

School of Visual Arts Campus Security Report

In compliance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act {20 U.S.C. 1092(f)}

October 1, 2014

School of Visual Arts is committed to the safety and security of our students, faculty, and staff. In accordance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* {34 CFR 668.46}, this report has been prepared using information supplied by SVA Security, Office of Residence Life, Student Health and Counseling Services, Office of Institutional Research, and the New York City Police Department.

Security Department

The SVA Security Department has a state-of-the art command center. It operates as both the offices for our security team and our surveillances center, covering the entire SVA college campus. The command center's systems are state-of-the art with digital recording equipment, interface with card access systems and direct access to any cameras. It has several large flat-screen televisions to allow for constant monitoring. In addition it has a sophisticated communications system, which enables any emergency to be handled from the command center. The digital cameras and recording systems cover the interior and exterior of all our buildings, including classrooms, dormitories, lounges and theaters. Hundreds of digital cameras are monitored from this one location. The command center is manned 24 hours a day and seven days a week, with a security management team member. This allows for a quick response to emergency situations, and a focal point for all security-related matters.

Security Policies and Procedures

SVA's security procedures have been established to protect you and your personal property, as well as the property of the College. Although all reasonable precautions are taken to safeguard property, it is the responsibility of each member of the SVA community to assist in that effort by not leaving valuable personal articles — wallets or handbags, for example, unattended or in open view at any time. If you see any strangers or suspicious-looking activities, alert the Security Desk in your building immediately. A security officer is on duty 24-hours a day.

Please Note: Security officers have the authority to request to see SVA identification cards at any time. Security officers can detain but do not have the authority to arrest. Currently SVA does not have a voluntary confidential reporting system in place.

Emergency Procedures on Campus

In the event of an emergency, including any serious injury, SEEK HELP IMMEDIATELY. Call 911 from any campus phone, other landline or mobile phone. When 911 answers, stay calm and be prepared to answer the operator's questions, which may include:

- Where is the emergency located?

- What is the emergency? (fire, medical, hazardous material, etc.)
- How did it happen?
- When did it happen?
- What is your name and location?

Do not hang up until instructed to do so by the operator. You do not need to know all the answers to these questions, but try to gather as much information as you can. Give a telephone number or other safe location where the emergency responders can call or meet you, and wait for the responders at that location. After the emergency has been responded to, an incident report and witness statement should be filed with SVA Security. Reports concerning an SVA student’s physical or mental health will be forwarded to the Office of Student Health and Counseling Services, and a staff member will follow up with the student(s) involved, if appropriate.

NOTIFY SVA SECURITY

After calling 911, contact the nearest security officer at one of the following locations:

- 132/136 West 21 Street 646.336.6252
- 133/141 West 21 Street 212.675.7993
- 209 East 23 Street 212.696.4632
- 214 East 21 Street 212.475.1659
- 380 Second Avenue 212.614.8026
- 335 West 16 Street 212.929.0296
- George Washington Residence 212.253.2372
- Gramercy Women’s Residence 212.777.2843
- Ludlow Residence 212.254.3730
- New Residence 212.889.2797
- SVA Theatre 212.675.7993
- 24-Hour Security, 209 East 23 Street 212.696.4632

Timely Warnings

In addition to the Office of Security, SVA has a standing committee comprised of officials from various offices at the College that is dedicated to ensuring the health and safety of the SVA community and the continuity and/or recovery of critical operations in an emergency. The committee meets regularly to review, allocate and coordinate resources; seek guidance from the New York Police Department, New York City Office of Emergency Management and other local authorities; and put in place written response plans. In the event of an emergency, SVA will send notifications via SVAAlert. You can also visit www.sva.edu/ or call 212.592.2000 for updates.

Daily Security Log

Every security officer in each SVA building maintains a daily activity log where criminal and non-criminal incidents are reported. In addition, an incident report is generated that includes the details of all criminal and non-criminal acts reported to the security department. The incident reports include the following information:

- (1) the nature, date, time, and general location of each crime; and
- (2) the disposition of the complaint, if known.

The incident reports are then filed for the record and are available for public inspection.

College Closings – Unscheduled

During the winter months, it is sometimes necessary for the College to suspend classes temporarily on short notice. Severe weather can create hazardous travel conditions throughout the region that make it difficult or impossible for members of the SVA community to get to and from the campus safely. Such cases are rare and typically affect operations for no more than a day.

The Determination to Close

Once severe weather is predicted, SVA closely monitors the storm warnings and directives issued by the New York City Office of Emergency Management as well as guidelines provided by mass transit authorities, including the MTA, Metro North, Long Island Railroad and New Jersey Transit. If you learn from a major media outlet that New York City Public Schools have closed or are closing for the day, assume that SVA will also close. Note that SVA makes the determination one day at a time.

Be Prepared

Because it can be difficult to predict the severity of a storm even 24 hours before it hits, SVA may make the determination to close the College a few hours in advance of the closing. This is just one of the many good reasons to sign up for SVAAlert, the College's electronic notification system. It takes just a moment to register at <https://my.sva.edu>. Once you are registered, you will be contacted via phone, email and/or text message in the event SVA closes due to weather.

Periodically log in and check your information to be sure it is current. Note that only current students, faculty and administrative staff have access to SVAAlert.

Stay Informed

To find out if SVA is closing, check SVA's website, sva.edu or call SVA's main phone number, 212.592.2000.

MYSVA AND SVAPPS

MySVA (my.sva.edu) is the College's online portal, keeping students connected to the SVA campus 24 hours a day, seven days a week. MySVA offers easy access to:

- Your SVA email account, powered by Google
- Registration, schedules, grades and transcripts
- Online courses and related materials
- Downloadable forms and information from most SVA offices, including the Office of Financial Aid, the Registrar, the Office of Health and Counseling Services, the Office of Career Development and the Visual Arts Library
- Campus news, announcements, event and exhibition information.

A MySVA username and password is required to access MySVA and SVA email. The username consists of the first part of the user's email address, before the @ symbol. The initial password consists of the characters "Sva!" not including the quotation marks, followed by the user's 7-digit SVA student ID number (e.g., Sva!1234567). Users should to change their initial password by visiting <http://pwchange.sva.edu>.

Email is used by various offices at the College to provide important information to students throughout the year. For this reason, SVA provides students, faculty and staff members with a SVA email account, which they are responsible for monitoring. Users can directly access their SVA email account by visiting <http://webmail.sva.edu> and logging in with their MySVA username and password. As an alternative, users should set their SVA email to forward to another account. All students, faculty and staff are expected to monitor their SVA email regularly, either through SVApps or by having their SVA email forwarded to their primary email address.

For additional help with accessing MySVA, SVApps Email or any other campus systems, please call the SVA Help Desk at 212.592.2400 Option 1 or email helpdesk@sva.edu. The Help Desk is available Monday- Friday, 9am-5pm EST.

Emergency Preparedness and Notification

SVA has an Emergency Response Plan that includes information about operating status parameters, incident priorities and performance expectations, shelter-in-place and evacuation guidelines, and contingency and continuity plans. Detailed information about responding to emergency incidents on campus is available on the SVA website at sva.edu/student-life/campus-safety.

SVA transmits critical information to the College community using the following methods:

- Sva.edu–Emergency notices, including unscheduled closings and facilities evacuations, are posted to the College's website. Status updates will be published as new information becomes available.
- Main telephone line–Emergency notices, including unscheduled closings and facilities evacuations, are the subject of recorded announcements at 212.592.2000, SVA's primary published telephone number.
- All Concerned email–Bulk email messages directed to current students, faculty and administrative staff at their SVA email addresses are used to provide more detailed information in an emergency.
- SVAAlert–SVA has contracted with Blackboard Connect to provide an electronic notification system that allows members of the campus community to receive messages directly to a designated cell phone (as text or voice message), email address and/or land-line phone. SVAAlert is available to current students, faculty and administrative staff. Students must enroll in the service by verifying current contact information and communication preferences through mySVA (my.sva.edu), the College's Intranet.

- In the event that either the College’s website or the main telephone line is temporarily out of service, the College community will be directed to an alternate website and telephone number via All Concerned email and SVAAlert.

In addition, SVA officials may deploy other methods for notifying the College community, including security officers, fire brigades and other SVA staff.

Building Security Procedures

All College buildings are open from 8:00 AM to 11:00 PM, Monday through Friday, except during College holidays. Some studios are also open on Saturdays and Sundays. Overnight stays, visitors and any unscheduled access to SVA buildings and studios must be requested and approved by the appropriate department chair at least 24 hours in advance. Guests must bring picture IDs and receive a visitor’s pass from the security officer. “Request for Access” forms are available in each academic department office.

Building (Non-Residential Access

The College is committed to the safety of students, faculty, staff and guests. With this in mind, SVA Security is charged with enforcing the following directives for academic and administrative buildings:

Routine Access by SVA Students, Faculty and Staff

All current SVA students, faculty and staff may access SVA academic and administrative buildings by showing a valid SVA ID card to the security officer.

Guest Policy

All guests must check in at the security desk, where their visit will be verified.

Unannounced Visitors

Guests visiting an office without an appointment, including food delivery personnel, will be asked to wait at the security desk, where they will be announced by the security officer and met by the appropriate staff member.

Fire Drills

Fire drills are conducted at least twice each year in all campus buildings and are supervised by the fire safety coordinator with the assistance of the fire marshals assigned to each floor. Everyone in the building is required to participate. Drills will be conducted in accordance with the fire safety plan. Notice will be given in advance of a fire drill.

The Facilities and Physical Plant Departments

The Facilities and Physical Plant Departments oversee the operation, maintenance and capital construction of all campus facilities which includes academic, administrative and residential. These departments are also linked to the Security and Environmental Health and Safety Departments. We work closely with each as well as meet regularly with our Residence Life staff to maintain communication on a daily basis and to review upcoming activities and events throughout each semester. The Physical Plant Department implements scheduled

preventative maintenance programs at each location to ensure that students, faculty and staff can enjoy a safe and comfortable environment.

Environmental Health and Safety

SVA's EH&S Department functions as a part of the Facilities team and works with the Physical Plant staff as well as Student Affairs and the Educational Departments. EH&S provides environmental monitoring and testing services as well as providing safety information and training to the staff, students and faculty. EH&S also heads SVA's recycling and waste management programs. In conjunction with the Facilities Team, the EH&S Department is working with the NYC Mayor's Office as a participant of the "Mayor's Challenge," a program to reduce our carbon footprint by 30% in ten years.

Parking

The College makes no provision for parking, which is both difficult and expensive in Manhattan. All members of the College community should make their own arrangements with garages or lots in the immediate area of the College.

Important Numbers:

Emergency: 911. In the event you receive a busy signal while attempting to call 911, contact your local precinct. Locate precincts and telephone numbers below.

- Non-Emergency: 311
- Terrorism Hot-Line: 1-888-NYC-SAFE
- Sex Crimes Report Line: 1-212-267-RAPE
- Crime Stoppers: 1-800-577-TIPS
- Crime Stoppers (Spanish): 1-888-57-PISTA
- Cop Shot: 1-800-COP-SHOT
- Missing Persons Case Status: 1-212-694-7781
- Operation Gun Stop: 1-866-GUN-STOP
- Organized Crime Control Bureau: 1-888-374-DRUG
- NYPD Switchboard: 1-646-610-5000

Manhattan Precincts:

| | | |
|-------------------------|----------------|----------------------|
| <u>1st Precinct</u> | (212) 334-0611 | 16 Ericsson Place |
| <u>5th Precinct</u> | (212) 334-0711 | 19 Elizabeth Street |
| <u>6th Precinct</u> | (212) 741-4811 | 233 West 10 Street |
| <u>7th Precinct</u> | (212) 477-7311 | 19 1/2 Pitt Street |
| <u>9th Precinct</u> | (212) 477-7811 | 130 Avenue C |
| <u>10th Precinct</u> | (212) 741-8211 | 230 West 20th Street |
| <u>13th Precinct</u> | (212) 477-7411 | 230 East 21st Street |
| <u>Midtown So. Pct.</u> | (212) 239-9811 | 357 West 35th Street |
| <u>17th Precinct</u> | (212) 826-3211 | 167 East 51st Street |
| <u>Midtown No. Pct.</u> | (212) 767-8400 | 306 West 54th Street |

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| <u>19th Precinct</u> | (212) 452-0600 | 153 East 67th Street |
| <u>20th Precinct</u> | (212) 580-6411 | 120 West 82nd Street |
| <u>Central Park Pct.</u> | (212) 570-4820 | 86th St & Transverse Road |
| <u>23rd Precinct</u> | (212) 860-6411 | 162 East 102nd Street |
| <u>24th Precinct</u> | (212) 678-1811 | 151 West 100th Street |
| <u>25th Precinct</u> | (212) 860-6511 | 120 East 119th Street |
| <u>26th Precinct</u> | (212) 678-1311 | 520 West 126th Street |
| <u>28th Precinct</u> | (212) 678-1611 | 2271-89 8th Avenue |
| <u>30th Precinct</u> | (212) 690-8811 | 451 West 151st Street |
| <u>32nd Precinct</u> | (212) 690-6311 | 250 West 135th Street |
| <u>33rd Precinct</u> | (212) 927-3200 | 2207 Amsterdam Avenue |
| <u>34th Precinct</u> | (212) 927-9711 | 4295 Broadway |

Residence Hall Security

All residence halls maintain 24-hour security. The security officers are responsible for monitoring guest and security policies. When entering the building, students must present their SVA photo identification card to the security officer. Students and guests are required to provide photo identification when requested by a security officer or other College official. If students have a concern regarding security services, they should speak to a Residence Life staff member.

Extermination/Pest Control Services

Exterminators make monthly visits to the residence halls. To request pest control services, fill out a work order online using the TMA system. Exterminators will be escorted to all rooms by security or by a member of the Residence Life staff.

Fire Safety

Smoke detectors and sprinklers are located throughout the residence halls. In addition, each room is equipped with a hardwired smoke detector and sprinkler system. Residents may not tamper with or cover the smoke detectors or sprinklers.

Fire Alarm Evacuation Procedures

Evacuation plans are posted throughout residence hall buildings, and fire extinguishers and alarms are located on every floor. Every resident should be familiar with the evacuation procedures and the location of fire extinguishers. Students are responsible for informing their guests of fire evacuation procedures. Anyone concerned or confused about a safety precaution or procedure should consult the Residence Life staff.

Guest Policy

The guest policy allows students to host visitors in a responsible manner. Maximum occupancy follows established fire codes and allows no more than two guests per resident student. Unannounced guests such as food delivery personnel will be asked to wait at the security desk, where they will be announced by the security officer and met by the resident. All other guests are required to sign in at the security desk and show a current government/state issued valid photo ID. The guest's ID will be held at the security desk while the guest is in the building. All short term guests must leave residence hall premises by 11:00 pm, unless prior approval to stay overnight has been granted. If a visitor stays past

11:00 pm, security or a Residence Life staff member will escort him or her off the premises. Failure to follow the guest policy will result in loss of guest privileges and disciplinary action.

Guest Responsibility

Every guest must have a resident host and be accompanied by the host while in the residence halls. Guests may not have resident's keys at any time. Guests are expected to comply with all College policies and regulations as well as federal and state laws. Residents are responsible for the behavior of their guests and are held accountable for their actions. Should their guests violate any of the College's rules and regulations, the Residence Hall Director, Associate Director of Residence Life, Director of Student Affairs or designee may deny a guest permission to be on the premises.

Overnight Guest Privilege

All overnight guest request forms must be signed by a security officer before 11:00 PM of the day of an overnight visit. Students wishing to sign in a guest under 17 to stay overnight in the residence halls require prior approval from their Residence Hall Director. Students can have visitors stay overnight for no more than three consecutive days in a seven-day period, and no more than 10 nights in a month. Should a student wish to have a guest stay for more than the three-day limit, prior approval from the RHD is necessary. An overnight guest request form must be submitted to the RHD at least one business day in advance. Students may pick up approved forms from the security desk or the Office of Residence Life prior to their guest's arrival.

Security

All residence halls maintain 24-hour security. The security officers are responsible for monitoring guest and security policies. When entering the building, students must present their SVA photo identification card to the security officer. Students and guests are required to provide photo identification when requested by a security officer or other College official. If students have a concern regarding security services, they should speak to a Residence Life staff member.

Smoking Policy

In accordance with government regulations, the School of Visual Arts prohibits smoking in any part of its buildings including private offices, private rooms, classrooms, hallways, restrooms and residence halls. Smoking is also prohibited within 25 feet of any building entrance.

Residence Hall Violations and Disciplinary Procedures

Residents who violate SVA residence hall policies are subject to disciplinary action. The disciplinary process is described in the following paragraphs. This process does not follow the rules of procedure used in court proceedings, and legal representation is not permitted in any hearing. Additional policies may be communicated to students by written notices posted in the residence halls.

Room Inspection and Entry Policies

SVA reserves the right to enter student living quarters to ensure the health and safety of students. Rooms may be entered for emergencies, monthly health and safety inspections, to complete repairs, conduct pest control procedures or to conduct an investigation if there is a reasonable cause to believe that someone may be in danger or in violation of College or civil regulations. Students found in violation of health and safety regulations will be given due notice to remove the violation. Failure to do so will result in disciplinary action followed by the confiscation of any item(s) causing the violation. Preserving student privacy is of paramount importance to the Office of Residence Life. Students who believe that their privacy has been compromised should notify their Resident Assistant or Residence Hall Director.

Room Occupancy Policies

Residents living in shared living spaces such as double rooms, or adjoining suites are permitted to occupy only their assigned portion of the room or suite. If a vacancy occurs within the space/suite, the resident(s) and/or any guests of residents remaining in the room/suite are not permitted to occupy the vacant space, including the bed, furniture, and other designated spaces or remove furniture from the space. When there is a vacant space in a room or suite, Residence Life may assign another resident to that space at any time.

Crime Prevention and Safety Programs

In addition to safety and security programs routinely run by Resident Assistants in SVA housing facilities (previous programs have dealt with preventing crime, personal safety, and sexual assault), SVA facilitates several programs to help educate incoming students on safety, security, and how to prevent sexual assault. These programs take place each August during the annual new student orientation program.

Safety in the City

This program, organized by the offices of Student Affairs and Security, educates students about how to be safe in the city. It also focuses on sexual assault statistics, myths, and how to prevent sexual assault.

Navigating Your Neighborhood

New students are led on a walking tour of the area surrounding the SVA campus. This program helps students get the “lay of the land” and identify places to go if they are in need of help.

Drug and Alcohol Education Programs

Each semester, Resident Assistants routinely facilitate programs designed to help students understand the dangers of drug and alcohol abuse.

Student Health and Counseling Services

Services are provided free-of-charge in a non-judgmental environment and are confidential. Students can call or stop by the office to set up an appointment at:

George Washington Residence
23 Lexington Avenue, room 302

Hours: Monday–Friday, 9:00 AM–5:00 PM

Tel: 212.592.2246 Fax: 212.592.2216

Email: health@sva.edu

Website: www.sva.edu/health/

While a registered nurse is available for health education, medical services are not available on-site. The office assists students with accessing community based health care providers. Information about providers and other resources can be found at sva.edu/health. An option for same-day medical care is Beth Israel Medical Group which has walk-in clinics located at 309 West 23 Street at Eighth Avenue, and 55 East 34 Street (between Park and Madison Avenues). Another option for same day medical care is City MD, a walk-in clinic for non-emergency care, located at 37 West 23 Street (between Fifth and Sixth Avenues).

Student Health and Counseling Services does not write medical excuse notes. Students who are not able to attend classes due to illness should notify their instructors and, for conditions requiring an extended absence from classes, their academic advisor.

Emergency Medical Facilities/Urgent Care Near The College

East Side

- Bellevue Hospital Center, 26 Street and First Avenue
- Mount Sinai Beth Israel, 16 Street and First Avenue
- Beth Israel Medical Group, a walk-in clinic for non-emergency care, 34 Street between Park and Madison Avenues
- City MD, a walk-in clinic for non-emergency care, 37 West 23 Street between Fifth and Sixth Avenues
- NYU Langone Medical Center, First Avenue between 32 and 33 Streets
- NYU Dental Clinic, 25 Street and First Avenue

West Side

- Beth Israel Medical Group, a walk-in clinic for non-emergency care, 309 West 23 Street at Eighth Avenue

Counseling

Licensed therapists and a part-time psychiatrist provide short term psychotherapy for a variety of mental health issues. Students can call or stop by the office to set up an appointment. Students who need confidential emotional support when the office is closed are encouraged to call the Samaritans (a 24-hour crisis response hotline) at 212.673.3000 or LifeNet at 1.800.LIFENET (1.800.543.3638).

Insurance

Students are automatically enrolled in the SVA-sponsored Student Injury and Sickness Insurance Plan. Information about the plan can be viewed at www.sva.edu/uhp. The site contains a link called ‘Provider Search’ which allows students to search for United Healthcare health care providers. Students who create an account with United Healthcare can access their insurance ID card, insurance claims and other information online.

For questions about the insurance, please call 800.767.0700

School of Visual Arts Policies

SVA is a community and like any community certain guidelines must be followed in order to maintain a safe and productive environment for all.

Alcohol and Drug Policy

The School of Visual Arts expects all members of the College community to assist in maintaining a drug-free environment. The possession, unlawful manufacture, distribution, dispensing or use of alcohol or a controlled substance (illicit drugs, etc.) or being under the influence of alcohol or a controlled substance on College premises, including residence halls, is prohibited and grounds for administrative action.

Any SVA employee, as a condition of employment, is expected to abide by the drug-free workplace policy. In addition, the College is required by The Drug-Free Workplace Act of 1988 to notify all employees and students that they must report any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

Students cannot drink or possess alcoholic beverages of any kind on SVA property including the residence halls. Functions for the College, including graduate programs, where alcoholic beverages are served require pre-approval of the Provost or his designee.

Possible Disciplinary Sanctions and Penalties

Any employee or student found to be in violation of this policy will be subject to sanctions, including, but not limited to, mandatory referral for counseling and/or treatment, and termination of employment or enrollment.

Possible Legal Sanctions and Penalties

Local, state and federal laws make illegal use of drugs and alcohol serious crimes. Conviction can lead to imprisonment, fines and mandatory community service.

The Federal Controlled Substances Act, 21 U.S.C. 844, et seq., provides penalties of up to life imprisonment and significant fines for unlawful distribution or possession of a controlled substance. Notably, any person found to have unlawfully distributed such substances to a person under 21 may be punished by up to twice the term of imprisonment and twice the fines. The same applies to distribution of drugs in or within 1,000 feet of a college or school.

Federal penalties and sanctions for illegal drug possession of a controlled substance include but are not limited, to the following:

- First conviction: Up to one-year imprisonment and a fine of at least \$1,000.
- After one prior drug conviction: At least 15 days in prison, and a fine of at least \$2,500.

- After two or more prior drug convictions: At least 90 days in prison, and a fine of at least \$5,000.
- Federal trafficking penalties range from 5 years to life in prison, and fines of up to \$50 million.

For a schedule of penalties, see [justice.gov/dea/druginfo/ftp_chart1.pdf](https://www.justice.gov/dea/druginfo/ftp_chart1.pdf).

Additional penalties may apply under various New York State drug and alcohol laws. With respect to penalties, the New York State Penal Law defines a misdemeanor as a crime punishable by imprisonment for more than 15 days but no more than one year. A felony is a crime punishable by imprisonment for more than one year. Felonies carry varying degrees of minimum and maximum sentences. Class A felonies carry the longest jail sentences, while class E felonies carry the shortest. Below are some of the sanctions provided for by the Penal Law.

- Sale of a controlled substance on or near school grounds, or to a person less than 21 years of age is a Class B felony.
- Possession of a hypodermic instrument without a doctor’s prescription is a Class A misdemeanor.
- Injection of another person with a narcotic drug, with consent of that person is a Class E felony.
- The Penal Law bans possession or sale of drug paraphernalia—a wide category of items that are considered commercial drug preparation materials. Such possession is a Class A misdemeanor. New York law also addresses the illegal sale or possession of alcohol. The following is only a sampling of some offenses and penalties:
- Procuring alcohol for a person under the age of 21 carries a penalty of up to five days imprisonment and a \$200 fine.
- Driving while intoxicated (by either drugs or alcohol) is a misdemeanor punishable by up to a year imprisonment and a fine of up to \$1000.
- “Driving While Ability Impaired” by alcohol (based on one’s blood alcohol content level) is punishable by up to 15 days imprisonment and a fine of up to \$500, as well as a 90 day license revocation for a first offense.
- Possession of alcohol by persons under 21 carries a \$50 fine per offense.
- Any person who sells alcoholic beverages or unlawfully assists an intoxicated person to procure alcoholic beverages is liable for any damages caused by that person while under the influence.

It is in violation of state law for a person under the age of 21 years to present false evidence of age to procure alcoholic beverages. The penalty for a first violation may include a fine of at least \$50 and up to \$350, and up to 30 days community service. The above lists include only a sampling of the current federal and state penalties and sanctions for conduct involving drugs and alcohol, all of which are subject to change. Additional federal, state and local penalties and sanctions may apply.

Health Risks Associated With AOD Abuse

Even “recreational” drug use or “social” drinking may be toxic to your body. Further, if abused, drugs and alcohol can have catastrophic consequences on your health, including damage to the heart, lungs, brain, liver, gastrointestinal track, and other major organs and systems. Alcohol-related accidents are the number one cause of death among people ages 15 to 24, while highly potent drugs such as crack cocaine can be fatal even upon a first, experimental use.

The College is well aware that substance abuse is one of the most pervasive medical and social problems of our time and will make every effort to treat a student or employee’s problem with confidentiality and compassion. However, the mission of the College requires a drug-free environment and all appropriate measures will be taken to ensure that it remains so. The College encourages individuals with alcohol or other drug-related problems to seek assistance.

Students seeking assistance are encouraged to speak with a staff member at the College’s Student Health and Counseling Services (23 Lexington Avenue, room 302, 212.592.2246, M-F, 9-5) for support. Short term confidential services are provided free of charge. Referrals to community based clinicians and treatment organizations can also be provided. Community based resources include:

- Alcoholics Anonymous aa.org, 212.870.3400
- Alcoholics Anonymous of New York nyintergroup.org, 212.647.1680
- Narcotics Anonymous na.org, 212.929.6262
- The Addiction Institute of New York addictioninstituteny.org, 212.523.6491

Harassment, Discrimination and Retaliation Complaint Procedures

Support systems and complaint procedures are in place to help anyone who feels he or she has been discriminated against or harassed. Since discrimination and harassment can take many forms and occur in a wide range of settings and behaviors, individuals may feel uncertain whether or not an experience is harassment or discrimination. Nonetheless, anyone who feels he or she may be the victim of harassment or discrimination by a member of the SVA community should take immediate action. Early reporting and intervention has proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, SVA strongly urges the prompt reporting of complaints or concerns, as outlined in the Student Complaint Procedures and Faculty/Staff Complaint Procedures.

Individuals with concerns relating to sexual discrimination, harassment, or assault should consult the Sexual Misconduct Policy as well.

Student Complaint Procedures

Students who feel they have been subjected to harassment or discrimination should speak with the Title IX Coordinator, the Director of Student Affairs, their advisor, a faculty or staff member, or their department chair. SVA’s Title IX Coordinator works closely with the Director of Student Affairs. Together, they oversee the counseling and investigation of all matters, issues and problems relating to student allegations of harassment and discrimination.

The Title IX Coordinator's office is on the 8th floor of the 380 Second Avenue building. He may be reached at 212.592.2620 or titleix@sva.edu.

Any senior administrator, department chair, or coordinator, or any other person with supervisory responsibility who receives a complaint of harassment or discrimination must report the complaint to the Title IX Coordinator immediately. Note: Students who feel they have been subjected to sexual harassment or other sexual misconduct should consult the Sexual Misconduct Policy as different complaint procedures may apply.

Individuals who believe they are being subjected to harassment may choose to speak directly with the offender and advise him or her that the behavior is unwelcome and request that it be discontinued. Sometimes, this approach can be an effective way of confronting harassment or bias. Individuals who believe they have been subjected to harassment or discrimination may also choose to meet informally with the Title IX Coordinator, the Director of Student Affairs, or another member of the support system. During that meeting, the individual may:

- Bring a friend, advisor or someone they trust to the meeting.
- Discuss the experience or situation without naming the person they feel is harassing them. However, failure to identify the individual may result in SVA's inability to investigate or take remedial action.
- Ask any questions about making a formal complaint or what is involved in a hearing.
- Choose to make a formal written complaint.
- Decline to make a formal complaint.

However, even when an individual declines to make a formal complaint, SVA may proceed with an inquiry. To initiate a formal grievance process, individuals must submit a written statement to the Title IX Coordinator alleging prohibited discrimination, harassment or retaliation. In the statement, the individual should request any relief sought from the College. Prompt submission of formal complaints is encouraged.

Upon receipt of a formal written complaint, the Title IX Coordinator, the Director of Student Affairs or other appropriate staff member designated by the Title IX Coordinator will consider the written grievance and assess whether investigation is appropriate. If so, an investigation will be conducted, which may include interviewing the individual who submitted the complaint, others who may have relevant knowledge, documentary materials, or other information. The time it may take to conduct the investigation will depend on a variety of factors, including the nature and scope of the allegations, but the College will seek to resolve the grievance promptly. Only people who have a need to know about the issue will be informed, and information will be shared only as necessary with investigators, witnesses and other relevant parties.

Upon the conclusion of the investigation, the Title IX Coordinator or Director of Student Affairs will determine whether it is more likely than not that SVA policy has been violated. If a violation is found to have occurred, the Title IX Coordinator or Director of Student Affairs will take appropriate action to ensure that the violation is remedied, which may

include referral to the Student Disciplinary Committee if the complaint is against a student. If no violation is found to have occurred, the complaining party may appeal the decision to SVA's Provost within two weeks of learning of the determination by submitting a letter specifying the basis for the appeal.

Hazardous and/or Dangerous Materials Policy

SVA prohibits the presence or use of hazardous or dangerous materials, including dangerous artists' materials, on campus. If you need more information on the products or materials you are using, please contact the Environmental, Health and Safety Office at 212.592.2551 or jdeluca@sva.edu.

The use of spray paint, spray adhesive and spray glue is prohibited in any SVA building, including, but not limited to: classrooms, studios, offices, residence halls, common spaces and stairwells. The Environmental Protection Agency and the New York City fire code allow for the use of spray paint, spray adhesives and spray glue only in prescribed spray booths. Since no such booths exist on campus, the use of such materials is not allowed.

Missing Student Policy and Procedure

The Federal Higher Education Opportunity Act (HEOA) requires that institutions providing on campus housing establish a missing student notification policy for students living in on-campus housing. In accordance with this legislation, students must be informed that they have the option of identifying an individual that the institution may contact no later than 24 hours after the time a student is determined missing. SVA has a procedure for students to follow to register this confidential emergency contact.

In the event that the missing student is under 18 and not emancipated, the institution must notify a custodial parent or guardian no later than 24 hours after the student is determined missing. The emergency contact will be notified by the Director of Student Affairs or his designee. The legislation also requires that SVA includes procedures for official notification of appropriate individuals at the institution that such student has been missing for more than 24 hours and requires that any official missing person report relating to such student be referred immediately to the institution's police or campus security department.

When SVA students complete a housing application and contract using the online housing application portal, they will be asked to provide emergency contact information for a relative or friend that SVA can contact in the event the student is determined to be missing.

Upon receiving a report of a suspected missing student, the residence life and security staff will initiate an investigation to determine when the student was last seen, and gather relevant information from friends, roommates, classmates, instructors, and other individuals as necessary. If campus security or law enforcement personnel makes a determination that a student who is the subject of a missing person report has been missing for more than 24 hours and has not returned to campus, the institution will initiate the emergency contact procedures that the student designated.

Anyone who suspects that a student may be missing should immediately call the Director of Student Affairs in the Office of Student Affairs at 212.592.2214.

Non-Discrimination and Anti-Harassment Policy

The School of Visual Arts is committed to equal treatment and opportunity for its students, to maintaining an environment that is free of bias, prejudice, discrimination and harassment, and to establishing complaint procedures for allegations involving students. The School of Visual Arts does not discriminate on the basis of gender (including gender identity), race, color, religion, creed, pregnancy, disability, age, sexual orientation, marital status, national origin, genetic predisposition or carrier status, alienage or citizenship status, military or veteran status, domestic violence status or other legally protected status (“Protected Characteristics”) in employment, student admission, or any other programs or activities.

The College is firmly committed to the rights of all members of its community—students, faculty and staff—who must interact through mutual respect and trust to ensure that the campus remains a center of learning. Any student, faculty or staff member who violates College policy by subjecting another to discrimination or harassment of any kind (including sexual discrimination and harassment) will be subject to appropriate disciplinary action, including immediate expulsion from the College or termination of employment, in accordance with the policies and procedures outlined in this Handbook.

Harassment based on Protected Characteristics is also strictly prohibited. Harassment includes any unwelcome or offensive action, remark or behavior that interferes with a person’s work or academic performance or creates an intimidating or hostile environment, based on an individual’s Protected Characteristic. Some examples of harassment include:

- Treating people differently because of a Protected Characteristic
- Offensive or suggestive comments, letters, mails or telephone calls
- Insults, jokes, teasing, threats, embarrassing comments or other remarks that put people down or make them uncomfortable
- Inappropriate pictures, cartoons or other objects
- Making obscene or rude gestures, or ogling or leering at someone
- Unwanted or unnecessary touching or blocking someone’s movement
- Mimicking a person’s accent, or mocking or imitating a disability or stutter.

For information on sexual harassment and other sexual misconduct, please see the Sexual Misconduct Policy.

Smoking Policy

In accordance with government regulations, the School of Visual Arts prohibits smoking in any part of its buildings including private offices, private rooms, classrooms, hallways, restrooms and residence halls. Smoking is also prohibited within 25 feet of any building entrance.

Any violation of or dispute arising under this policy should be reported immediately to the Director of Student Affairs or the Director of Human Resources. Violations of this policy

may result in appropriate corrective action, up to and including expulsion or termination of employment. The Directors of Student Affairs and Human Resources will promptly investigate any disputes arising under this policy. Each student, faculty or staff member is protected from retaliatory action or from being subjected to any adverse action for exercising or attempting to exercise his or her rights under this policy.

Any person who feels he or she has been subject to a retaliatory adverse action for exercising or attempting to exercise any rights under this policy or under any applicable law or regulation concerning the subject matter of this policy should inform the Director of Student Affairs or the Director of Human Resources who will promptly investigate the complaint and provide for adequate redress where necessary.

Any questions regarding the smoking policy should be directed to the Office of Student Affairs, (tel: 212.592.2214; email: studentaffairs@sva.edu) or the Office of Human Resources, (tel: 212.592.2645; email: hr@sva.edu).

Sexual Misconduct Policy and Procedures

SVA strongly encourages anyone who believes he or she may have been the victim of sexual violence to seek immediate assistance. In the event of an assault or other act of sexual violence, contact Security Services at 212.592.2025 or the New York City Police at 911. It is extremely important that victims of physical assault receive comprehensive medical attention promptly, both to ensure their health and safety and to preserve physical evidence. In the case of sexual assault, in particular, victims (whether students or employees) should go immediately to a hospital emergency room.

Notice of Nondiscrimination and Retaliation

SVA is committed to complying with Title IX of the Higher Education Amendments Act of 1972, which prohibits discrimination on the basis of sex in educational programs or activities, admission and employment. Under certain circumstances, sexual misconduct (as defined below) constitutes sexual discrimination prohibited by Title IX. Inquiries concerning the application of Title IX may be referred to SVA's Title IX Coordinator, or to the U.S. Department of Education's Office of Civil Rights.

The safety and well-being of every member of the College is of primary importance. SVA is committed to providing programs, activities and an educational environment free from sex discrimination and fostering a community that promotes prompt reporting of all types of sexual misconduct and timely and fair resolution of sexual misconduct complaints. To that end, SVA prohibits sexual violence by its students, faculty and staff, which includes sexual assault, stalking, and domestic and intimate partner violence. SVA also prohibits retaliation against any member of the College Community for filing a report or complaint or participating in an investigation or proceeding under this Policy.

Application

This Policy applies to any allegation of Sexual Misconduct made by or against a student, employee or a third party, regardless of where the alleged sexual misconduct occurred, if the conduct is related to the College's academic, educational, or extracurricular programs or

activities. The College's disciplinary authority, however, may not extend to third parties who are not students or employees of the College. Additionally, while this Policy is not limited to on-campus conduct, SVA's ability to investigate off-campus conduct may be limited.

Definitions

SVA prohibits any form of sexual misconduct, including but not limited to acts of sexual harassment, sexual violence, non-consensual sexual contact or intercourse, and any other forms of sexual exploitation. Sexual Harassment is defined as words or actions of a sexual nature that have the intent or effect of interfering with an individual's educational or work performance or creating an intimidating, hostile or offensive environment.

- Specifically, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment whenever:
- Submission to such conduct is made either explicitly or implicitly a term or condition of instruction, employment or participation in any college activity.
- Submission to or rejection of such conduct by an individual is used as a basis for evaluation in making academic or personnel decisions affecting that individual.
- Such conduct has the purpose or effect of interfering with an individual's performance by creating an intimidating, hostile or offensive environment.

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

- Subtle or persistent pressure for sexual activity;
- Requesting or demanding sexual favors concerning employment, academic activities, or other College activities;
- Unwelcome communications (oral or written, including electronic communications) of a sexual nature;
- Failure to accept the termination of a consensual relationship with repeated and persistent requests and behavior;
- Verbal abuse or hostile behavior such as insulting, teasing, mocking, degrading or ridiculing another person or group.

Sexual Violence is any physical sexual act perpetrated against a person's will and/or without consent, including rape, sexual assault, sexual battery and sexual coercion. Consent is an active, knowing and voluntary exchange of words and/or actions, which indicates a willingness to participate in a particular sexual activity. Consent must be freely and actively given. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement. The lack of a negative response is not consent. A person who is incapacitated by alcohol and/or drugs, whether voluntarily or involuntarily consumed, may not give consent. Neither consent to one form of sexual activity nor past relationships imply consent to future sexual activity. Sexual activity with someone who is, or based on circumstances should reasonably have been known to be, mentally or physically incapacitated (i.e. by alcohol or other drug use, unconsciousness or blackout) constitutes a violation of this policy. A person whose incapacity results from mental disability, sleep, involuntary physical restraint or from consumption (voluntary or otherwise) of incapacitating

drugs cannot give consent. In order to give consent, a person must be of the legal age of consent, which in New York is 17.

Domestic and/or Intimate Partner Violence is a pattern of behavior in an intimate relationship that is used to establish power and control over another person through fear and intimidation. A pattern of behavior is typically determined based on the repeated use of words and/or actions and inactions in order to demean, intimidate and/or control another person. This behavior can be verbal, emotional and/or physical. Examples include, but are not limited to: striking another person, property damage, name calling and insults, public humiliation, harassment directed toward friends and acquaintances, and verbal and/or physical threats.

Stalking involves any behaviors or activities occurring on more than one occasion that collectively instill fear and or threaten a person's safety, mental health, and/or physical health. Such behaviors may include, but are not limited to, non-consensual communications (whether face-to-face, via telephone, email or social media), threatening or obscene gestures, surveillance or showing up outside the targeted individual's classroom, residence or workplace.

Confidentiality

When reporting a violation of this policy, there are resources that can provide confidentiality, sharing options and advice without any obligation to inform other College staff members unless requested. Such on-campus confidential resources include the counselors within Student Health and Counseling Services, located in the George Washington Residence, 23 Lexington Avenue, 3rd Floor, and by telephone at 212.592.22246. Additionally, community members can seek out assistance from an off-campus crisis center, which can maintain confidentiality (including the sources listed under "Health" in SVA Essentials. Faculty members are not confidential resources and must contact the Title IX Coordinator upon receiving a report of any violation of SVA's Sexual Misconduct Policy.

If in making a formal complaint, the complainant requests confidentiality or asks that the complaint not be pursued, the College still must take all reasonable steps to investigate and respond to the complaint within the parameters of the request. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the complainant must realize that the College's ability to respond may be limited. When a complainant insists that his or her name or other identifiable information not be revealed, the College will evaluate that request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students.

Thus, the College must weigh the request for confidentiality against the following factors, among others:

- The seriousness of the alleged conduct
- The complainant's age
- Whether there have been other complaints about the same individual
- The alleged perpetrator's rights to receive information under FERPA

If the College cannot ensure confidentiality, the complainant will be so informed. Even if the College cannot take disciplinary action against the alleged perpetrator because the complainant insists on confidentiality, it may pursue other steps to limit the effects of the alleged conduct and prevent its recurrence.

SVA also has a duty to report data about various forms of sexual misconduct in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Act (Clery Act). No personally identifiable information is disclosed, but statistical information is disclosed in an annual report, which includes the date, location type, and specific crime category.

Support Services

Support services are in place to help any member of the SVA community who feels he or she is a victim of sexual violence, sexual harassment, relationship violence or stalking. Student Health and Counseling Services can offer referral services and counseling if necessary. The Office of Student Affairs also offers programming in the fall and spring semesters for incoming and returning students in order to educate the student population on prevention, the current laws, and the College's policies.

Complaint Procedures for Sexual Misconduct

Anyone who believes he or she may have been the victim of sexual violence of any kind should immediately contact the local police via 911 or Security Services. Security will immediately notify his or her supervisor and the Director of Student Affairs or the Executive Director of Human Resources, as appropriate. The Associate Director of Student Health and Counseling Services will also be notified. SVA community members are encouraged to report sexual assault and other incidents of harassment to local police, whether the incident occurred on or off campus, for the purpose of filing a criminal complaint and/or seeking and enforcing a no contact, restraining or similar court order.

SVA staff can assist community members who wish to exercise this option, including accompanying the individual to file a police report. Choosing to make, or not to make a police report will not impact SVA's investigation or the Title IX grievance process. The New York City Police Department sexual crimes unit may be reached at 212.374.5076. Community members are encouraged to speak to College staff and administration (such as the Title IX Coordinator, Security Services, Residential Life and Student Affairs staff, Human Resources, academic administration, faculty, etc.) to make formal reports of incidents relating to sexual misconduct. Any person who believes he or she has been subject to sexual harassment, discrimination or sexual misconduct of any kind may contact the Title IX Coordinator directly. The Title IX Coordinator ensures that complaints are handled by the appropriate SVA staff for investigation, possible interim measures, resolution, and ensures that complainants have access to medical, mental health, law enforcement, and other resources that may be required.

Please Note: All reports of sexual harassment and discrimination, including sexual violence of any kind, made to any SVA employee, except staff designated as confidential resources within the Counseling and Health Services Office, MUST be reported to SVA's Title IX

Coordinator, Frank Agosta. Reported incidents will be investigated and may be resolved through the appropriate grievance procedures. Only people who have a need to know about the incident will be informed, and information will be shared only as necessary with investigators, witnesses and the accused person.

Reports made anonymously or by third parties may not initiate grievance procedures; however, Title IX requires the College investigate all incidents about which the College knows or has reason to know in order to protect the health and safety of the College community. Therefore, SVA will undertake an investigation even in cases where the complainant or alleged victim chooses not to participate.

Sexual Misconduct Grievance Procedures for Complaints against Students

The Title IX Coordinator is designated to formally oversee student grievances, address inquiries and coordinate the College's compliance efforts regarding student complaints and grievances. The actual investigation and disciplinary process, if any, may be handled by other SVA staff designated by the Title IX Coordinator as appropriate. In the case of student complaints against other students under this policy, the Director of Student Affairs, will oversee the investigation process. In the case of faculty or staff complaints against a student under this policy, the Title IX Coordinator may follow the following procedures, or similar procedures appropriate under the circumstances.

Formal complaints of violations of SVA's Sexual Misconduct Policy can be made in writing or orally to an appropriate staff member (including Residential Life staff, Security Services, Student Affairs staff), though the College encourages students to submit grievances in writing directly to the Title IX Coordinator. The Complaint should clearly describe the alleged incident, when and where it occurred, and the desired remedy, if known. Additionally, the initiator of a formal complaint should submit any supporting materials as quickly as possible.

Interim Remedial Action

After reviewing the complaint, the Coordinator, Director of Student Affairs, or the lead investigator in consultation with the Coordinator, may enact interim remedial actions in order to stop the alleged harassment or discrimination, and/or to protect the safety and well-being of the individuals and College community. Interim remedial action is preliminary, and only in effect until the process is complete and a decision is rendered. Interim remedial actions may include no contact orders, changes in housing accommodations, changes in academic schedule and accommodations, housing suspensions, campus restrictions, and College suspensions. These actions may be instituted at any point during the investigation process.

Investigation

After reviewing the complaint, the Coordinator, Director of Student Affairs, or the lead investigator will meet with the complainant to inquire about and finalize the complaint. An initial investigation will be conducted to determine if there is cause to proceed with further investigation. If there is insufficient evidence to support reasonable cause for the complaint, the grievance will be closed with no further action. If the Coordinator or Director of Student Affairs determines that there is reasonable cause to pursue the complaint, a formal

investigation will be initiated. Where the complaint is initiated by a student, Director of Student Affairs will oversee the investigation.

During the investigation, both parties to the complaint will have the opportunity to be heard and will be kept informed of the status of the investigation as deemed appropriate. Completion of the investigation and grievance procedures should be complete within 60 days of the receipt of the complaint. Should this process last longer than 60 days, the Director of Student Affairs will communicate the reasons and expected timeline to all parties.

At the conclusion of the investigation, the investigator will meet with the complainant and the accused student to present findings. If supported by the investigation findings, the investigator will present the accused student with a notice of the alleged violations of the Sexual Misconduct Policy, Student Code of Conduct, and/or any other relevant College Policies and refer the matter to a Title IX Grievance Committee. The Title IX Grievance Committee may impose any of the permissible sanctions for violations of the Student Code of Conduct and any other sanctions deemed necessary.

In some circumstances, if both parties consent and the College deems appropriate, a complaint may be resolved through non-disciplinary interventions (for example, educational, counseling, changes in housing and/or academic accommodations, administrative actions) rather than by a Title IX Grievance Committee. However, a complainant may choose to end the informal resolution process at any time and follow the formal process outlined above. Mediation, even on a voluntary basis, will not be used as a means of resolving a sexual assault complaint.

Title IX Grievance Committee

The Title IX Grievance Committee is responsible for determining whether it is more likely than not that the accused individual violated the Student Code of Conduct. If the accused student is found responsible, the committee shall assign appropriate sanctions in accordance with this Policy and the Student Code of Conduct process. The procedures followed by the Title IX Grievance Committee will be the same as those of a Student Disciplinary Committee hearing, with the following differences:

The Title IX Grievance Committee will be composed of SVA staff members that are trained on Title IX issues, investigations and hearing practices. The Committee will consist of three members, one designated as chair. Students are not permitted to sit on a Title IX Grievance Committee.

- Both parties will have the opportunity to present witnesses and other evidence.
- The complainant need not be present in the same room as the accused individual during the hearing, nor may the parties question one another.
- The complainant will not be questioned about his or her prior sexual conduct with anyone other than the alleged perpetrator.
- Both the complainant and the accused will receive notice in writing of the Committee's conclusions relating to the alleged violation of the Sexual Misconduct policy and the sanction imposed, subject to any limitations required by law.

Appeals

After receiving notification of the Committee's decision, both the complainant and the accused student have two weeks to notify the Coordinator of their intent to appeal the decision. An appeal should be made to the Office of the Provost in writing. Sanctions imposed by the Committee will remain in effect while the appeal is pending.

Sexual Misconduct Grievance Procedures for Complaints against Employees In the event of a complaint under this Policy against an SVA employee, the above grievance procedures applicable to complaints against students will apply, except that in such cases the matter will not be referred to a Title IX Grievance Committee for final fact-finding and the imposition of sanctions. Instead, the Title IX Coordinator, in his capacity as Executive Director of Human Resources and in consultation with the investigator, shall conclude whether it is more likely than not that a violation of this Policy occurred based on the information gathered during the investigation, and if so, the appropriate discipline to impose against the employee, up to and including termination of employment.

Sexual Relationships Between Faculty, Students and Employees

The integrity of the teacher-student relationship is the foundation of the SVA educational mission. As mentor, educator and evaluator, the teacher is entrusted with considerable, and disproportionate, power. This can heighten the vulnerability of the student, and the potential for coercion. Whenever a teacher is responsible for directly supervising a student, a romantic or sexual relationship between them is inappropriate. Any such relationship jeopardizes the integrity of the educational process by creating a conflict of interest, and may lead to an environment not conducive to learning. Therefore, College policy prohibits faculty from having a romantic and/or sexual relationship with their students, including those for whom they are likely to have future supervisory responsibility. Likewise, they must not directly supervise any student with whom they have or have had a sexual relationship. For purposes of this policy, "direct supervision" includes the following activities (on or off campus): course teaching; evaluations; grading; advising for a formal project such as a thesis or research; recommendations for employment, fellowship or awards. "Teachers" include faculty members as well as graduate and professional students serving as teaching fellows or in similar institutional roles. "Students refer to those enrolled in any and all programs of the College.

Romantic/sexual relationships between students and staff are likewise prohibited. Such personal relationships often interfere with the efficient operation of SVA, as these relationships can form the basis for misunderstandings, complaints of favoritism, and even claims of sexual harassment.

Exceptions to the application to this policy with regard to staff will only be granted in extraordinary circumstances. It is the responsibility of any staff member seeking an exception to this policy to contact the Human Resources Department. It is also the responsibility of any staff member contemplating activities that might be covered by this policy to consult the Human Resources Department to obtain any desired clarification of whether this policy applies to the activity under consideration.

Violations of, or failure to correct violations of these conflict-of-interest principles by the faculty or staff member will be grounds for disciplinary action, up to and including termination of employment.

Student Code of Conduct

The School of Visual Arts provides students with an environment that stimulates and nurtures creative exploration and interaction. Students are expected to support that environment and the community in which they work and live by actively practicing and living by SVA's Student Code of Conduct. Each student must practice an ethic that includes fostering personal and professional integrity and trust, and being responsible for his or her actions.

Student Code of Conduct Violations

In order to give students a better understanding of the kind of behavior that violates the Student Code of Conduct, and is therefore subject to disciplinary action, a list of possible offenses follows. While this list gives examples of the broad scope of prohibited conduct, it is not exhaustive.

- Disorderly, disruptive, or aggressive behavior that interferes with the general comfort, safety, security, health, welfare or education of a member of the SVA community or the regular operation of the College.
- Damage, destruction or removal of another student's work or property.
- Intentionally and/or knowingly providing false information, testimony or evidence.
- Unauthorized entry or misuse of College property, or contributing to such unauthorized entry of another individual.
- Vandalism or damage to personal or SVA property.
- Use of spray paint, spray adhesive and spray glue in any SVA building, including but not limited to classrooms, studios, offices, residence halls, common spaces and stairwells.
- Engaging in, or threatening to engage in, any behavior that endangers the health or safety of another person, property or oneself.
- Physical violence, actual or threatened, against any individual or group of persons.
- Violation of the College policy on discrimination and harassment.
- Violation of the College policy on sexual misconduct.
- Use, possession or storage of any weapon, dangerous chemical, fireworks or explosives, regardless of the presence of a state or federal license to possess same.
- Possession, use or distribution of alcohol, narcotics and other controlled substances on College grounds, including residences.
- Violation of the College alcohol, drug, or smoking policy.
- Theft of services or property, including failure to report knowledge of possession of stolen property.

- Disrespect to any member of the SVA community, including models, and/or failure to comply with the lawful directions of College faculty or staff.
- Inappropriate use of mobile devices in the classroom.
- Failure or refusal to testify as a witness at a disciplinary hearing.

- Attempting to commit an act that violates the Student Code of Conduct.
- Assisting another student to commit an act that violates the Student Code of Conduct.

Conduct Violations Requiring Counseling and/or Medical Care

Behavior that may jeopardize the physical/mental health or safety of other students or members of the SVA community may warrant additional action by the College. Students of concern may be required to meet with a clinician from Student Health and Counseling Services for assessment sessions.

Based on this evaluation, treatment may be required for a student to continue at the College. If psychiatric care is a condition for the student's continuance at the College, the student may be responsible for the financial costs of that care.

Student Health and Counseling Services is able to provide referrals to local services. If a student is required to receive services and does so outside of the College, a release permitting her or his clinician to discuss pertinent issues with clinicians from Student Health and Counseling Services is required. Students whose behavior creates a risk to others may be suspended, and in those cases, responsibility for future treatment remains with the student and his or her family. Reinstatement is determined on a case-by-case basis and is also contingent upon the requirements of the Medical Leave of Absence policy.

The affected student will have the opportunity to discuss the outcome of any evaluation and actions with the Director of Student Affairs. If an administrative decision is necessary, it will be given in writing and subject to review by the Provost whose decision is final. Reasonable deviations from these procedures will not invalidate decisions or proceedings unless significant prejudice against the student may result.

Disciplinary Procedures Governing Complaints against Students

The Student Code of Conduct disciplinary process does not follow the rules of procedure used in court proceedings, and legal representation is not permitted in any hearing. Any person may file a report or complaint that alleges a violation of the Student Code of Conduct whether the offense was targeted at them or other members of the Community. Any such report or complaint must be made in writing and submitted to Bill Martino, the Director of Student Affairs. Once a complaint is received, the student who has allegedly violated the Student Code of Conduct will receive written notice that includes information about the alleged violations, and whether a disciplinary committee hearing will be held.

A student who has allegedly violated the Student Code of Conduct must meet with the Director of Student Affairs or his designee concerning the alleged violation. The Director may convene a Student Code of Conduct Disciplinary Committee Hearing or determine that a hearing is not necessary and will impose sanctions appropriate for the violation. The student may accept the sanctions or request a hearing before the Student Code of Conduct Disciplinary Committee.

However, alleged violations of the Sexual Misconduct Policy will be handled in accordance with the procedures outlined in that policy. A student who requests a hearing must submit a written request to the Director of Student Affairs within five business days after the Director of Student

Affairs or his designee's written determination has been received by the student in his or her residence hall or off campus address.

Please note: The Director of Student Affairs at all times retains the discretion to schedule immediately a Student Code of Conduct Disciplinary Committee Hearing.

Student Code of Conduct Disciplinary Committee Hearing

The Student Code of Conduct Disciplinary Committee* will consist of:

- Director of Student Affairs or his designee;
- Coordinator of Academic Advisement or his designee;
- The advisor from the student's major department or a department with a connection to the alleged violation;
- Two VASA (Visual Arts Student Association) members or their student designees

The student will be notified in writing of the date, time and location of the hearing. During the hearing the student may present supporting information, including witnesses. The disciplinary committee may call witnesses and take such other steps as it deems appropriate in its discretion in order to determine relevant facts and make an informed decision. While these hearings are intended to assist the committee in its fact-finding process, formal rules of evidence shall not be followed, and no party may appear with or through counsel or be represented at the hearing by counsel. The scheduling and timing of hearing sessions shall be undertaken with due regard to the importance of completing the hearing in an expeditious manner and with consideration of the schedules and commitments of all participants. The Director of Student Affairs' decision with respect to scheduling issues shall be final. In cases where the Director of Student Affairs or his designee has previously made a determination, the disciplinary committee may affirm that decision or modify it in any respect, including imposing more severe sanctions. After the hearing is completed, the student will be notified, in writing, of the determination of the disciplinary committee, including any sanctions imposed. Sanctions imposed by the disciplinary committee are effective immediately unless specifically stated otherwise in the written determination.

The student is required to attend the disciplinary committee hearing, whether it was called at the student's request or by the Director of Student Affairs. If the student does not attend the hearing, the hearing nonetheless will take place in the student's absence, and the student may be deemed to have withdrawn from the College pending the outcome of the hearing. A record of the proceedings will be made and kept on file.

*If the complaint involves one of the committee members, an alternate will be chosen.

Student Code of Conduct Sanctions

A student who is found to have violated the Student Code of Conduct may receive any of the following sanctions in the absolute judgment of the Director of Student Affairs or his designee, or the Student Code of Conduct Disciplinary Committee, as the case may be. A notation of a Student Code of Conduct sanction may be made on the student's transcript.

Warning:

Written notice of behavior that is not consistent with the Student Code of Conduct. A subsequent occurrence of the sanctioned behavior may result in immediate imposition of a more severe sanction.

Probation:

A student placed on probation may attend classes and use College facilities for course requirements, but depending on the violation, may be prevented from being on College premises for any other purpose and may not be allowed to participate in College-associated extracurricular activities. Any further Student Code of Conduct violations occurring during the probationary period, or violations of probationary terms, may result in immediate imposition of a more severe sanction.

Restitution:

Payment to the College or others for damages to property resulting from a violation of the Student Code of Conduct.

Suspension:

Exclusion from College premises, all classes and activities. While the maximum period for suspension is one academic year, a conditional suspension may be given with reinstatement based on fulfillment of specified requirements.

Interim Suspension:

The College may suspend a student on an interim basis, prior to any hearing before the Director of Student Affairs or his designee, or the Student Code of Conduct Disciplinary Committee if the College determines in its absolute discretion that there is a basis to conclude that the continued presence of the student at the College poses a substantial and immediate threat to the SVA community or causes the student to significantly disrupt the educational activities of the community. Where the threat to the community is a result of a student's psychiatric, psychological or other medical condition, the student will be referred to the Student Health and Counseling Services Center for immediate assessment regarding the student's circumstances. In such cases, the suspended student will be given the opportunity to meet with the Director of Student Affairs or his designee within five business days, or as soon thereafter as possible, after the student has been notified of such interim suspension in order to discuss the following issues only:

- The nature of the charges, including the identity of the person or persons making the complaint. However, in some cases, including cases involving violations of the Sexual Misconduct policy, the complainant's identify may be kept confidential.
- The reason why the conduct indicates that the continued presence of the student on College premises poses a substantial and immediate threat to himself or herself, others or property. A student seeking a return from an interim suspension must apply for permission in writing to the Director of Student Affairs. Before a student may return, SVA's Counseling Center must make a determination about the

student's safety and readiness to return, plus conditions that will support the student's success.

Dismissal:

Termination of enrollment and permanent exclusion from College premises, all classes and activities with loss of all rights, including tuition refunds.

Alternative Sanctions:

Sanctions other than those stated previously may be imposed if deemed necessary or appropriate in a particular circumstance. Examples of such sanctions include but are not limited to the following:

- Community Service
- Removal from College residences
- Loss of privilege to access College computing resources, studios, labs or networks
- Prohibition from attending a particular class, workshop or event. A student prohibited from attending an event that is pre-paid will not receive a refund.

Civil or Criminal Proceedings

Regardless of any other actions taken or sanctions imposed by the Director of Student Affairs or his designee, or by the Student Code of Conduct Disciplinary Committee, the College reserves the right to commence civil proceedings in court against the student, or to refer any matter for criminal prosecution, if it deems appropriate in its absolute discretion.

Appeals

The decision of the Student Code of Conduct Disciplinary Committee may be appealed. A request for an appeal must be made in writing and must include the reasons or circumstances why the student believes that the Disciplinary Committee's decision should be reevaluated.

The request for an appeal must be submitted, within two weeks after a copy of the Committee's written decision has been delivered to the student's room in the residence hall or to the student's off campus address. The appeal should be addressed to: Office of the Provost, School of Visual Arts, 209 East 23rd Street, New York, New York 10010.

The Provost or his designee may determine to uphold the findings and sanctions of the Disciplinary Committee, or to modify any part of those findings and sanctions. The Provost or his designee also may impose additional sanctions. Any decision by the Provost or his designee is made in his absolute discretion, and is final and not subject to further review. While the appeal is pending, sanctions imposed by the Disciplinary Committee will remain in effect. The Director of Student Affairs will inform the student of the decision regarding his/her appeal.

Please Note: The procedures set forth in this policy statement are the only means by which the College administration will be deemed to have notice of any alleged complaints or allegations of College policy violations. Individuals who perceive themselves to be the victim of policy violations, therefore, must avail themselves of these procedures in order to obtain redress for any alleged policy violations.

Disciplinary Procedures Governing Complaints against Employees

Complaints or reports concerning SVA employees should be directed to Frank Agosta, Executive Director of Human Resources. Employee disciplinary matters will not be referred to a Disciplinary Committee for fact-finding or the imposition of sanctions. Instead, the Executive Director of Human Resources shall conclude whether a violation of SVA policy occurred, and, if so, the appropriate discipline to impose against the employee, up to and including termination of employment.