

# Written Notification

This notification explains the rights, options, and resources for those involved in a crime or incident.

## Written Notification

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

### Unsure of where to start?

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

## First Steps: Things to Consider

### Are you in Danger?

If yes, Call 911

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

If at one of the Adelphi Centers, one should:

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

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

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

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

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

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

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

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

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

### Do you need medical attention?

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

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

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

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

\*NUMC is preferred for incidents involving minors.

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

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

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

---

## Confidential Resources on Campus

### **Student\* Counseling Center:** [Student Counseling Center Location Information](#)

Hours of Operation: Regular Semester Hours: Monday–Thursday: 8:30 a.m.–7:00 p.m.; Friday: 8:30 a.m.–4:30 p.m.;

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

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

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

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

Hauppauge Center: 800.624.2593; Hudson Valley Center: 845.431.8740; Manhattan Center: 800.833.8707

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

### **Health Services Center:** Waldo Hall

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

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

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

There are no Health Services available at our learning hubs.

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

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

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

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

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

---

## If You Need Medical Attention

### **On Campus Services**

Adelphi University Health Services Center

Waldo Hall

p – 516.877.6000

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

The center is under the direction of a nurse practitioner. Registered nurses or emergency medical technicians are available 24 hours a day, seven days a week, when classes are in session during the fall and spring semesters. During the summer and semester breaks, the center is open from 8:00 a.m. to 4:00 p.m., Monday through Friday. Our services are available to all registered students.

In case of emergency, when the Health Services Center is closed, call the Office of Public Safety and Transportation by dialing “5” from any campus telephone, or by dialing 516.877.3511.

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

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

### **Off Campus Services**

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

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

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

\*NUMC is preferred for incidents involving minors.

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

### Quick Guide: Available Resources

#### On Campus

##### Victim Advocacy

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

##### Counseling & Mental Health

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

##### Health Services Center- Main Campus

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

##### Visa & Immigration Assistance

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

##### Student Financial Aid

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

#### Off Campus or Community Resources

##### Victim Advocacy/Counseling & Mental Health

In the Garden City area:  
*The Safe Center LI 24-hour hotline:*  
516.542.0404  
*Long Island Crisis Center Online/Mobile Chat Counseling:*  
[longislandcrisiscenter.org/get-help-now/#mobile](http://longislandcrisiscenter.org/get-help-now/#mobile)

In the Hauppauge Center area:  
*Victims Information Bureau of Suffolk:*  
631.360.3606 (24-hour crisis line)  
*Long Island Crisis Center Online/Mobile Chat Counseling:*  
[longislandcrisiscenter.org/get-help-now/#mobile](http://longislandcrisiscenter.org/get-help-now/#mobile)

In the Manhattan Center area:  
*Safe Horizon hotlines:*  
*Domestic violence hotline:* 800.621.4673  
*Crime victims hotline:* 866.689.4357  
*Rape, sexual assault and incest hotline:* 212.227.3000  
*TTY phone number for all hotlines:* 800.621.4673  
[safehorizon.org](http://safehorizon.org)

In the Hudson Valley Center area:  
*Rape crisis/Crime victim hotline:*  
845.452.7272 (24-hour hotline);  
845.452.1110  
[familyservicesny.org](http://familyservicesny.org)

##### ADDITIONAL RESOURCES

*New York State Domestic and Sexual Violence Hotline:*  
800.942.6906 (English and Spanish bilingual accessibility)  
Deaf or hard of hearing: 711  
[sunny.edu/violence-response/](http://sunny.edu/violence-response/) - NY SAVR Resources

##### Health

Cooperating Hospitals with a Sexual Assault Nurse Examiner (SANE):  
Nassau University Medical Center\*  
2201 Hempstead Turnpike, East Meadow, NY, 11554  
\*NUMC is preferred for incidents involving minors.  
North Shore University Hospital  
300 Community Drive, Manhasset, NY, 11030

##### Legal Assistance

Main Campus: Garden City Police Department  
349 Stewart Ave, Garden City, NY, 11530;  
Telephone: 516.465.4100 or for emergencies call 911

Manhattan Center: New York City Police Department  
1st Precinct located at 16 Ericsson place, NYC, NY, 10113  
Telephone: 212.334.0611 or for emergencies call 911

Hudson Valley Center: Town of Poughkeepsie Police Department  
19 Tucker Drive, Poughkeepsie, NY, 12601;  
Telephone: 845.485.3666 or for emergencies call 911

Hauppauge Center: Suffolk County Police Department 4th Precinct  
727 Veterans Memorial Highway, Smithtown, NY, 11787;  
Telephone: 631.854.8400 or for emergencies call 911.

##### Visa & Immigration Assistance

For more information and links visit:  
[Global Adelphi Edu: External Resources](#)  
[Immigration Research Guides: Additional Resources- Beyond Campus](#)

#### Additional Resources

Adelphi University Website Links related to VAWA Offenses: Sexual Assault, Domestic Violence, Dating Violence, & Stalking  
<https://safety.adelphi.edu/policies/sexual-assault/>   [Link to Brochures & Pamphlets](#)   [Annual Security & Fire Safety Report](#)

## Making a Report

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

### On Campus

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

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

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

#### Department of Public Safety & Transportation

##### Main Campus: Garden City

Command Center- Levermore Hall 1st Floor

p – 516-877-3507

p – 516-877-3511

Dial “5” from any campus phone

If at one of the Adelphi Centers, one should:

##### Manhattan Center:

75 Varick Street, NYC, NY, 10113

p – 212.965.8340

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

##### Hudson Valley Center:

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

p – 845.471.3348

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

##### Hauppauge Center:

55 Kennedy Drive, Hauppauge, NY, 11788

p – 631.300.4367

p – 516.237.8605

contact the public safety officer located in the lobby.

#### Dean of Student Affairs Office

Vice President and Dean

p – 516.877.3660

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

#### Title IX Coordinator

Renaire Frierson

Levermore Hall, Rm 207

Human Resources

p – 516.877.4819

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

### Reporting Website

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

Please see the campus disciplinary process section for more information on pursuing an investigation under campus policy.

### Law Enforcement

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

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

349 Stewart Ave, Garden City, NY, 11530;

Telephone: 516.465.4100 or for emergencies call 911

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

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

Telephone: 212.334.0611 or for emergencies call 911

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

19 Tucker Drive, Poughkeepsie, NY, 12601;

Telephone: 845.485.3666 or for emergencies call 911

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

727 Veterans Memorial Highway, Smithtown, NY, 11787;

Telephone: 631.854.8400 or for emergencies call 911.

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

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

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

### Orders of Protection

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

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

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

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

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

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

## Requesting Reasonable Accommodation & Interim Measures

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

## Campus Disciplinary Process: Rights & Options

You have the right to:

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

\*Also afforded to the respondent

### Step 1: Report the Incident

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

#### **Student Complainants:**

Department of Public Safety at 516.877.3507 and 516.877.3511; Levermore Hall, 1st Floor, Suite 113  
Division of Student Affairs, NexusBuilding, Room 303, [divisionofstudentaffairs@adelphi.edu](mailto:divisionofstudentaffairs@adelphi.edu) or 516.877.3660  
Renaire Frierson (Title IX Coordinator & Director Equity & Compliance) at [titleix@adelphi.edu](mailto:titleix@adelphi.edu) or 516.877.4819

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

Department of Public Safety at 516.877.3507 and 516.877.3511; Levermore Hall, 1st Floor, Suite 113  
Jane Fisher (Director of Employment, Employee, and Labor Relations) at [fisher2@adelphi.edu](mailto:fisher2@adelphi.edu) or 516.877.3222  
Renaire Frierson (Title IX Coordinator & Director Equity & Compliance) at [titleix@adelphi.edu](mailto:titleix@adelphi.edu) or 516.877.4819

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

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

For emergency or immediate assistance at any time on campus, contact the Office of Public Safety at 516.877.3511 or by dialing 5 from any campus phone.

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

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

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

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

#### **Advisor of Choice / Faculty Advocates**

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

#### **Right to an Attorney**

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



### **Step 3: Investigation**

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

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

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

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

#### **Student Disciplinary Proceedings**

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

##### **Informal Resolutions:**

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

##### **Disciplinary Conference:**

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

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

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

#### **Employee Disciplinary Action**

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

##### **Complaints Against Employee**

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

##### **Complaints against Union Employee**

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

##### **Complaints against Faculty Employee**

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

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

## Appeal Process (If Requested)

### Grounds for an Appeal

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

### How to Make an Appeal

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

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

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

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

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

For more specific information for Students see the [Code of Conduct](#) page 24-25; and for Employees see the [Anti-Discrimination-Harrassment-and-Retaliation Policy](#) page 24-25 or <https://hr.adelphi.edu/title-ix/university-policy/section-x/>

### Step 5: Resolution

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

### Possible Sanctions to be imposed:

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

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



## Student Bill of Rights

---

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

---

Complainants of the above offenses are entitled to:

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

## For Reporting Individuals and Complainants

---

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

---

1. A reporting individual or complainant's identity shall remain private at all times if the reporting individual or complainant wishes to maintain privacy.
2. If the accused is an employee of the University, the complainant has the right to disclose the incident to Human Resources and the right to request a confidential or private employee to assist in the reporting.
3. The right to receive assistance from an appropriate University representative on how to initiate legal proceedings in family or civil court.
4. The right to withdraw a complaint or involvement from the University process at any time.
5. All parties have the right to be provided with information about available resources, including intervention, mental health counseling and medical services, including costs.
6. To be assisted by Public Safety in obtaining an Order of Protection or an equivalent protective or restraining order. To receive a copy of the Order of Protection or equivalent when received by the University and be provided with the opportunity to speak with a Public Safety Officer to answer questions and explain the provisions of the order. To receive assistance from public safety in effecting an arrest when an Order of Protection is violated.
7. When the accused is a not a student, but is a member of the University Community and presents a continuing threat to the health and safety of the community, to subject the accused to interim measures in accordance with applicable collective bargaining agreements and the policies of the University.
8. To receive reasonable interim accommodations regarding academics, housing, employment, transportation or other applicable arrangements to help ensure safety, prevent retaliation and a hostile environment consistent with the University policies.
9. To receive a prompt response to the complaint and have it investigated and adjudicated by impartial individuals who have been trained annually in conducting investigations.
10. Both parties have the right to exclude their own prior sexual history with persons other than the other party to the proceedings or their own mental health diagnosis and/or treatment from admittance into the disciplinary stages that determines responsibility. Past findings of dating violence, domestic violence, stalking or sexual assault may be admissible in the sanction stage.
11. Both parties have the right to choose whether to disclose or discuss the outcome of the University proceeding and have information obtained during the proceedings protected from public release until the appeals panel makes final determination, unless required by law.

