If a member of the campus community is a victim of a sexual assault, domestic violence, dating violence, or stalking on campus, his/her first priority is to get to a place of safety. If there is immediate danger dial 911. It is his/her choice to report any acts of sexual assault, domestic violence, dating violence, or stalking. If he/she wants their assailant to be held criminally accountable for the attack/unwanted sexual contact, call 911 immediately to report what occurred. If the victim desires assistance in making the call, he/she can request help from a campus representative. The police may request a medical evidentiary exam.

A reporting individual may choose to report the assault and then later choose not to pursue the criminal case. If the victim chooses not to report the assault immediately, he/she may still do so at a later time; however, there may be less physical evidence against the attacker if reported at a later time.

Time is a critical factor for evidence collection and preservation. To preserve evidence of the assault:

- Obtain necessary medical treatment.
- Ideally a survivor (reporting individual) of a sexual assault should not wash, douche, brush teeth, use the toilet, or change clothing prior to a medical exam.
- Do not straighten up the area where the assault took place.
- The victim should keep a journal of everything that occurred, including dates, places and times of events.
- When the communication is electronic, he/she should save any voicemails, e-mails, texts and instant messages.

(If the reporting individual has already cleaned up from the assault, the crime can still be reported and the police will take a report to investigate.)
Nyack College Students’ Bill of Rights

Nyack College is committed to providing options, support and assistance to victims/survivors, hereafter reporting individuals of sexual assault, domestic violence, dating violence, stalking, and/or sexual assault treated seriously:

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

The right to:

- Bill of Rights
- Exercise civil rights and practice of religion without interference by
- Advise a reporting individual, accused, or respondent throughout
- Be accompanied by an advisor of choice who may assist and
- Description of the incident;
- 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;
- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time. When consent is withdrawn or cannot be given, sexual activity must stop.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by a lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

Affirmative Consent:

Nyack College maintains a historic Christian ethic that views any sexual activity outside of marriage between a man and a woman as inappropriate. While the following content is not an endorsement of sexual activity apart from marriage, Nyack recognizes its responsibility to inform students of the definitions of consensual and non-consensual acts.

“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.”

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- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

Alcohol/Drug Use Amnesty Policy:

The health and safety of every student at Nyack College is of utmost importance. Nyack College 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. Nyack College encourages students to report incidents of domestic violence, dating violence, stalking, or sexual assault to campus officials. A bystander or reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to Nyack College officials or law enforcement will not be subject to campus 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.

Options In Brief:

Reporting individuals have many options that can be pursued simultaneously, including one or more of the following:

- Receive resources, such as counseling and medical attention
- Confidently disclose a crime or violation (see below)
- Make a report to the College through an employee with the authority to address complaints (Campus Security Authorities) including: Dean of Students, Graduate Academic Deans, Resident Directors, Area Coordinators, Director of Human Resources/Title IX Coordinator, Athletic Director/Coach, Campus Safety:
- Rockland: Nyack College Campus Safety at (845) 222-8812 or x7191;
- NYC: Campus Safety at (646) 378-6198 or x6198
- Director of Auxiliary Services
- Law Enforcement
- Family Court or Civil Court

Options for Confidentially Disclosing Sexual Violence Policy:

- Rockland: Counseling Office, Boon Campus Center Room 207, (845) 675-4594.
- http://www.nyack.edu/2012/NyackCounseling

Bystander Intervention:

Bystanders play a critical role in the prevention of sexual and relationship violence. They are often the largest group of people involved - outnumbering both the perpetrators and the victims. Bystanders can have a range of involvement in assaults. A person or persons may be aware that a specific assault is happening or will happen, they may see an assault or potential assault in progress, or they may have knowledge that an assault has already occurred. Regardless of how close to the incident they are, bystanders have the power to stop assaults and to get help for people who have been victimized.

Being an active bystander does not mean risking personal safety or the well-being of others. The bystander’s goal is to aid in the prevention of violence without causing further threat, harm, or damage. Remember, there is a range of actions that are appropriate, depending on the situation. If you or someone else is in immediate danger, calling 911 is the best action a bystander can take.