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| Title: Sexual Misconduct & Reporting Policy | Policy Category: Equity & Access |
| Issuing Authority: President | Responsibility: Office of Equity & Access |
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Printed copies are for reference only. Please refer to the electronic copy for the latest version.

Policy Statement/Background:

Stony Brook University is committed to creating and maintaining workplace, educational, and recreational environments that are safe and accessible, and free of all forms of discrimination on the basis of sex, gender and/or gender identity or expression - which includes: discriminatory harassment and sexual harassment, non-consensual sexual contact, sexual violence/assault, domestic violence, dating violence, and stalking. Such behavior is prohibited and will not be tolerated, as it violates Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 and New York State Law. This policy applies to all University students and employees, regardless of sexual orientation, gender and/or gender identity or expression, as well as individuals outside the University community, including but not limited to guests, visitors, vendors, and volunteers.

Policy:

- The University is responsible for and fully committed to the prevention and elimination of discrimination on the basis of sex, gender and/or gender identity. All members of the campus community are responsible for fostering an atmosphere that promotes equity, civility, caring, responsibility, accountability, and respect.
- The University does not tolerate discrimination on the basis of sex, gender and/or gender identity and treats it as a form of misconduct, which is handled in accordance with the University's discrimination complaint procedures (provided below). Sanctions enforced against individuals found to have engaged in such behavior shall be in

accordance with the Code of Student Responsibility (for students) and/or disciplinary procedures pursuant to applicable collective bargaining agreements and applicable policies and procedures (for employees).

- Retaliation against an employee, student or any witness who reports discrimination and/or participates in any University investigation is unlawful and prohibited. Retaliation is also unlawful and prohibited against any individual who files a sexual misconduct complaint or participates in a complaint investigation in any manner. Any substantiated act of retaliation may result in sanctions or other disciplinary action as covered by University policy (including the Code of Student Responsibility) and/or the disciplinary procedures pursuant to the applicable collective bargaining agreements and applicable policies and procedures.
- Title IX Coordinator: the University has designated a Title IX Coordinator who oversees the University's overall Title IX compliance efforts, which includes, but is not limited to: investigating/responding to Title IX reports, inquiries and complaints, identifying and addressing patterns or systemic problems, ensuring appropriate policies and procedures are in place, and conducting appropriate trainings for students and employees.

Reporting: All Members of the Community

The police should be contacted immediately for reports that present immediate danger by calling 911. University Police may be reached directly by dialing 333 from a campus phone or (631) 632-3333 from a non-campus phone.

All members of the Stony Brook community are encouraged to report discrimination on the basis of sex, gender and/or gender identity to the Title IX Coordinator. Reporting individuals may also give reports by:

- Contacting the University Police Department: (631) 632-6350
- Contacting a Deputy Title IX Coordinator: <https://www.stonybrook.edu/commcms/oea/about-us/contact-us>
- Contacting a Responsible Employee (see list below)
- Contacting the Office of Equity and Access (OEA): (631) 632-6280 / titleix@stonybrook.edu
- Contacting the Office of Student Conduct and Community Standards: (631) 632-6705 / communitystandards@stonybrook.edu
- Contacting Employee and Labor Relations
 - Stony Brook Medicine: (631) 444-3780

- Stony Brook West Campus and HSC: (631) 632-6140
- Long Island State Veterans Home: (631) 444-8617
- Submitting an Electronic Reporting Form (this is not anonymous): www.stonybrook.edu/reportit
- Submitting an OEA Complaint Intake form (see Complaint Procedure for Allegations of Discrimination): www.stonybrook.edu/reportit

Reports made via the resources listed above cannot be guaranteed confidentiality, but privacy will be maintained to the greatest extent possible. Information reported to a non-confidential resource will be provided to the Title IX Coordinator.

Reports made to the following resources will be kept confidential and individually identifiable information will not be reported to the Title IX Coordinator. Confidential reports may be made to the Stony Brook resources listed below:

- **Survivor Advocate & Prevention Specialist**: Stony Brook Union, Suite 108, Stony Brook, NY 11794, telephone: (631) 457-9981 (mobile); (631) 632-1091 (office)
- **Counseling and Psychological Services (CAPS)**: Student Health Center, Second Floor, 1 Stadium Road, Stony Brook, NY 11794, telephone: (631) 632-6720 **student resource**
- **Student Health Services at Stony Brook University**: Student Health Center, 1 Stadium Road, Stony Brook, NY 11794, telephone: (631) 632-6740 **student resource**
- **Center for Prevention and Outreach (CPO)**: Stony Brook Union, Suite 108, Stony Brook, NY 11794, telephone: (631) 632-2748 **student resource**
- **Interfaith Center**: Stony Brook Union, Lower Level L10, telephone: (631) 632-6565 **student resource**
- **Victims Information Bureau of Suffolk County (VIBES) Family Violence and Rape Crisis Center**: telephone: (631) 360-3606
- **Sexual Assault Forensic Examiner (SAFE)/Sexual Assault Nurse Examiner (SANE)**: Center at Stony Brook University Hospital, telephone: (631) 632-6740

Reporting: Deputy Title IX Coordinators

Deputy Title IX Coordinators do not investigate, adjudicate, or issue sanctions (unless such functions are within their normal job duties/responsibilities). Deputy Title IX Coordinators report to the Title IX

Coordinator any and all information they receive about an incident of sexual misconduct, including:

- Names of individuals involved or present
- Date
- Time
- Location

Reporting: Responsible Employees

Responsible Employees are not confidential resources. Before an individual reveals information they may wish to keep confidential, a Responsible Employee will make every effort to ensure that the reporting individual understands:

- The Responsible Employee's obligation to report to the Title IX Coordinator
- The reporting individual's option to request that the University maintain their confidentiality (which the Title IX Coordinator will consider)
- The reporting individual's ability to share information with confidential resources

All Responsible Employees must immediately report all known, relevant details about a complaint of sexual misconduct to the Title IX Coordinator, including:

- Names of individuals involved or present
- Date
- Time
- Location

Responsible Employees do not investigate, adjudicate, or issue sanctions (unless such functions are within their normal job duties/responsibilities).

All Responsible Employees will receive training on a periodic basis.

Examples

Examples of sexual misconduct include, but are not limited to:

- An individual persistently messaging a co-worker on social media with explicit sexual images, which the recipient ignores but begins to dread going to work.

- Employees in the break room tell sexually explicit jokes regularly making the other employees uncomfortable.
- A faculty/instructor offers to give a student/intern an improved grade in exchange for sex.
- An overtly flirtatious supervisor gives year-end bonuses only to employees who flirt back.
- An employee's overtime hours are reduced after that employee rebuffs the sexual advances of the Director.
- A co-worker leaves sexually charged material around their workstation that offends other employees.

Definitions:

- Discrimination on the basis of sex, gender and/or gender identity includes, but is not limited to: discriminatory harassment and sexual harassment, non-consensual sexual contact, sexual violence or assault, domestic violence, dating violence and stalking.
- Sexual Harassment is: unwelcome sexual advances, unwelcome requests for sexual favors, or requests for sexual favors in exchange for some benefit and/or unwelcome verbal, physical or communicative (verbal, non-verbal and electronic) conduct of an abusive sexual nature which interferes with an individual's work or academic performance, or creates an intimidating, hostile, or offensive work or academic environment. Sexual violence is a form of sexual harassment. Sexual harassment is a form of sexual discrimination. Sexual harassment occurs when:
 - Submission to such conduct is made either explicitly or implicitly a term of or condition of any individual's employment or education; or
 - Submission to or rejection of such behavior by an individual is used as the basis for employment or educational decisions affecting the individual; or
 - A behavior is sufficiently severe or pervasive to interfere with any individual's work or educational performance, or create an intimidating, hostile, or offensive work or educational environment. Such prohibited conduct includes, but is not limited to, unwelcome sexual communication, touching, and non-consensual sexual contact, including but not limited to sexual touching, intercourse, and violence. Examples of sexual harassment include, but are not limited to:
 - ✓ Comments
 - ✓ Derogatory statements or other verbal abuse
 - ✓ Exploitation

- ✓ Graphic or sexually suggestive comments about an individual's attire or body
 - ✓ Graphic or sexually suggestive gestures
 - ✓ Exposing one's genitals
 - ✓ Inquiries or discussions about sexual activities
 - ✓ Profanities
 - ✓ Sexually suggestive letters or other written materials
 - ✓ Slurs
 - ✓ Teasing
 - ✓ Touching
- Responsible Employee: any employee who has the authority to take action to redress sexual violence; who has been given the duty of reporting incidents of sexual violence or any other misconduct to the Title IX Coordinator or other appropriate school designee; or whom a community member could reasonably believe has this authority or duty.
 - The following employees have reporting obligations and must report any incident of sexual misconduct they become aware of to the Title IX Coordinator:
 - Senior Administrators (Directors and above and in the hospital, Nurse Managers and above)
 - Chairs of Academic Department
 - Supervisors
 - Ombudsmen
 - Quad Directors
 - Residence Hall Directors
 - Athletics Coaching Staff
 - University Recognized Sport Club Coaches
 - Deputy Title IX Coordinators (outlined below)
 - Academic Faculty Members
 - Professional Staff In:
 - ✓ Academic Advisement
 - ✓ Career Services
 - ✓ Continuing Education
 - ✓ Financial Aid
 - ✓ Instructional Support
 - ✓ Athletics
 - ✓ Residential Life
 - ✓ Student Activities or Affairs
 - Senior Administrator: for purposes of this policy, is defined as any employees equivalent to Director and above and in the hospital,

Nurse Managers and above. This policy applies to Stony Brook University, Stony Brook Hospital and the Long Island State Veterans Home.

- Deputy Title IX Coordinators: serve as University-wide points of contact for those seeking information or wanting to report sexual harassment, misconduct or violence. Their role is to inform complainants of their rights and options. The deputies communicate all Title IX related information to the Title IX Coordinator. The deputies do not investigate, adjudicate or sanction (unless that function is within their normal job duties and/or responsibilities). The University's Deputy Title IX Coordinators are listed on the Title IX website (provided below).
- Survivor Advocate & Prevention Specialist: provides confidential support and resource options to students, faculty and staff who experience sexual or interpersonal violence and assists complainants who choose to report.

Contact:

Additional information about this policy is available here:

Office of Equity and Access

201 Administration Building
Stony Brook, NY 11794
(631) 632-6280
oea@stonybrook.edu
www.stonybrook.edu/oea

Marjolie Leonard

Title IX/ADA Coordinator
201 Administration Building
Stony Brook, NY 11794
(631) 632-6280
TitleIX@stonybrook.edu

Employee and Labor Relations:

West Campus and Health Sciences Center

291A Administration Building
Stony Brook, NY 11794
(631) 632-6140

Stony Brook University Hospital

HSC Level 3, Room 040
Stony Brook, NY 11794
(631) 444-3780

Long Island State Veterans Home (LISVH)

100 Patriots Road
Stony Brook, NY 11790
(631) 444-8617

Office of Student Conduct and Community Standards

Stony Brook Union, Suite 209
Stony Brook, NY 11794
(631) 632-6705

<https://www.stonybrook.edu/commcms/studentaffairs/sccs/>

External Agencies

Many federal and state agencies and localities enforce laws protecting individuals from sexual harassment and discrimination, and may offer external forums for adjudicating complaints. Contact information for several federal and state agencies is included in the Complaint Procedure for Allegations of Discrimination (available below).

Relevant Standards, Codes, Rules, Regulations, Statutes and Policies:

- [Equal Opportunity/Affirmative Action Policy](#)
- [Policy on Relationships](#)
- [Stony Brook University Non-Discrimination Statement and Title IX Notice of Non-Discrimination](#)
- [Complaint Procedure for Allegations of Discrimination](#)
- [Stony Brook University Title IX Website](#)
- [Code of Student Responsibility](#)
- [Student Bill of Rights](#)
- [SUNY's Sexual Assault Violence and Response \(SAVR\) Resources Webpage](#)
- [Research Foundation Sexual Harassment Prevention Policy](#)
- [New York State Division of Human Rights Law](#)
- [New York State Education Law Article 129-B](#)
- [Title IX of the Education Amendments of 1972](#)
- [Civil Rights Act of 1964, Title VII](#)