

More information, including the College's Sexual Misconduct Policy and a list of resources, can be found on the MyCNR homepage under **Resources & Information** or at <https://my.cnr.edu/title-ix-sexual-harrassment-info>



The College of New Rochelle
**SEXUAL MISCONDUCT POLICY
INFORMATION**

Questions regarding Title IX, Article 129B and the Campus SaVE Act may be referred to the College's Title IX Coordinator.

Title IX Coordinator

The College's designated Title IX Coordinator is:

Elizabeth Spadaccini, MS, LMSW
The College of New Rochelle
29 Castle Place,
Castle Room 200
New Rochelle, NY 10805
Phone: (914) 654-5556
Email: espadaccini@cnr.edu or
TitleXSupport@cnr.edu

The Title IX Coordinator's core responsibilities include but are not limited to, overseeing the college's response to Title IX reports and complaints of sexual misconduct and identifying and addressing any patterns or systemic problems revealed by such reports and complaints.

With the exception of reports made to the two confidential offices on campus (The Office of Counseling & Health Services and the College's Chaplain), the Title IX Coordinator should be informed of all reports and complaints involving Title IX issues, even if the report or complaint was initially filed with another individual or office.

Be an "Upstander," Not a Bystander

NY State legislation ensures that students who report an incident of sexual assault or other sexual violence are granted immunity for certain campus violations, such a drug and alcohol use.

Criminal Prosecution

Sexual assault, relationship violence, and stalking are all crimes, and victims are encouraged to report the crime immediately to one of the following:

- College Security, 914-654-5204
- Local Police, call 911
- NY State Police Sexual Assault Victims Unit 24-hour Hotline, 844-845-7269

Medical Attention (Students)

Medical assistance, short term counseling services and referrals are available through the Office of Counseling & Health Services, located in Angela Hall, 1st Floor, on the New Rochelle Campus, (914) 654-5311.

Medical Attention (Employees)

For medical assistance and/or referrals for counseling, it is recommended to consult a local hospital and community providers. Referrals can be made by the College's employee assistance program.

Emotional Support

Counseling resources are available from the College regardless of whether or not an official complaint of sexual misconduct is made.

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

The health, safety, and well-being of all members of The College of New Rochelle ("College") community are the College's primary concerns. In furtherance of the College's mission and in accordance with Title IX of the Education Amendments of 1972 ("Title IX") Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act"), as amended by the Violence Against Women Act/Campus Sexual Violence Act ("Campus SaVE Act") and The Article 129B of the New York State Education Law. The College is committed to maintaining a community free from all forms of sex discrimination, including sexual misconduct.

In accordance with Title IX, the College does not discriminate on the basis of sex in its education programs and activities. Under Title IX, discrimination on the basis of sex includes sexual harassment and sexual violence.

Sexual Misconduct Policy

This policy applies to all students, faculty, and staff of the College. This policy applies to conduct on-campus and in connection with any College sponsored program or activity, regardless of where it occurs. Additionally, off-campus conduct may violate this policy if the conduct creates a threatening or uncomfortable work or learning environment on the College's campus or within any College program, or if the incident causes concern for the safety or security of the College's campus. Non-community members (e.g., alumni, family of students, vendors, etc.) visiting campus or participating in any College program or activity are expected to abide by the behavioral expectations in this policy

The Definition of Consent

The College expects that any sexual activity or contact will be based on mutual, affirmative consent to the specific sexual activity or sexual contact. All references to consent in this policy will mean affirmative consent which is defined as follows:

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.

Students' Bill of Rights

The College of New Rochelle is committed to ensuring that victims of sexual misconduct, including sexual assault, domestic violence, dating violence, and stalking, receive support and assistance.

All students have the right to:

1. Make a report to local law enforcement and/or 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 institution;
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 to receive from the institution 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 institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
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 throughout the judicial or conduct process including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.

Confidential Reporting

The College understands that, for many victims of sexual misconduct, confidentiality is a primary concern. The College values the privacy of all members of the College community. However, certain College employees are required by state and federal laws to share information from a report of sexual misconduct with the College. The only College employees with the ability to maintain confidentiality are as follows: Professional and Pastoral Counselors.

Resources & Reporting Options for Victims of Sexual Misconduct

Immediate Medical Assistance and Counseling

If you or someone you know is or may be the victim of any form of sexual misconduct, the College strongly urges you to seek immediate assistance.

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

- Local Police and Emergency Assistance - Call 911
- Campus Security – 914-654-5204

The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. If a victim of sexual misconduct chooses to obtain medical care, assistance can be provided in arranging for transportation to the hospital or clinic chosen by the victim. **Contact:** 1-800-247-8035 Available Monday-Friday, 9:00 a.m. to 5:00 p.m.