

Conduct to Avoid...

- Propositioning/pressuring someone for sexual favors or making repeated requests for a date with someone who is not interested
- Spreading rumors about someone's sexual activity or performance
- Using sexual gestures or touching oneself sexually in front of others
- Telling suggestive, insulting, or obscene jokes/comments of a sexual nature or discussing sexual thoughts, fantasies, or activities
- Massaging/touching someone on any part of their body
- Displaying sexually-explicit pictures, magazines, posters, calendars, etc.
- Leering, making catcalls, or sexual gestures at someone
- Posting sexual material on Facebook, Twitter, Snapchat, etc. or sending inappropriate sexual emails or instant messages

If It Happens To You...

- **Tell someone.** Contact a Title IX Coordinator, University Police, Health Services, Counseling, or other resources listed on the back of this brochure. Don't isolate yourself, feel guilty, or just ignore it. Sexual assault, whether by a stranger or someone you know, is a violation of your body and your trust.
- **Preserve evidence.** Don't shower, bathe, wash, douche, change clothing, comb hair, brush teeth, drink, eat, or do anything that would alter a physical exam. Don't launder clothing and/or bedding or throw away anything that can be used as evidence.
- **Seek medical attention.** You may have internal injuries. Don't live with the fear of VD, AIDS, or an unwanted pregnancy. Get counseling to help deal with your feelings.

If It Happens To Someone You Know...

- **Listen and Give Comfort.** Let them know they are not to blame. Realize they may be dealing with fear, embarrassment, humiliation, and/or guilt.
- **Encourage** them to call a Title IX Coordinator, University Police, or a hotline; go to the hospital, etc.

On-Campus Resources

- Title IX Coordinator, titleix@potsdam.edu
- University Police, VanHousen Ext. 181, 315-267-2222
- Student Health Services**, VanHousen 119, 315-267-2377, shs@potsdam.edu
- Counseling Center**, VanHousen 131, 315-267-2330, counseling@potsdam.edu
- Renewal House Campus Advocate**, Sisson 217, renewalhouse_campus@verizon.net; Wednesdays 9-5 Or 3 Chapel St., Canton, 315-379-9845
- Employee Assistance Program**, eap@potsdam.edu

Other Resources

- SUNY Potsdam Title IX Website <https://www.potsdam.edu/about/safety/title-ix>
- SUNY Sexual Assault & Violence Response Resources <http://www.suny.edu/violence-response/>
- SUNY Discrimination and Sexual Harassment Complaint Procedure http://www.suny.edu/sunypp/documents.cfm?doc_id=451
- Canton-Potsdam Hospital**, 50 Leroy St., Potsdam, 315-265-3300 **OR** Potsdam Volunteer Rescue Squad, 315-265-2550
- Mental Health Counseling Services of NNY**, 6956 State Highway 56, Potsdam, 315-268-0264, csnny@twcny.rr.com, www.mhcounselingofnny.com
- Potsdam Village Police, 38 Main St., 315-265-2121 **OR** St. Law. Co. Sheriff's Dept., 48 Court St., Canton, 315-379-2222
- NYS Police, Public Safety Bldg., 49 1/2 Court St., Canton, 315-379-0012 **OR** NYS Police Campus Sexual Assault Unit 24-Hr. Hotline 1-844-845-7269
- Renewal House**, 3 Chapel St., Canton, 315-379-9845
- Reachout of St. Law. Co.**, 70 Market St., #2, Potsdam, 315-265-2420 or 24 Hr. Crisis Hotline, 315-265-2422
- NYS Domestic & Sexual Violence Hotline**, 1-800-942-6906 **OR** NYS Office of Victim Services**, 1-800-247-8035

****Denotes Confidential Resources**

SUNY Potsdam



*Sexual
Discrimination*

*Sexual
Harassment*

Sexual Assault

Domestic Violence

Dating Violence

Stalking

Note: Reporting an incident does NOT mean that an official complaint will be filed or that an investigation will commence. The victim/survivor is in full control of what happens after reporting, unless there are multiple reports on the accused. By reporting, we can ensure they get the help, support, resources, and services they need, and we can share with them their options for next steps.

Title IX of the Education Amendments of 1972 is a comprehensive federal law that protects people from and prohibits discrimination based on sex in any federally-funded education program or activity. Colleges must promptly respond to known instances of sex discrimination in a way that limits its effects and prevents its recurrence. It does not matter whether the harasser intends to harm or not, the harasser and target do not need to be of different sexes, and severe harassment does not necessarily require repeated incidents.

Sexual discrimination is any behaviors and actions that deny or limit a person's ability to benefit from, and/or fully participate in the educational programs or activities or employment opportunities because of a person's sex. This includes, but is not limited to, sexual harassment, sexual assault, domestic violence, dating violence, and/or stalking by employees, students, or third parties.

Sexual harassment (educational setting) is any unwelcome conduct of a sexual nature and can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment of a student denies or limits, on the basis of sex, the student's ability to participate in or to receive benefits, services, or opportunities in the educational institution's program. **Sexual harassment (employment setting)** is any unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature when any of the following occurs: (1) submission to such conduct is made a term or condition of an individual's continued employment, promotion, or other condition of employment; (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting an employee or job applicant; or (3) such conduct is intended to interfere, or results in interference, with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

Sexual Assault I is sexual intercourse or any sexual penetration, however slight, of another person's oral, anal, or genital opening with any object (an object includes but is not limited to parts of a person's body) without the active consent of the victim. **Sexual Assault II** is touching a person's intimate parts (defined as genitalia, groin, breast, or buttocks), whether directly or through clothing, without the active consent of the victim. It also includes forcing an unwilling person to touch another's intimate parts.

Domestic violence is any violent crime committed by a current or former spouse or intimate partner of the victim, a person sharing a child with the victim, or a person co-habiting with the victim as a spouse/intimate partner.

Dating violence is any act of violence, including physical, sexual, psychological, and verbal 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 victim's statement and with consideration of the type and length of the relationship and the frequency of the interaction between the persons involved in the relationship.

Stalking is intentionally engaging in a course of conduct, directed at a specific person, which is likely to cause a reasonable person to fear for their safety or the safety of others or cause that person to suffer substantial emotional damage. Examples include, but are not limited to, repeatedly following such person(s), repeatedly committing acts that alarm, cause fear, or seriously annoy such other person(s) and that serve no legitimate purpose, and repeatedly communicating by any means, including electronic means, with such person(s) in a manner likely to intimidate, annoy, or alarm him or her.

Affirmative Consent

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.

- 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.

Alcohol and/or drugs can affect people's ability to make decisions, including whether or not they want to be sexual with someone else. The **Alcohol and/or Drug Use Amnesty Policy** can be found at: <https://www.potsdam.edu/about/safety/title-ix/alcoholdrug-amnesty-policy>

Bill of Rights

The State University of New York and SUNY Potsdam are committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in College/University-wide and campus programs, activities, and employment. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad.

You have the right to:

- Make a report to local law enforcement and/or state police;
- Have disclosures of domestic violence, dating violence, stalking and sexual assault treated seriously;
- Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal process free from pressures from the institution;
- Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
- Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services where available;
- 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;
- Describe the incident to as few institutional representatives as practical and not be required to unnecessarily repeat a description of the incident;
- Be free from retaliation by the institution, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
- Access to at least one level of appeal of a determination;
- 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;
- Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the College.