supportive Measures, and explain the process of filing a Formal Complaint. To the extent the Title IX Coordinator is unavailable to perform their duties, they may assign a designee where appropriate.

These individuals and offices are not confidential resources. However, even University offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. This means that the information you provide in connection with a report will be shared only as necessary and on a need-to-know basis. Complainants are not required to make a Formal Complaint if they choose not to do so.

A Title IX Coordinator may also prepare and file a Formal Complaint if warranted, in cases in which the Complainant chooses not to do so, after having considered the Complainant's wishes and evaluated whether an investigation is not clearly unreasonable in light of the specific circumstances. However, where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party under this Policy.

All University employees (except for those employees who have a recognized confidentiality privilege) are required to report incidents of Sexual Misconduct to the Title IX Coordinator, a Deputy Title IX Coordinator and/or the Department of Public Safety.

#### A. Title IX Coordinators – Non-Confidential

The following offices and individuals have been trained to receive and respond to allegations of violations of this Policy.

- Danielle Haynes, Director of Equal Opportunity, Compliance and Title IX Coordinator, Office of Human Resources, University Center, Suite C, (718) 990-2660, [titleix@stjohns.edu](mailto:titleix@stjohns.edu) or [haynesd1@stjohns.edu](mailto:haynesd1@stjohns.edu)
- Jackie Lochrie, Associate Dean for Student Services, Deputy Title IX Coordinator, Division of Student Affairs, Peter J. Tobin College of Business, Garden Level-Judiciary Suite-17C, (718) 990-6568, [lochriej@stjohns.edu](mailto:lochriej@stjohns.edu)
- Kristin Quinn, Senior Associate Athletic Director/Senior Women Administrator, serves as the Title IX Deputy Coordinator for Athletics. Ms. Quinn's can be contacted at 718-990-6736 or [quinnk@stjohns.edu](mailto:quinnk@stjohns.edu).

Once any of these individuals or offices is notified of an incident of Sexual Misconduct, they will address the matter in accordance with the procedures outlined in this Policy, including implementing any appropriate reasonable Supportive Measures and serving as the point of contact to ensure Supportive Measures are implemented effectively.

## B. Public Safety – Non-Confidential

Anyone may contact the Department of Public Safety 24 hours a day, 7 days per week, 365 days a year. Certain personnel are former police officers who have prior experience working with crime victims.

- St. John's Department of Public Safety, Public Safety Emergency Hotline: (718) 990-5252, or if on campus Ext. 5252.
- Campus Public Safety
  - Queens Campus, ROTC Building: (718) 990-6281
  - Staten Island Campus, Spellman Hall, Room 116: (718) 390-4487(8)
  - Manhattan Campus, Front Desk: (212) 277-5155
- Global Sites Local Police and Emergency Assistance – Call 112

- Rome, Italy, Security Desk: +39-06-393-84299
- Paris, France, Security Desk: +33-(0)-1-7745-8901
- Limerick, Ireland, director of international office, Mary Immaculate College: (011) 353-61774787, (011) 353-860428088 (cell).

### C. Anonymous Reporting – Non-Confidential

Reports of Sexual Misconduct can be made anonymously by filling out the online form available [here](#). Reports submitted via the online form are reviewed by the Title IX Coordinator, who will promptly evaluate the matter in accordance with the procedures outlined in this Policy. However, when a Formal Complaint is initiated by a Complainant or signed by the Title IX Coordinator with knowledge of the Complainant's identity, the Complainant's anonymity cannot be maintained.

### D. Center for Counseling and Consultation (for students) – Confidential

The Center for Counseling and Consultation has licensed mental health professionals available to provide free, confidential mental health counseling to students who have been affected by Sexual Misconduct. However, state law requires professional counselors to report when: (i) there is an imminent threat of harm to self or others; (ii) the conduct involves suspected abuse of a minor under the age of 18; or (iii) as otherwise required or permitted by law or court order.

The Center for Counseling and Consultation is located:

- Queens Campus, Marillac Hall, Room 130, (718) 990-6384
- Staten Island Campus, Flynn Hall, Room 115, (718) 390-4451

### E. Campus Ministry

For non-confidential spiritual support:

Campus ministers are available for spiritual support and referrals for follow up assistance outside of Campus Ministry.

- Queens Marillac Hall, Room 239, (718) 990-6255
- Staten Island, Notre Dame House, (718) 390-4475

#### F. Medical Assistance or Support for Students – Confidential

Student Health Services has staff available for medical assistance or support:

- Queens, DaSilva, First Floor, (718) 990-6360
- Staten Island, Campus Center, Room B-17 (718) 390-4447

#### G. Campus Support Advisor for Students - Confidential

The Campus Support Advisor (CSA) is a trained University administrator who serves as a confidential resource to students who have experienced Sexual Misconduct. The CSA will provide information on University procedures, discuss all available Supportive Measures, and facilitate referrals for other support services. You do not need to disclose any information or personal details about an incident of Sexual Misconduct to access or receive Supportive Measures or other support from the CSA.

The CSA is located on the Queens Campus in Marillac Hall, Room 130, (718) 990-6384.

The CSA will maintain an individual's disclosures as confidential, and will not report crimes to local law enforcement or the University, unless: (i) they are given permission to share information by the person who experienced the Sexual Misconduct; (ii) there is an imminent threat of harm to self or others; (iii) the conduct involves suspected abuse of a minor under the age of 18; or (iv) as otherwise required or permitted by law or court order.



## H. Confidential Support and Resources for Employees

Employees who have experienced Sexual Misconduct are encouraged to obtain emotional support and/or counseling. Professional counselors are available for full-time faculty, administrators and staff through the free, confidential Employee Assistance Program (EAP) 24 hours a day, 7 days a week, 365 days per year. St. John's University's employees may speak with a counselor on the phone or schedule an appointment by calling: 1 (800) 833-8707 or go online to [www.myccaonline.com](http://www.myccaonline.com). (Log in with company code: STJOHNS).

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## V. Off-Campus Options for Assistance

The University strongly encourages anyone who has experienced Sexual Misconduct or who has been the victim of a crime to seek immediate assistance to ensure physical safety and to obtain medical or other support services. There is a wide range of community resources available. Reports to these off-campus community resources will not constitute a report to the University and will not result in the University taking any action against the Respondent. Some of those options and resources, which may or may not charge service fees, include:

### A. Medical or Emergency Assistance and Resources

Assistance is available 24 hours a day, 7 days a week from:

- Police and Emergency Assistance - Call 911
- [Mount Sinai - Elmhurst Hospital Sexual Assault and Violence Intervention Program \(SAVI\)](#), 79-01 Broadway Queens, NY 11373, 718-334-1418

- NYPD Special Victims Division - 646-610-7272
- Safe Horizon Rape and Sexual Assault Hotline - (866) 689-HELP (4357)
- Safe Horizon Domestic Violence Hotline - (800) 621-HOPE (4673)
- New York State Office of Victim Services Toll Free Number – (800) 247-8035
- New York State Sexual Assault and Domestic Violence Hotline (800) 942-6906; Spanish: (800) 942-6908
- New York State Police Sexual Assault Hotline – (844) 845-7269

In addition to the above list, there are many other available resources, including the Sexual Assault Resource Guide: [Sexual Assault: You Are Not Alone](#).

## B. Medical Examination for Preservation of Evidence

In instances involving physical injury or sexual assault, the University strongly encourages the Complainant to obtain a medical examination to determine the extent of injuries. A hospital, with the Complainant's permission, will collect physical evidence in a sexual offense evidence collection kit. Consenting to the completion of a sexual offense evidence collection kit does not obligate the Complainant to pursue criminal charges with the police; it is a way to preserve evidence should there be a choice to pursue criminal charges at a later time. Hospitals are required by law to preserve such evidence for a minimum of 30 days.

## C. Law Enforcement Notification

- In keeping with its commitment to taking all appropriate steps to eliminate, prevent, and remedy Sexual Misconduct, the University urges the Complainant to report all instances of Sexual Misconduct or criminal activity to local law enforcement (NYPD Special Victims Division - 646-

610-7272)/New York State Police Sexual Assault Hotline – (844) 845-7269). Timing is a critical factor in collecting and preserving evidence that may assist in proving that the alleged Sexual Misconduct or crime occurred and may also be helpful in obtaining a protection or restraining order from the police. The Complainant may contact local law enforcement directly, whether or not a complaint has been filed with the University. If requested, University representatives are available to assist the Complainant in notifying law enforcement or legal service organizations to learn about these remedies. The Complainant may also decline to notify law enforcement.

A person may report an incident to either the police or the University or to both.

**Effect of Law Enforcement Notification:** The filing of a complaint of Sexual Misconduct under this Policy is independent of any criminal investigation or proceeding. The University may not wait for the conclusion of any criminal investigation or proceedings to commence its own investigation or to take any necessary measures to protect a party and the University community. However, the University may temporarily delay its investigation to enable law enforcement to gather evidence and to engage in a preliminary investigation of Sexual Misconduct matters that may also violate state or federal law.

The standards for finding a violation of criminal law are different from the standards for finding a violation of this Policy. Therefore, criminal investigations or reports are not determinative of whether Sexual Misconduct, as defined in this Policy, has occurred. In other words, conduct may constitute Sexual Misconduct under this Policy even if law enforcement agencies lack sufficient evidence of a crime and/or decline to prosecute.

**Court Orders of Protection:** Family court is an option for a person to seek a

civil court order of protection in many circumstances. Upon request, Public Safety Officers are available to provide employees with information on how to seek an Order of Protection or a Temporary Restraining Order, but a public safety officer cannot request an Order of Protection or Temporary Restraining Order on behalf of an employee. A Public Safety Officer may provide a student with assistance in obtaining an order of protection.

If an Order of Protection is granted, the party will have the right to receive a copy of the Order of Protection when it is received by the University. The parties will also have the opportunity to speak with an appropriate University official who can explain the order and the consequences for violating the order (including but not limited to arrest, additional conduct charges, and interim suspension), and answer any questions about the order, including information about the party's responsibility to stay away from the protected person(s). Additionally, if a party violates the Order of Protection, the other party may receive assistance from the University in calling local law enforcement to inform them of the violation.

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## VI. Alcohol and Drug-Use Amnesty Policy

The health and safety of every student at the University is of utmost importance. The University realizes that students who have been drinking alcohol and/or using drugs (whether such use is voluntary or involuntary) at the time Sexual Misconduct occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The University strongly encourages students to promptly report any incident of Sexual Misconduct to University officials. A Bystander acting in good faith or a reporting individual acting in good faith who discloses any incident of Sexual Misconduct to University officials or law enforcement will not be subject to

the University's Code of Conduct for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the Sexual Misconduct.

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## VII. When the University Receives a Report of Sexual Misconduct

The University encourages reporting Sexual Misconduct to the University in accordance with this Policy regardless of whether the incident took place on or off campus, and even if it is also reported to local law enforcement.

There is no time limit for reporting Sexual Misconduct to the Title IX Coordinators under this Policy. Nevertheless, any member of the University community who believes that they have been a victim of Sexual Misconduct is encouraged to report the alleged Sexual Misconduct immediately.

When the University receives a report of alleged Sexual Misconduct, the Title IX Coordinator will promptly evaluate the matter and handle it in accordance with this Policy and applicable law.

### A. Supportive Measures

The University offers a wide range of Supportive Measures for students and employees designed to protect the safety and well-being of the individuals involved and the University Community, and to deter Sexual Misconduct. Supportive Measures are non-disciplinary and non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Supportive Measures may be temporary or permanent and are available regardless of

whether a Complainant chooses to report the crime to law enforcement or files a Formal Complaint under this Policy. The determination of appropriate Supportive Measures is based on the specific facts and circumstances of the situation. Such measures include, but are not limited to:

- access to counseling services;
- extensions of class or work deadlines or other course-related adjustments;
- adjustments to academic or University work schedules;
- transportation assistance including security escorts;
- mutual restrictions on contact between the parties (No Contact Orders);
- changes in housing or work locations;
- leaves of absence;
- issuing No Trespass Orders; and
- increased security and monitoring of certain areas of campus.

Requests for Supportive Measures in connection with an incident of Sexual Misconduct should be made to the University's Title IX Coordinator. The Title IX Coordinator will pursue a meaningful dialogue with the Complainant to determine which Supportive Measures may restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party. Such requests are kept private, and information will be shared as needed to facilitate providing the Supportive Measures.

## B. No Contact Orders

The Title IX Coordinator may impose a No Contact Order, which typically will include a directive that the parties refrain from having contact with one another, directly or indirectly, including personal contact, e-mail, telephone, text message, social media, or by means of a third party.

Both the Complainant and Respondent may request a prompt review, reasonable under the circumstances, of the need for and terms of a No Contact Order or other Supportive Measures. Such a request may be made in writing to the Title IX Coordinator, providing the basis for that request and any evidence to support the request. Upon receipt of such a request, the Title IX Coordinator will inform the other party of the request and allow the other party to respond, including the submission of evidence if desired. The Title IX Coordinator will determine whether a modification is appropriate.

An individual who wishes to report a violation of a No Contact Order can contact the Title IX Coordinator. Any individual who violates a No Contact Order may be subject to disciplinary action up to and including expulsion (or termination of employment).

#### C. Emergency Removal (Students)

The University may remove a Respondent from the University's education program or activity on an emergency basis if the University, after an individualized safety and risk analysis, determines the Respondent poses an immediate threat to the physical health or safety to the University community arising from the allegations of Sexual Misconduct justifying removal. In such cases, the University will provide the Respondent with written notice of the emergency removal. The Respondent may challenge an emergency removal by writing to the Title IX Coordinator, providing the basis for the request, and any evidence to support the request. Upon receipt of such a request, the Title IX Coordinator will inform the Complainant of the request and allow the Complainant to respond, including the submission of evidence if desired. The Title IX Coordinator will determine whether a modification is appropriate.

#### D. Administrative Leave (Employees)

The University may place an employee-Respondent on administrative leave (with or without pay) upon receipt of allegations of Sexual Misconduct against the employee Respondent, and pending an investigation of such allegations pursuant to this Policy, and the grievance process outlined below.

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## VIII. Filing a Formal Complaint

### A. How to File

A Complainant may file a Formal Complaint alleging Sexual Misconduct against a Respondent and requesting that the University investigate the allegation of Sexual Misconduct. Such a complaint may be filed with the Title IX Coordinator in person, by mail, or by e-mail to:

Danielle Haynes

Director of Equal Opportunity, Compliance and Title IX Coordinator

St. John's University

Office of Human Resources, University Center Suite C

8000 Utopia Parkway

Queens, NY 11439

Phone: 718-990-2660

[titleix@stjohns.edu](mailto:titleix@stjohns.edu) or [haynesd1@stjohns.edu](mailto:haynesd1@stjohns.edu)

A Formal Complaint may also be submitted to the Title IX Coordinator via the online Sexual Misconduct reporting form available [here](#).

### B. Option to Decline Filing a Formal Complaint

A Complainant may decline to file a Formal Complaint or request that the University not investigate the Formal Complaint. The Title IX Coordinator will



weigh the Complainant's request against the University's obligation to provide a safe, non-discriminatory environment for the University community and decide whether the request can be honored. In evaluating the request, the Title IX Coordinator may consider the following factors:

- whether there have been other Sexual Misconduct complaints about the same Respondent;
- whether the Respondent has a history of arrests or records from a prior school indicating a history of violence;
- whether the incident represents escalation and unlawful conduct on behalf of the Respondent from previously noted behavior;
- whether there is an increased risk that the Respondent will commit additional acts of violence;
- whether the Sexual Misconduct was committed by multiple perpetrators;
- whether the Complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group;
- whether the alleged Sexual Misconduct was perpetrated with a weapon;
- the age of the Complainant;
- the seriousness of the offense;
- whether the University has other means to obtain relevant evidence (e.g., security cameras or personal, physical evidence).

If the Title IX Coordinator determines that the University will honor the request not to investigate, the Title IX Coordinator will notify the Complainant of the decision. Ultimately, the University retains the right to act upon any information that comes to its attention, and the Title IX Coordinator may sign a Formal Complaint alleging Sexual Misconduct against a Respondent and order an investigation of the alleged Sexual Misconduct.

The University may also consider broader remedial action, such as increased monitoring and/or security at locations where the reported Sexual Misconduct occurred, increasing training, education and prevention efforts, and conducting climate surveys.

### C. Consolidating Formal Complaints

The University may consolidate Formal Complaints when there are allegations of Sexual Misconduct that arise out of the same facts or circumstances, whether the allegations are against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party. Formal Complaints arise out of the same facts or circumstances where the multiple Complainants' allegations are so intertwined that their allegations directly relate to all the parties.

### D. Dismissal of a Formal Complaint

The University must dismiss a Formal Complaint filed pursuant to this Policy if the conduct alleged in the complaint would not constitute Sexual Misconduct as defined in this Policy, even if proven. However, conduct that does not rise to the level of a violation of this Policy may violate Policy #704, Policy Against Bias, Discrimination and Harassment, the Student Code of Conduct, or other University policies.

The University may dismiss a Formal Complaint or any allegations therein if at any time during the investigation or hearing:

- the Complainant withdraws the Formal Complaint or any allegations therein by notifying the Title IX Coordinator in writing;
- the Respondent is no longer enrolled or employed by the University; or
- specific circumstances prevent the University from gathering evidence

sufficient to reach a determination as to the Formal Complaint or allegations therein.

In all cases of dismissal, the Title IX Coordinator will promptly send written notice of the dismissal and the reasons for the dismissal to the Complainant and the Respondent simultaneously. The Complainant and the Respondent may appeal any dismissal using the appeal procedure set forth in this Policy.

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## IX. Process for Investigating and Resolving Complaints of Sexual Misconduct

The University will promptly, thoroughly, and impartially investigate and address complaints of Sexual Misconduct by and against its students, employees and third parties (including visitors and community members), in order to stop prohibited conduct, prevent its recurrence and address its effects.

Any University officials involved in the complaint resolution process, including the Title IX Coordinator, the Investigator, and the Hearing Officer shall receive appropriate training consistent with this Policy.

### A. Notice of Investigation

After making a threshold determination that the conduct alleged, if proved, may constitute Sexual Misconduct under this Policy, the Title IX Coordinator will commence an investigation by issuing a Notice of Investigation to the Complainant and the Respondent.

The notice will state the following:

- the identities of the parties involved, if known;

- a description of the alleged conduct that if proven, would violate this Policy, including the date(s), time(s), and location(s) of the alleged conduct, if known;
- a description of the grievance process;
- an instruction to preserve any relevant evidence;
- the specific University policy alleged to have been violated and possible sanctions;
- the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint resolution process;
- where to review the [New York State Student Bill of Rights](#);
- the parties may have an advisor of their choice throughout the investigatory and/or hearing processes, who may be, but is not required to be, an attorney;
- the parties will have an opportunity to inspect and review evidence;
- the availability of Supportive Measures;
- the prohibition against retaliation;
- the University policy or provision that prohibits knowingly making false statements or knowingly submitting false information during a University investigation or hearing, which in the case of students would be adjudicated through the Student Code of Conduct process (or in the case of employees through the applicable policies and/or Collective Bargaining Agreement); and
- the parties' option to select informal resolution of the complaint (except in cases involving allegations that an employee sexually harassed a student).

The Investigator will provide to any party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient

time for the party to prepare to participate.

## B. Advisors

During an investigation and at any hearing conducted pursuant to this Policy to adjudicate a Formal Complaint of Sexual Misconduct, the Complainant and Respondent have the right to an advisor of their choice.

The Complainant and Respondent may request that the University provide them with an advisor at no expense, or they may choose their own advisor or hire one at their own expense. The advisor may be any person who is not otherwise a party or witness involved in the investigation. The advisor may also be, but is not required to be, an attorney.

If any advisor's conduct is not consistent with these guidelines, they may be excluded from the process, and the party will have the right to use a different advisor or will be assigned a new advisor by the University. The University reserves the right to have its own legal counsel (in-house and/or retained) present at any point in the process.

Any faculty member who is accused of Sexual Misconduct will be advised that they may choose to be accompanied by an AAUP-FA representative, as their advisor of choice under this Policy, to any interviews in connection with the subject matter of the complaint in accordance with the procedures outlined in the University's Collective Bargaining Agreement.

## C. Investigation

The Title IX Coordinator will assign an Investigator to conduct an investigation. An investigation may include all or some of the following steps, depending on the determination of the appropriate scope of the investigation for each circumstance, as well as any additional steps

determined to be appropriate: Meetings or other communication with the Complainant, the Respondent, and any other appropriate individuals who may have knowledge of the situation, as well as review of documents and materials that may relate to the situation.

The Complainant and the Respondent will have an equal opportunity to gather and present relevant evidence, participate in the investigation and present witnesses and any inculpatory (implying or imputing guilt) and exculpatory (to clear from alleged fault or guilt) evidence. The Investigator will have the discretion to determine the relevance of any proffered witnesses and evidence, and accordingly, will determine which witnesses to interview and what evidence to obtain.

The Investigator will request interviews with the Complainant, the Respondent, and witnesses by sending written notice of the date, time, location, expected participants, and purpose of the interview. The parties will receive notice of interviews with sufficient time to prepare to participate in the interviews.

The Investigator will also gather relevant evidence, which may include physical evidence, documentary evidence, communications between the parties, and electronic records and media as appropriate. The Investigator may request evidence in the possession of the parties if there are no other means to obtain such evidence. The University cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional (or someone acting or assisting in professional or paraprofessional's capacity) and which are made and maintained in connection with the provision of treatment to the party, unless the party provides the University with their voluntary, written consent to do so.

All members of the University community are expected to cooperate with an investigation pursuant to this Policy. However, parties may refuse to participate in the grievance process.

#### D. Opportunity to Review and Inspect Evidence

The Complainant and the Respondent will each have an equal opportunity to inspect and review evidence obtained as part of any investigation conducted pursuant to this Policy, which is directly related to the allegations raised in a Formal Complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, except for evidence that is protected by a legally recognized privilege (e.g., attorney-client privilege, doctor-patient privilege) unless the party has given their voluntary, written consent.

Towards the end of the investigative process, but before finalizing the investigative report, the Title IX Coordinator will send to each party and their advisors, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Complainant and the Respondent will each have 10 calendar days to submit a written response to the evidence, which will be incorporated into the investigative file and considered by the Investigator in compiling the investigative report.

#### E. Opportunity to Review Investigative Report

At the conclusion of the investigation, the Investigator will create an investigative report that fairly summarizes relevant evidence. The Complainant and the Respondent will each have an equal opportunity to review the investigative report. The Title IX Coordinator will send to each party and their Advisors, if any, the investigative report in an electronic format or a hard copy at least 10 days prior to a hearing or other time of

determination regarding responsibility, for their review and written response. The Complainant and the Respondent, and the parties' advisor, if any, will each have 10 calendar days to submit a written response to the report, which will be incorporated into the investigative file. If parties wish to make an impact statement, they should include it as part of their written response.

#### F. Notice of Hearing

Once the investigative process has concluded, the Title IX Coordinator will schedule a hearing and provide the Complainant and Respondent, and their advisor(s), if any, with written notice of the hearing, allowing sufficient time to prepare for the hearing.

#### G. Transfer of Investigative Record

Within a reasonable time prior to the scheduled hearing, the Title IX Coordinator will transfer the investigative record to the Hearing Officer. The investigative record will include, at a minimum, the following:

- the Formal Complaint of Sexual Misconduct;
- the Notices of Investigation sent to the parties;
- relevant evidence collected during the investigation;
- any written responses provided by the parties upon inspection and review of evidence;
- the investigative report;
- any written responses provided by the parties upon review of the investigative report; and
- the hearing notices sent to the parties.

The investigative record and information contained therein may be redacted by the Investigator, to exclude information not directly related to the allegations or that is otherwise barred from use under this policy, such as



information protected by a legally recognized privilege, or a party's treatment records if the party has not given written consent. The investigative record will be made available to the Complainant and the Respondent at the hearing, and each party will have equal opportunity to refer to any information in the investigative record during the hearing.

#### H. Evidentiary Standard

The evidentiary standard in determining the facts will be based upon a preponderance of the evidence, i.e., a finding that it is more likely than not that the alleged Sexual Misconduct occurred or did not occur.

The Respondent is presumed to be not responsible for the conduct alleged in a Formal Complaint of Sexual Misconduct until a finding of responsibility is made pursuant to the procedures set forth in this Policy.

#### I. Hearing Procedure

An impartial, live hearing will be held to give the Complainant and the Respondent, through their advisors, equal opportunity to present relevant evidence to the Hearing Officer, who will determine whether the Respondent is responsible or not responsible for the Sexual Misconduct alleged by the Complainant. The Hearing Officer will not be the Title IX Coordinator or the Investigator assigned to the case.

At the University's discretion and with consideration for requests made by the parties, the hearing may be conducted with all parties physically present in the same location, or any or all participants may appear at the hearing virtually, with technology enabling participants to simultaneously see and hear each other in real-time. The participants in the hearing will generally be limited to the Hearing Officer, the Complainant, the Complainant's advisor, the Respondent, the Respondent's advisor, the Investigator, and witnesses

(who will only be present for their own testimony). If a party's chosen advisor does not appear at the hearing, the University will appoint an advisor to represent the party at the hearing. The hearing will be recorded.

The hearing will typically proceed as follows:

- Introduction by the Hearing Officer, including an explanation of the hearing process, the rules of decorum, and any other rules governing the hearing.
- Testimony by the Investigator, with questioning by the Hearing Officer and cross examination by the parties' advisors.
- Testimony by the Complainant, with questioning by the Hearing Officer and cross examination by the Respondent's advisor.
- Testimony by the Respondent, with questioning by the Hearing Officer and cross examination by the Complainant's advisor.
- Testimony by witnesses, with questioning by the Hearing Officer and cross examination by the parties' advisors.
- Closing statement by the Complainant.
- Closing statement by the Respondent.
- The Hearing Officer closes the hearing, informing the parties that a written decision will be forthcoming.

The Hearing Officer may consider statements of persons who were not present at the hearing, or persons who were present but not subject to cross-examination, so long as the statements are deemed reliable and relevant by the Hearing Officer and not otherwise subject to exclusion under this policy. Such statements may include, but are not limited to, statements in police reports or other official reports, medical records, court records and filings, investigation notes of interviews, investigation transcripts, emails, written statements, affidavits, text messages, and social media postings.

In determining responsibility, the Hearing Officer will not draw any inferences based solely on the absence of a party or witness, or the refusal of a party or witness to answer questions or be cross-examined. This exclusion shall not apply to a Respondent's alleged verbal conduct, that itself constitutes the alleged sexual harassment at issue.

During the testimony phases of the hearing, the Hearing Officer will question the testifying individual first. The Complainant's advisor will then have an opportunity to question or cross-examine the testifying individual, followed by the Respondent's advisor. The Hearing Officer will give both parties' advisors the opportunity to ask any follow-up questions before moving to the next round of testimony. Only relevant cross-examination and other questions may be asked of a party or witness. The Hearing Officer must decide on the relevancy of any questions asked by the parties' advisors before they are answered, and will provide an explanation whenever questions are excluded as not relevant. In general, questions and evidence about either party's sexual predisposition or prior sexual behavior are not relevant. However, such questions and evidence may be permitted if offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove Consent. At no time may the Complainant and the Respondent question each other directly.

The Hearing Officer will have the discretion to admit or not admit any new evidence introduced by either party that had not been included in the investigative record on the basis of relevance. Formal rules of evidence will not apply to the hearing.

#### J. Decision Regarding Responsibility

Upon consideration of the investigative record and the hearing record, the Hearing Officer will issue a written decision regarding responsibility. The Complainant and the Respondent will receive copies of the written decision simultaneously.

The decision will include the following:

- the allegations potentially constituting sexual harassment, sexual assault, dating violence, domestic violence, or stalking as defined in this Policy;
- a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- findings of fact supporting the determination;
- conclusions regarding the application of University Policies to the facts;
- a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- any disciplinary sanctions to be imposed on the Respondent;
- whether remedies designed to restore or preserve equal access to the University's education program or activity or employment will be provided to the Complainant; and
- the University's procedures and permissible bases for the Complainant and the Respondent to appeal.

#### K. Transfer of the Hearing Record

Upon issuing the written decision regarding responsibility, the Hearing Officer will transfer the hearing record to the Title IX Coordinator. The hearing record will include, at a minimum, the following:

- the recording of the hearing;

- any information admitted by the Hearing Officer during the hearing that had not been included in the investigative record;
- the written decision; and
- the notices sent to the parties regarding the outcome.

## L. Appeals

All appeals will be heard by a three member panel. The panel shall not include the Hearing Officer, the Title IX Coordinator, or the Investigator assigned to the case.

The Complainant and the Respondent have the right to appeal a determination regarding responsibility, sanctions, or the dismissal of a Formal Complaint or any allegations therein, by submitting a written appeal to the Title IX Coordinator within 10 calendar days of the determination or dismissal. If a party does not file an appeal within that period, their right to appeal is waived. If neither party files an appeal within that period, the determination regarding responsibility or dismissal is considered final as of the date the ability to appeal expired.

Appeals must be based on one or more of the following bases:

- procedural irregularity that affected the outcome;
- new evidence that was not reasonably available at the time the decision regarding responsibility or dismissal was made, that could affect the outcome;
- the Title IX Coordinator, Investigator, or the Hearing Officer had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent, that affected the outcome.

Upon receipt of a party's appeal, the Title IX Coordinator will promptly send a

Notice of Appeal to both parties, informing them in writing that an appeal has been filed and that each party may submit a written statement in support of, or challenging the decision regarding responsibility within 10 calendar days of the Notice of Appeal.

After 10 calendar days from issuance of the Notice of Appeal have passed, the Title IX Coordinator will share each party's statement, if any, with the other party. The Title IX Coordinator will also send such statements, if any, along with the investigative record, the hearing record, and the written appeal to the appeal panel.

The appeal panel will review the investigative record, the hearing record, and all written submissions provided by the parties on appeal, and within a reasonable time, issue a written decision describing the result of the appeal and the rationale for the result. The appeal panel may:

- affirm the decision of the Hearing Officer;
- reverse a finding; or
- change a sanction or remedy.

The Complainant and the Respondent will be simultaneously notified of the appeal result, which shall be final and binding on all parties.

#### M. Time Frame for Investigation and Complaint Resolution

While the time to resolve a reported incident will vary from case to case, depending on the specific facts and circumstances, the University will investigate and resolve complaints as expeditiously as possible. The grievance process may allow temporary delays and limited extension for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a

witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

The Complainant and the Respondent may request reasonable extensions on deadlines set forth in this Policy, to be granted at the University's discretion.

#### N. Possible Sanctions

For Staff and Administrators:

Any staff or administrator who has been found to have violated this Policy will be subject to disciplinary action including, but not limited to: letter of reprimand or warning; probation; suspension (with or without pay); termination; or other discipline or resolution deemed appropriate based on the circumstances and severity of the findings of fact.

For Faculty:

The University will follow applicable University procedures, including those provided in the Collective Bargaining Agreement and University Statutes, in taking any disciplinary action against faculty members found to have violated this Policy. Potential sanctions will range from a letter of reprimand or warning to termination of employment.

For Students:

Possible sanctions for students can include, but are not limited to, a formal warning, housing probation, University premises restriction, suspension or expulsion from the University's housing, student life probation, University disciplinary probation and suspension or expulsion from the University.

Where required by federal, state and/or local law, the transcripts of students found responsible after a hearing and appeal, if any, or who withdraw from

the University while certain disciplinary charges are pending, shall include the following notation:

- Suspended after a finding of responsibility for a code of conduct violation;
- Expelled after a finding of responsibility for a code of conduct violation; or
- Withdrew with conduct charges pending.

Transcript notations for suspensions may be removed at the discretion of the University, but no earlier than one (1) year after the conclusion of the suspension. Transcript notations for expulsion shall not be removed.

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## X. Informal Resolution

After a Formal Complaint has been filed, but before any determination regarding the respondent's responsibility has been made, either the complainant or the respondent may request by writing to the Title IX Coordinator that the University facilitate an informal resolution process that does not involve a full investigation and adjudication. Upon receiving such a request, the Title IX Coordinator will notify the other party.

To proceed with informal resolution, the Title IX Coordinator will provide both parties with written notice disclosing the following:

- 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.

If both parties agree to resolve the Formal Complaint through an informal resolution process, they must provide the Title IX Coordinator with their voluntary, written consent to participate in the informal resolution process.

Before the conclusion of any informal resolution process, either party has the right to withdraw from the informal resolution process and resume the Formal Complaint resolution process. Informal resolution is not permissible to resolve allegations that an employee sexually harassed a student.

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## XI. Application of this Policy

The complaint resolution procedures set forth in this Policy apply to complaints made against students, staff, administrators, employees of the University, and other persons with or without affiliation with the University. Complaints against faculty members will also follow this Policy's procedures, as well as any additional procedures set forth in the Collective Bargaining Agreement and University Statutes.

In cases where the person accused of Sexual Misconduct is neither a student nor an employee of the University, the University's ability to take responsive action is extremely limited. However, the University shall take all appropriate steps within its control and in accordance with the law to ensure a safe and nondiscriminatory campus community such as restricting the visitor's access to campus, and/or referring the matter to local law

enforcement for legal action, where appropriate.

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## XII. Prohibition on Retaliation

The University prohibits retaliation against any person who reports Sexual Misconduct or participates in the investigation of any allegation of Sexual Misconduct, including participating as a witness.

No member of the University community or third party may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by this Policy, constitutes retaliation. Any member of the University community or third party who engages in such retaliation will be subject to prompt and appropriate disciplinary action, including possible termination or expulsion from the University.

Retaliation should be reported promptly to the University's Title IX Coordinator in accordance with this Policy. Reports of retaliation will be investigated, and such conduct may result in disciplinary action independent of the sanction(s) or measures imposed in response to the underlying allegations of Sexual Misconduct.

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## XIII. Prevention and Awareness Education Programs

Creating a safe and respectful environment is the responsibility of all members of the community. To promote and maintain this environment, the University engages in comprehensive educational programming to prevent Sexual Misconduct. The University provides primary prevention and awareness programs for all incoming students and employees, and ongoing prevention and awareness campaigns for all students and employees.

The University educates the student community about Sexual Misconduct through its mandatory new student orientation program that includes an online learning component and interactive peer theater and ongoing programming initiatives throughout the students' time at the University.

Such programming and courses provide students with information about safety and security procedures, the University's procedures for responding to reports of Sexual Misconduct, options for safe and positive bystander intervention, and information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks. Public awareness events, such as "Take Back the Night" candlelight vigils or other forums in which students disclose incidents of sexual violence, are not considered notice to the University of Sexual Misconduct for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for further campus-wide education and prevention efforts, and the University will provide information about an individual's Title IX rights at these events. For additional information about the University's Sexual Misconduct prevention and awareness programming, please contact the University's Title IX Coordinator.

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## XIV. Clery Act Compliance

The University is required to include for statistical reporting purposes the occurrence of certain incidents in its Annual Security Report (ASR). Names of individuals involved in incidents are not reported or disclosed in the ASR. In the case of an emergency or ongoing dangerous situation, the University will issue a timely warning to the campus. In such circumstances, the name of the Respondent may be disclosed to the community, but the name of the Complainant will not be disclosed. The University's ASR is publicly available and posted to the St. John's University website, via a link on the [Public Safety](#) webpage.

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## XV. Policy Compliance

Questions regarding Title IX, the Campus SaVE Act and/or Article 129-B of the New York State Education Law may be referred to the University's Title IX Coordinator. Questions regarding Title IX may also be referred to the U.S. Department of Education's Office for Civil Rights (OCR). OCR may be contacted at 400 Maryland Avenue, SW, Washington, DC 20202-1100 or (800) 421-3481.

*St. John's University, New York*  
*Human Resources Policy Manual*