

# STUDENT HANDBOOK ADDENDUM

## ALL NEW YORK LOCATIONS

This document constitutes an addendum to the Student Handbook and the DeVry University Sex and Gender Based Misconduct Response and Prevention Policy (Policy) and contains certain information required by New York State Education Law Article 129-A and Article 129-B. DeVry's Sex and Gender-Based Misconduct Response and Prevention Policy is located at <https://www.devry.edu/d/DVU-Sexual-Misconduct-Response-and-Prevention.pdf>.

### **Affirmative Consent to Sexual Activity**

Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression. General rules of consent can be found in DeVry's Policy or the Student Handbook.

### **Students' Bill of Rights**

All student have the right to:

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

## Policy for Alcohol and/or Drug Use Amnesty

The health and safety of every student at the DeVry College of New York (DeVry) is of utmost importance. DeVry recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. DeVry strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander or reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to DeVry's officials or law enforcement will not be subject to DeVry's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

## Transcript Notations

A notation will be placed on the transcript of any student found responsible subsequent to a conduct review hearing or based on admission of wrongdoing for any conduct violation equivalent to a crime of violence, including but not limited to sexual violence, when the resulting sanction is expulsion or suspension. In the event that a student withdraws with conduct charges pending in relation to a code violation equivalent to any crime of violence a notation to this effect will be placed on the student transcript.

Notations will appear as follows:

- "Suspended after a finding of responsibility for a code of conduct violation"
- "Expelled after a finding of responsibility for a code of conduct violation"
- "Withdrew with conduct charges pending"

## Sexual Assault Forensic Examination

Within 96 hours of an assault, you can get a Sexual Assault Forensic Examination (commonly referred to as a rape kit) at a hospital. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases, insurance may be billed for services. You are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services. Sexual contact can transmit Sexually Transmitted Infections (STI) and may result in pregnancy. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information may be found here at <https://ovs.ny.gov/ovs-services> or by calling 1-800-247-8035.

## Campus Crime and Safety

DeVry complies with the Campus Crime and Security Act of 1990 and publishes the required campus crime and security report on October 1<sup>st</sup> of each year. A copy of the crime and security report can be obtained from the U.S. Department of Education's Campus Safety and Security Data Analysis website at <https://ope.ed.gov/campussafety/>.

The security of all DeVry members is a priority. Each year DeVry publishes a report outlining security and safety information, as well as crime statistics for the community. This report provides suggestions about crime prevention strategies as well as important policy information on emergency procedures, reporting of crimes and support services for victims of sexual assault. The report also contains information about DeVry's policy on alcohol and other drugs, and informs students where to obtain a copy of the alcohol and drug policy. This report is available at DeVry or by calling (800) 733-3879. Upon request the Advisory

Committee on Campus Safety will provide all campus crime statistics as reported to the United States Department of Education.

## **Hate and Bias Related Crimes**

Bias or hate crimes are crimes motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender, gender identity, disability or alienage. Bias related incidents are behaviors which constitute an expression of hostility against the person or property of another because of the targeted person's race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender, gender identity, disability or alienage.

According to New York Penal Law Section 485, a person commits a hate crime when he or she commits a specified offense and either:

1. Intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or
2. Intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

Examples of hate crimes may include, but are not limited to: threatening phone calls, hate mail (including electronic mail), physical assaults, vandalism, destruction of property, and fire bombings. The laws and penalties for the commission of bias related crimes can be located at the [Laws of New York](#) website. Students, staff or faculty who commit bias crimes are also subject to DeVry's disciplinary procedures and a range of sanctions up to and including suspension, expulsion or termination of employment.

In order to effectively handle incidents of bias related crimes and prevent future occurrences of such crimes, victims or witnesses of a hate crime are encouraged to immediately report the incident to the location's Incident Commander. Victims of a hate or bias crime can also avail themselves of counseling and support services through the Student Services Department.

### **Hate and Bias Related Crime Prevention Information**

DeVry is intent on ensuring a safe and secure environment, free from bias and prejudice for all its community members. Each year, DeVry provides students information on bias-related crime, alcohol and drug use, sex and gender based misconduct (including sexual harassment and sexual assault), and general crime prevention through the student handbook. Victims and witnesses to hate and bias related crimes may obtain counseling and support from the Student Services Department. Faculty and staff may seek counseling and support through the DeVry Employee Assistance Program.

DeVry College of New York does not have facilities for housing or sleeping. The College does not maintain any off-campus buildings or property and does not have any recognized off-campus student organizations, buildings or property.

## **Local Resources**

The following organizations and agencies are not reporting mechanisms, meaning any disclosure made may not result in information to DeVry. Information on how to make a report to DeVry can be found in DeVry's Policy.

## District Attorney's Crime and Special Victims Bureaus

District Attorney Offices in each borough have specialized divisions that prosecute sexual assault and abuse.

Manhattan (Sex Crimes)	(212) 335-9373
Manhattan (Domestic Violence/Child Abuse)	(212) 335-4308
Brooklyn (Domestic Violence)	(718) 250-3300
Brooklyn (Teen Dating Violence)	(718) 250-3321
Bronx (Child Abuse/Sex Crimes)	(718) 838-7176
Bronx (Domestic Violence)	(718) 838-6688
Queens (Domestic Violence)	(718) 286-6550
Staten Island	(718) 876-6300

**New York Police Department Special Victims Division 24 Hour Hotline** (212) 267-RAPE (7273)

Website: [Click Here](#)

**New York State Hotline for Sexual Assault and Domestic Violence** (800) 942-9606

This free, confidential hotline is answered 24/7 by trained victim advocates who can provide information and crisis counseling on the phone. Individuals seeking in-person or follow-up services will be referred to a local rape crisis program.

**New York State Coalition Against Sexual Assault** (518) 482-4222

NYSCASA is a private, non-profit coalition of community-based rape crisis programs located throughout New York State that deliver sexual assault crisis intervention and prevention services. Member rape crisis programs provide free, confidential services.

Website: <http://nyscasa.org/>

**Barrier Free Living** (212) 677-6668

Barrier Free Living provides services to disabled sexual assault and domestic violence victims, including advocacy, individual counseling, support groups, skills training, shelter referrals and help in obtaining orders of protection. Individuals must schedule an appointment for services.

Website: <https://www.bflnyc.org/>

(212) 523-4728

**Crime Victims Treatment Center (CVTC)**

Crime Victims Treatment Center is a not-for-profit organization committed to helping people heal from violent crimes. CVTC provides a wide range of therapeutic services free of charge to anyone impacted by violence. State-certified volunteer rape crisis and domestic violence advocates are available to help survivors of sexual assault and intimate partner violence. They are trained to provide crisis counseling, criminal justice advocacy, shelter placement and other supportive services. All services are confidential and free of charge.

Website: <https://www.cvtcnyc.org/>

**Safe Horizon**

(800) 621-HOPE (4673)

Safe Horizon is a victim assistance nonprofit that provides advocacy and support to victims who have experienced domestic violence, child abuse, sexual assault, stalking, human trafficking, youth homelessness, and other crimes in New York City.

Website: <https://www.safehorizon.org/>

**Sanctuary for Families**

(212) 349-6009

Sanctuary for Families is a service provider and advocate for survivors of domestic violence, sex trafficking, and related forms of gender violence. Services include, but are not limited to counseling, legal services, shelter services, and training.

Website: <http://sanctuaryforfamilies.org/>

**Violence Intervention Program, Inc.**

(800) 664-5880

Violence Intervention Program, Inc.'s (VIP) mission is to lead Latina victims of domestic violence to safety, empower them to live free of violence and reach and sustain their full potential. VIP pursues their mission by raising community awareness, engaging in activism and providing culturally competent services.

Website: <https://www.vipmujeres.org/>

**Anti-Violence Project**

(212) 714-1141

Anti-Violence Project empowers lesbian, gay, transgender, queer, and HIV-affected communities and allies to end all forms of violence through organizing and education, and supports survivors through counseling and advocacy.

Website: <https://avp.org/>

**Local Hospitals****Bellevue Hospital Center**

462 1<sup>st</sup> Avenue  
New York, NY 10016  
(212) 562-4141

**New York Presbyterian Hospital**

425 East 61<sup>st</sup> Street  
New York, NY 10065  
(646) 962-2399

**New York Presbyterian Hospital - Brooklyn**

506 6<sup>th</sup> Street  
Brooklyn, NY 11215  
(718) 780-3000

**New York Presbyterian Hospital - Queens**

56-45 Main Street  
Flushing, NY 11355  
(718) 670-2000