

# **POLICY ON VICTIM AND SURVIVORS STUDENT BILL OF RIGHTS, REPORTING AND INDIVIDUAL RIGHTS AND RESOURCES AVAILABLE REGARDING ALLEGED SEXUAL VIOLENCE INCIDENTS**

Date: September 25, 2015

Supersedes: None

References: *Statement of Non-Discrimination Policy, dated September 25, 2015; Sexual Harassment Policy, dated September 25, 2015; Policy on Sexual and Gender-Based Misconduct and Policy for Alcohol and Drug Use Amnesty in Sexual Violence Cases, dated September 25, 2015*

## **I. Purpose**

The purpose of this policy is to affirm the commitment of New York Medical College (“College”) to comply with applicable federal, state and local laws and regulations including with Article 129-B of the New York State Education Law.

## **II. Policy**

It is the policy of the College to incorporate the Victim and Survivors Student Bill of Rights (“Student Bill of Rights”) as set forth below as part of the College’s code of conduct, to distribute the Student Bill of Rights annually to the College’s students, to post it on the College’s website and in the College’s Student Housing facilities and other College’s building on its campus and include links or information to file a report and seek a response. It is also the policy of the College to advise reporting individuals of their rights and to provide information on resources available to them as described in this Policy.

## **III. Student Bill of Rights**

All students of the College have the following rights regarding alleged sexual violence incidents:

- 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 incident and participate in the judicial or conduct process and/or criminal justice process free from pressure by the College;
- 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 College courteous, fair and respectful health care and counselling 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 a crimes or violations;
- Describe the incident to as few College representatives as practicable and not be required to unnecessarily repeat a description of the incident;

- Be protected from retaliation by the College, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the College;
- Access to at least on level of appeal of a determination;
- Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent through the judicial or conduct process including during all meetings 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.

#### **IV. Response to Reports-Reporting Individual Rights**

The College shall ensure that all reporting individuals are advised of their right to:

- Notify College's Campus Security, local law enforcement and/or state police;
- Have emergency access to a Title IX Coordinator or other duly authorized representative of the College trained in interviewing victims of sexual assault who shall be available upon the first instance of disclosure by a reporting individual to provide information regarding options to proceed, and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible, and detailing that the criminal justice process utilizes different standards of proof of evidence and that any questions about whether a specific incident violated the penal law should be addressed to law enforcement or to the District Attorney. Such College representative shall also explain whether he or she is authorized to offer the reporting individual confidentiality or privacy, and shall inform the reporting individual of other reporting options;
- Disclose confidentially the incident to representatives of the College, who may offer confidentiality pursuant to applicable laws and can assist in obtaining services for reporting individuals;
- Disclose confidentially the incident and obtain services from the state or local government;
- Disclose the incident to College representatives who can offer privacy or confidentiality, as appropriate, and can assist in obtaining resources for reporting individuals;
- File a report of sexual assault, domestic violence, dating violence, and/or stalking and the right to consult with a Title IX Coordinator or other duly authorized representative of the College for information and assistance. Reports shall be investigated in accordance with College policy and a reporting individual's identity shall remain private at all times if said reporting individual wishes to maintain privacy;
- Disclose, if the accused is an employee of the College, the incident to the College's Human Resources Authority or the right to request that a confidential or private employee assist in reporting to the appropriate Human Resources Authority of the College;
- Receive assistance from appropriate College representatives in initiating legal proceedings in Family Court or Civil Court; and,
- Withdraw a complaint or involvement from the College's process at any time.

The College shall ensure that reporting individuals are informed that, if any individual discloses information through a public awareness event such as candlelight vigils, protests, or other public event, the College is not obligated to begin an investigation based on such information. The College may use such information provided at such an event to inform its efforts for additional education and prevention efforts.

In addition to the above, the College shall ensure that, at a minimum, at the first instance of disclosure by a reporting individual to a Title IX Coordinator or other authorized College representative, the following information is presented to the reporting individual:

**"YOU HAVE THE RIGHT TO MAKE A REPORT TO THE COLLEGE'S CAMPUS SECURITY, LOCAL LAW ENFORCEMENT, AND/OR STATE POLICE OR CHOOSE NOT TO REPORT; TO REPORT THE INCIDENT TO THE COLLEGE; TO BE PROTECTED BY THE COLLEGE FROM RETALIATION FOR REPORTING AN INCIDENT; AND TO RECEIVE ASSISTANCE AND RESOURCES FROM THE COLLEGE."**

#### **V. Resources Available**

All contact information for the listed resources was confirmed as of the date of this Policy. Up to date contact information can always be found on the College's policies website at <https://www.nymc.edu/universitypolicies/>

The following resources are available to reporting individuals:

##### NYMC SECURITY OFFICE (Not Confidential)

- Located in Basic Sciences Building, Room 223, Valhalla, NY
- Main: 914-594-4226, or Dial ext. 4226 from any campus phone
- William Allison-Security, Director  
Located in Basic Sciences Building, room 223B, Valhalla, NY  
914 594-4577  
Email: [william\\_allison@nymc.edu](mailto:william_allison@nymc.edu)
- Kim Bologna, Weekday Shift Supervisor  
Located in Basic Sciences Building, Room 223, Valhalla, NY  
914 594-4662  
Email: [kim\\_bologna@nymc.edu](mailto:kim_bologna@nymc.edu)
- Charles Longo, Evening Supervisor  
Located in Basic Sciences Building, Room 223, Valhalla, NY  
914 594-4339  
Email: [charlie\\_longo@nymc.edu](mailto:charlie_longo@nymc.edu)
- Blue Light Program  
The College has 16 blue light emergency phone towers located on the Valhalla campus walkways and parking lots and in the student housing complex. These phones are used to report emergencies to security. The phones are easily recognized by the steady blue light at the top of the tower and the word "Emergency" on all 4 sides. Each phone has an identifying number and usage instructions just below the silver faceplate. Pressing the red button on the silver phone face plate automatically

dials in to a central number in the security office. The phone number and location is displayed on a monitor. If the phone is not answered immediately by security the call is automatically forwarded to Westchester County Department of Public Safety. Upon activation of the phone, the blue light goes from steady to a flashing strobe to alert others in the area and to guide emergency responders. Persons using these phones should make every effort to speak in a loud and clear voice.

#### MEDICAL SERVICES (Confidential)

- NYMC Valhalla Campus: Health Services in the Basic Sciences Building  
914-594-4234  
Monday – Thursday 8:30 a.m. – 4:30 p.m.  
Friday – 8:30 – 3:00 p.m. (From October 1st through March 31st).  
The nurse practitioner is unavailable between 1:00 – 2:00 p.m. daily. Physicals are by appointment only.

After Hours: If you need medical attention after 4:30 p.m. the following medical services are available to you:

- The Westchester Medical Group – Urgent Care Centers  
914-681-3100  
(They are affiliated with White Plains Hospital)  
210 Westchester Avenue, White Plains, NY  
Hours: Monday – Friday 9:00 a.m. – 9:00 p.m.; Saturday & Sunday 9:00 a.m. – 5:00 p.m.  
The Urgent Care Center accepts walk-in patients anytime during its regular hours, no appointment is needed.
- Minute Clinic – Located within CVS pharmacy  
1-866-389-2727  
Website: <http://www.minuteclinic.com>  
They are staffed with licensed nurse practitioners and physician assistants, board certified, most insurance accepted, open 7 days a week. No appointment needed, walk right in.  
Hours: Monday - Friday 8:00 a.m. - 8:00 p.m.; Saturday & Sunday 10:00 a.m. - 4:00 p.m.

Westchester Locations:

375 White Plains Rd, Eastchester  
1310 Boston Post Rd., Larchmont

- Pharmacy:

Bradhurst Pharmacy, Inc.  
Cedarwood Hall, Valhalla, NY  
914-345-3838 (on campus)

Atrium Pharmacy  
19 Bradhurst Ave., Hawthorne, NY  
914-345-0070

- New York City Locations

D.O.C.S. - 55 E. 34th St (between Madison/Park), NY, NY  
(212) 252-6000  
Hours: Walk In Hours: No appointment necessary  
Monday-Thursday: 8 AM to 8 PM  
Friday: 9 AM to 7 PM  
Saturday: 9 AM to 3 PM  
Sunday: 9 AM to 2 PM  
Holidays: 9 AM to 1 PM

D.O.C.S. - 202 W. 23rd St. (at 7th Ave. Chelsea), NY, NY  
(212) 352-2600  
Hours: Walk-In Hours: No appointment necessary;  
Open 24 hours a day/365 days a year including Holidays.  
\*\* They do accept NYMC student health insurance [Empire BC/BS PPO]

- Metropolitan Hospital - 1901 First Ave (between 97th & 99th St.), NY, NY  
Fast Track Direct Line: (212) 423-6466  
Hours: Daily from 7:00 a.m. to 8:00 p.m.

- St. Joseph's Hospital

For students on the SJH campus, SJHS Employee Health Office handles non-emergent family medicine problems.  
Contact: Michael Delisi, M.D., Chairman, Family Medicine; Director, Employee Health Services  
Location: Employee Health Office, 1135 Broad Street, Clifton, NJ  
(973) 754-4100  
Hours: Monday –Friday 8:30 a.m. to 4:30 p.m.

For emergencies, students are seen through the SJH Emergency Department.  
Contact: Mark Rosenberg, D.O., Chairman, Emergency Medicine  
Location: SJH Emergency Department, 703 Main Street, Paterson, NJ  
(973) 754-2222  
Hours: 24/7

NYMC TITLE IX COORDINATOR (Not Confidential)

**Katherine Dillon Smith, MSW**  
Director of Student & Residence Life  
(914) 594-4527  
Email: [Katherine\\_Dillon@NYMC.edu](mailto:Katherine_Dillon@NYMC.edu)

NYMC Deputy Title IX Coordinator (Not Confidential)

Anthony Sozzo  
Associate Dean, Student Affairs  
(914) 594-4491  
Email: [SOZZO@NYMC.EDU](mailto:SOZZO@NYMC.EDU)

Theresa R. Haviland  
Director, Human Resources  
(914) 594-4560  
Email: [TERRI\\_HAVILAND@NYMC.EDU](mailto:TERRI_HAVILAND@NYMC.EDU)

NYMC ACADEMIC SUPPORT (Not Confidential)

- University Academic Support Program  
Kristina H. Petersen, Ph.D., Director, University Academic Support Programs  
Located in the Sunshine Cottage (Administration Building), Student Affairs Wing,  
Valhalla, NY  
(914) 594-4498  
Email: [k\\_harrispetersen@nymc.edu](mailto:k_harrispetersen@nymc.edu)

NYMC ADVOCACY AND CRISIS COUNSELING (Confidential)

- Office of University Student Affairs Counseling Services  
Located in the Sunshine Cottage (Administration Building), Rooms 116 to 126,  
Valhalla, NY  
914-594-4498.
- Student Mental Health & Wellness Services (SMH&WS)  
Located in. 19 Skyline Drive, Rm. 2S-D45, Hawthorne, NY  
Website:  
<http://www.nymc.edu/StudentServices/CounselingServices/SMH&WS.html>

Contact:

Reon Baird-Feldman, Ph.D., Clinical Psychologist, Assistant Professor of Psychiatry,  
Co-Director, Student Mental Health & Wellness  
Located in 19 Skyline Drive, Rm. 2S-D44, Hawthorne, NY  
(914) 594-2542  
Email: [Reon\\_Baird@nymc.edu](mailto:Reon_Baird@nymc.edu)

David Stern, M.D., Psychiatrist, Assistant Professor of Psychiatry, Co-Director,  
Student  
Mental Health & Wellness Services  
Located in 19 Skyline Drive, Rm. 2S-D46, Hawthorne, NY  
914-594-2543  
Email: [David\\_Stern@nymc.edu](mailto:David_Stern@nymc.edu)

- After-hours crisis service:  
This service can be utilized by all NYMC students and is intended to provide immediate access to counseling on nights and weekends in case of emergency. Students need only email: [studentwellness911@nymc.edu](mailto:studentwellness911@nymc.edu) and Dr. Baird-Feldman or Dr. Stern will be in contact with the student by email or phone promptly. This is not intended to provide emergent in-person evaluation or treatment but will hopefully provide additional access for students in crisis.  
If you contact [studentwellness911@nymc.edu](mailto:studentwellness911@nymc.edu), please include the following information:
  - Name
  - School (Medical, Graduate, PT, etc.)
  - Class
  - Issue

## OFF-CAMPUS RESOURCES

- Off-Campus Law Enforcement
  - Dial 911 for emergencies
  - Town of Mt. Pleasant Police: 914 769-194 or 911
  - Westchester County Department of Public Safety: 914 864-7700 or 911
  - Westchester County District Attorney – Sex Crimes Bureau 914-995-4172
- OFF-CAMPUS ADVOCACY, COUNSELING, AND HEALTH SERVICES
  - Westchester County Victim Assistance Services - 24 hour rape crisis hotline 914 345-9111 or toll free at 1-855-827-2255
  - Non crisis calls: New York State Coalition Against Sexual Assault 914 345-3113  
Website: <http://nyscasa.org/?q=responding/crisiscenters>
  - Safe Horizon 212-523-4728
  - Gay and Lesbian Anti-Violence Project (24-hours) 212-714-1141
  - Westchester County Medical Center Emergency Room: 914 493-7307
  - Westchester County Family Justice Center-provides services for individuals who are victims of domestic violence, dating violence, sexual assault, and stalking- (914) 995-3100  
Website: <http://women.westchestergov.com/domestic-violence>

## NEW YORK STATE OFFICE OF VICTIM SERVICES

- For Assistance and resources - 800.247.8035 or see Website at <https://ovs.ny.gov/>

## ADDITIONAL GOVERNMENT RESOURCES

The government resources listed here may provide additional assistance for students wishing to file an external complaint of gender-based misconduct or students with inquiries regarding the application of Title IX and its implementing regulations:

- Website: <http://www.notalone.gov>
- U.S. Department of Education, Office for Civil Rights  
Website: <http://www.ed.gov/ocr>
- US Department of Education  
Office for Civil Rights, New York – Region II  
32 Old Slip, 26th Floor, New York, NY 10005  
646-428-3800  
Email: [OCR.NewYork@ed.gov](mailto:OCR.NewYork@ed.gov)
- U.S. Department of Justice, Office on Violence Against Women  
Website: <http://www.ovw.usdoj.gov>
- US Department of Justice  
Office on Violence Against Women  
145 N Street, NE, Suite 10W.121, Washington, DC 20530  
(202) 307-6026

## VII. EFFECTIVE DATE

This Policy shall be effective immediately.

## VIII. POLICY RESPONSIBILITIES AND MANAGEMENT

Responsible Executive: Chancellor and CEO, Vice President of Operations and the respective Deans of the School of Medicine, the School of Health Sciences and Practice, and the Graduate School of Basic Medical Science

Responsible Officer: The Title IX Coordinator and Deputy Title IX Coordinators

Responsible Department: Office of Student Affairs and Human Resources Department

Questions relating to the interpretation and implementation of this Policy are to be directed to the the Office of the General Counsel.

### APPROVED:



Edward C. Halperin, M.D., M.A.  
Chancellor and Chief Executive Officer

10.1.15

Date