

Implementation Guidelines for Revision to Education Law: Addressing Domestic Violence and Stalking on College Campuses

Since 2003, Sections 6431 and 6432 of New York Education Law Article 129-A have required campuses and colleges to address sexual assault through the work of an advisory committee on campus security and the provision of prevention information to students. In 2009, amendments were enacted that add similar requirements for addressing domestic violence and stalking. (For a summary of these laws, see the OPDV website [link to Subpage B].) We recognize that college campuses vary greatly in size, staff, function and resources, so there is no one-size-fits-all approach to meeting the requirements stated above. That said, we are offering resources that you can tailor or adapt to best meet your school's needs.

This document is an outline of what must be implemented for colleges to be in compliance with this law and some proposed implementation strategies. It is organized into four main sections:

- Convene a Meeting of the Advisory Committee on Campus Security
- Education and Training
- Reporting and Responding
- Specific Information for Incoming Students

Convene a Meeting of the Advisory Committee on Campus Security

Each campus should already have a designated Advisory Committee on Campus Security. Advisory Committees that have representatives from multiple departments within the campus setting, such as counselors and women's centers, are best able to address the amendments to the policy required by this new law. The members should review the existing policies and procedures related to sexual assault and other aspects of personal safety and crime prevention. Members should then review *this* document and meet to discuss:

- How are the requirements regarding sexual assault currently being met? Identify ways in which to include the issues of domestic violence and stalking into campus security policy and procedures. Identify recommendations to improve these policies and procedures. Here are some specific suggestions:
 - Involve students in the process.
 - Invite the local domestic violence service-provider to review the policy and offer feedback. Here is a list of providers by county:
<http://www.nyscadv.org/directory.htm>
 - When reviewing the existing policy, use the checklist, "[What makes a better sexual assault policy?](#)" While its subject is sexual assault (and your new policy will include domestic violence and stalking), it provides a thorough list of considerations that can apply to your policy.
 - Do an internet search and look at policies of other college campuses. Is there anything you can borrow?

- The committee can consider drafting a Mission Statement to help motivate, reinvigorate, unify, and keep the committee members true to the ultimate goal: to provide a safer environment in which students can live and learn, and to hold accountable those who choose to violate this standard.

Education and Training

Learn about domestic violence and stalking, alone and in the context of a college campus setting. Here are some good places to start:

Campus Personnel

- Contact your local domestic violence service provider or representatives within the campus community who already have expertise in these areas and ask if they will conduct a training for identified staff. Here is a list of providers by county: <http://www.nyscadv.org/directory.htm>
- Read the documents on the OPDV website under College Campus: Overview of the Issue [link to subpage A] and Reports [link to Reports portion of subpage C – Resources Page]
- Make training on sexual assault, domestic violence, and stalking on college campuses available on a regular basis for all college staff. Information can be integrated into existing staff development training programs, EAP trainings, and wellness programs. The following campus personnel should be knowledgeable about policies and competent to respond to reports of an incident: campus security and law enforcement (including dispatchers), deans, student life advisors, health center staff, women’s resource center, director of residence life, dorm directors, designated advocates, mental health professionals, judicial administrators, ombudsmen, professors, advisors, and anyone else who advises students, officially or otherwise.

Security Personnel

Security personnel and on-campus law enforcement are critical components to ensuring the best possible outcome for all parties.

- OPDV is available to train security personnel. Contact bob.passonno@opdv.state.ny.us to schedule a training.
- See the document, “Minimum Standards of Training for Campus Security Personnel and Campus Disciplinary and Judicial Boards,” issued by the US Dept. of Justice’s Office on Violence Against Women.
- Visit the OPDV website for additional resources and links [link to Subpage C]

Campus community

Colleges should increase staff and student awareness of domestic violence, stalking, and sexual assault, and inform them of available resources.

- Post information about how to recognize and respond to these crimes. Hang posters and place palm cards around the campus in places such as dining halls, classroom buildings, dorms, theaters, and public spaces.
- Place information in places where viewers can obtain it without having to request it or be seen removing it, such as staff and public restrooms in all buildings, including dorms, lounge areas, employee bulletin boards and on the college website.

- On the college website, make sure the policy is posted in a conspicuous place. Make it easily searchable (suggested key words: *rape, sexual assault, domestic violence, dating violence, abuse, stalking*).
- Plan awareness events. Make them fun. Work with local domestic violence or rape crisis programs.
- Include students in planning events and activities. Their voice adds authenticity.
- Students may want to create a group on campus. An example of one such group is "[SAFER: Students Active for Ending Rape](#)." (Your group would include domestic violence and stalking.)
- See the OPDV website for suggested reading, links and more. [link to College Campus page]

Reporting and Responding

Responding to a report of an incident needs to be done efficiently and effectively. This could be the start of a criminal or disciplinary action. In addition, the victim has likely suffered emotional and/or physical distress and care should be taken to ensure her or his safety and comfort, as well as the safety for the entire campus community. Consider these suggestions:

- Designate particular persons on staff to serve as advocates. Provide them with the necessary training. Ensure that their contact information is readily accessible on the college website and on informational materials.
- Establish a relationship with the local domestic violence service provider (all counties have one). To see a list, look at the [Directory of Services](#).
- Establish a relationship with the local rape crisis program. In some areas they are part of the domestic violence program. To see a list, go to: <http://nyscasa.org/responding/crisiscenters>

The response plan should be part of the policy and procedure guidelines. Consider whether the existing policies and procedures for reporting and assisting victims of sexual assault can be expanded to include domestic violence and stalking. If so, what adjustments need to be made? If not, what additional resources/strategies need to be considered?

The response plan should include written procedures for:

- Clearly informing students about what to do and who to contact if they have (or think they have) been abused by someone they are dating, sexually assaulted, or are being stalked. Some suggestions:
 - include information in orientation packages.
 - post information in dorms, classroom buildings and public places (including restrooms of these places), the health center, LGBTQ center, women's resource center and counseling centers.
 - ensure that information can be easily located on the college's website.
 - ensure the phone operator(s) know how to refer phone calls.
- How the college plans to assist victims of these offenses during investigation. Some suggestions:
 - the designated advocate can guide and/or accompany the student through the process.

- the advocate can help the student develop an individualized safety plan. In many, if not most cases, the victim and the offender will both be students; the plan must address resulting concerns.
- How the college plans to address the offender. Consider that there may be an order of protection in effect. (Note: As of 2008 in New York State, people in dating relationships have been permitted to go to family court to seek a civil order of protection.)
- How and to whom the college reports these incidents.
- Referring sexual assault, domestic violence and stalking complaints to outside authorities where appropriate.
- Clearly identifying how victims can obtain counseling and medical attention where necessary.
- How inquiries from concerned persons, such as family, friends, other students, faculty, and community members will be handled.

For more thoughts and suggestions, see “[*Minimum Standards for Creating a Coordinated Community Response to Violence Against Women on Campus*](#)” issued by the US Dept. of Justice’s Office on Violence Against Women.

Specific Information for Incoming Students

By law, colleges and universities in New York State are already providing all incoming students (freshman and transfer students) with specific information about sexual assault. Campuses must now ensure that domestic violence and stalking are also included. All of this information should be in the policy and procedure guidelines. Using the strategies and approaches above, be sure that the following is provided to all incoming students.

- Applicable laws
- Description of the penalties for committing these offenses
- The college’s procedures for dealing with these offenses
- Availability of counseling and other support services
- General information on domestic violence and stalking
- The ways in which the college updates students about security issues.

For a good overview and more ideas, see the document, “[*Minimum Standards for Establishing A Mandatory Prevention and Education Program for all Incoming Students on Campus*](#),” issued by the US Dept. of Justice’s Office on Violence Against Women.

Important Note:

NOTE: As of July, 2008, victims of violence in an “intimate relationship” can seek an order of protection from Family Court in New York State; many courts have found that dating couples qualify as being in an intimate relationship. The amendment to the Family Court Act expanded the definition of family/household to include people in an intimate relationship, even if they have never been married, do not live together, and do not have a child in common.