Prevention and Security

Policy Statement

Representatives of the University join together at freshman, transfer and employee orientations to provide information on services offered by the University. Presentations include a Campus Safety 101 video, information relative to personal safety on and off campus, the most common crimes that do occur on and around the campus such as thefts, and information on the numerous pamphlets, and security alerts available to the community.

Reason for Policy

Adelphi provides preventative training and education to ensure faculty, staff, and students safety.

Who is Governed by this Policy

Faculty, Staff, and Students

Policy

Campus Safety 101 and active shooter training is provided to all students and employees. During orientations they also receive information from Health Services and Student Counseling Services.

Parents are also invited to a first year orientation conducted especially for them that gives them the opportunity to become familiar with the Department of Public Safety and Transportation, health services and the student counseling center and to address concerns and questions.

Throughout the academic year, the University offers several crime prevention programs for students including a residence hall safety offering tips on living safely on campus, commuter safety meeting offering tips on safe commuting, theft prevention, sexual assault preventive measures, hate crimes as well as other crimes. All are encouraged to view more on the public safety website security tips and alerts.
In addition, under the SaVE Act along with the Violence Against Women Act, the university provides training in the areas of SEXUAL ASSAULT (VIOLENCE), DOMESTIC VIOLENCE, DATING VIOLENCE, and STALKING. Included in the training are the definitions of each, awareness, protective measures to reduce risk, recognizing warning signs of abusive behavior, consent and how to avoid potential assaults or abusive relationships.

**Definitions**

SEXUAL ASSAULT (VIOLENCE) is sexual activity without consent.

- Consent is lacking in circumstances under which, at the time of the act of intercourse, oral sexual conduct, or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor’s situation would have understood such person’s words and acts as an expression of lack of consent to such act under all the circumstances.

- Consent cannot be given when a person is temporarily incapacitated. Temporary incapacitation occurs when an individual is incapable of appraising or controlling his or her conduct owing to the influence of a narcotic or intoxicating substance regardless of whether or not such substance was voluntarily consumed.

- Consent cannot be given when one is physically helpless. Physical helplessness occurs when an individual is unconscious or for any other reason is physically incapable to communicate unwillingness to an act.

- Consent cannot be given when one is physically compelled by force or threat of harm or when involuntarily restrained.

- Consent cannot be given if any of the parties are under the age of seventeen.

- Consent cannot be given when a person suffers from a mental disease or defect, which renders him or her incapable of appraising the nature of his or her conduct.

- Consent to any sexual act or prior consensual sexual activity between or with any party does not constitute consent to any other sexual act. When consent is withdrawn at any time, sexual activity must stop. The following are University policy definitions from a compilation of Clery, VAWA, New York State Penal Law (Article 120 & Article 130), and the Code of Federal Regulations (34 CFR 668.41) and are also included in the Awareness and Prevention training programs:

  - 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. This definition includes victims or offenders of any gender. This definition also includes instances in which the victim is incapable of 21 giving
consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

- 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: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent. If the offender used or threatened the use of force or the victim was incapable of giving consent because of his/her youth or mental impairment, either temporary or permanent, law enforcement should classify the offense as Rape, not Statutory Rape.

DOMESTIC VIOLENCE: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; 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 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. For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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. 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. 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. For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

STALKING: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; suffer substantial emotional distress. For the purposes of this definition: 22 (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. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Procedures

safety.adelphi.edu/prevention-reporting/

Forms

This policy does not have forms associated with it at this time. Upon periodic policy review this area will be evaluated to determine if additional information is needed to supplement the policy.

Related Information

health.adelphi.edu/
scc.adelphi.edu/

Policy Owner

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Secondary Contacts
This section should include the name, phone number and email address of one or more individuals who can answer questions about the policy.

<table>
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Document History

This section must contain the following dates or placeholders for future dates:

- Last Reviewed Date: December 13, 2017
- Last Revised Date: December 13, 2017
- Policy Origination Date: Not known

Who Approved This Policy

Gene Palma, Chief Administrative Officer