

College Policies, Regulations and Code

Academic Integrity

All students must do their own work; cheating, plagiarism, and other forms of academic dishonesty can result in a failing grade or another penalty, including suspension or dismissal under college judiciary procedures. Abuse of College computers is considered a breach of academic integrity. Copying an assignment in computer programming, looking at someone else's computer files, using computer accounts for unauthorized purpose, and engaging in annoying and disruptive behavior on the computer is prohibited, and subject to disciplinary procedures.

The definition of plagiarism is, but not limited to, the use of material or ideas without crediting the original author, so that it appears to be your work. This can be written material, theories, ideas, art work, photography, recorded material, music, statistics, computer programs, etc. The copying does not need to be exact to be considered plagiarism and is illegal. Other words for plagiarism are lifting, copying, stealing, borrowing, and appropriating. Examples of plagiarism are, but not limited to, copying a friend's old term paper and submitting it as yours, combining several encyclopedia articles into an essay without noting where you got your information, borrowing part of a brother's computer program and handing it in as your own assignment, or copying material found on Internet paper or essay sites.

The following are not examples of plagiarism: use of information that is considered common knowledge or is generally known to those in the field, or the use of someone else's material when they are given proper credit for it. In order to avoid plagiarism use your own ideas, words, programs, etc. When you do use someone else's material, give credit to the artist/originator. There are many ways to give proper credit. You may give credit in the text of the paper. Or you may do so in a footnote, endnote, or parenthetical citation. Check with your instructors as to the method that they prefer. Remember that even though you have given credit to the author and avoided plagiarism, this may not be what your instructor wants. He/she may want your own original thinking.

Contact person: Phyllis Carito, VP and Dean of Academic Affairs

Phone: (518) 828-4181 Ext 3351

Alcohol Policy/ Substance Abuse Policy

Students may not consume, sell, distribute, or serve alcohol beverages anywhere on campus (including parking lots, athletic fields, etc.) Enforcement will be through normal disciplinary channels.

The possession, distribution, sale, or use of drugs that are considered illegal unless prescribed by an authorized practitioner is prohibited throughout the College campus. Enforcement will be through normal disciplinary channels.

Please see the annual Notice to Students and Employees under the Drug-Free Schools and Communities Act (PL 101-226) for further information, including health risks, legal sanctions, and sources of assistance for substance abusers.

Alcohol and drug use policies are specifically delineated in compliance with Section 1213 (P.L. 101-226) of the Drug Free Schools and Communities Act. Campus prevention programs include formal coursework, speakers and workshops, awareness weeks, brochures, and self-help support groups.

Annual Notice to Students and Employees

Section 1213 (P.L. 101-226) of the Drug Free Schools and Communities Act requires institutions of higher education that receive federal funds to adopt and implement a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees that at a minimum includes:

1. Annual distribution to each student and employee:
 - a. Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use of distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;
 - b. A description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol;
 - c. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
 - d. A description of any drug or alcohol counseling, treatment, or reentry programs that are available to employees or students; and
 - e. A clear statement that the institution will impose sanctions on students and employees (consistent with local, State, and Federal law) and a description of these sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct required by paragraph 1-a; and
2. A biennial review by the institution of its program to:
 - a. Determine its effectiveness and implement changes to the program, if they are needed; and
 - b. Ensure that the sanctions required by paragraph 1-e are consistently enforced.

Columbia -Greene Alcohol Policy — (28.0Alcohol Beverages–Board Manual):

- a. Alcohol beverages may not be consumed, distributed, or served on campus, except at special College events that have been granted specific approval by the President or his/her designee; however, only nonalcoholic beverages may be served and/ or sold at student sponsored events on campus.
- b. In compliance with Section 65 of the alcohol Beverage Control Law, in no case will persons under twenty-one (21) years of age be served or permitted to purchase alcoholic beverages anywhere on campus.

Alcohol Policy/Substance Abuse Policy Note:

All students, employees, visitors, and invitees to Columbia-Greene Community College are subject to the policies, procedures, rules, and regulations of the College while on campus. Students may not consume, sell, distribute, or serve alcohol beverages anywhere on campus (including parking lots, athletic fields, etc.). Enforcement will be through normal disciplinary channels. The possession, distribution, sale, or use of drugs that are considered illegal, unless prescribed by an authorized practitioner, is prohibited throughout the College campus. Enforcement will be through normal disciplinary channels. The College regulations pertaining to student conduct apply to sponsored off-campus activities, including all field trips. Regulations will also be strictly enforced on College vehicles or chartered vehicles while students are in transit to and from sponsored events.

N.B. The College administration interprets this section to exempt lawful alcohol consumption provided by licensed vendors on their premises. Articles of the Penal Law are directly aimed at unlawful traffic in mind-affecting drugs. They are compatible with the Public Health Law Articles and set criminal penalties for possession or sale of drugs considered harmful or subject to abuse. The seriousness of the offense and penalty imposed upon conviction depend on the individual drug amount held or sold.

Specific sections of interest in Article that are not included:

- Section 220.44 makes a sale of a controlled substance in or near school grounds, to a person less than 19 years of age, a Class B felony;
- Section 220.45 makes criminal possession of a hypodermic instrument a Class A misdemeanor;
- Section 220.46 makes criminal injection of another person with a narcotic drug, with consent of that person, a Class E felony;
- Section 220.50 bans possession or sale of drug paraphernalia; deals with things that dilute drugs, like dextrose or mannite, and gelatin capsule, plastic envelopes, etc. considered commercial preparation materials. (Class E felony)
- Section 220.60 makes criminal possession of certain ‘precursors’ of controlled substances used in their preparation or manufacture, but not the drugs themselves, a Class E felony (for example, ergot or diethylamide).

N.B. Under the Penal Law, a gift of drugs, including marijuana, is treated as a sale. A misdemeanor is a crime punishable by imprisonment for more than 15 days, but not more than one year. A felony is a crime punishable by imprisonment for more than one year.

Unlawful possession of alcohol.

On January 1, 1990, a package of new state laws made it illegal for persons under twenty one (21) years of age to possess alcoholic beverages. Under the new laws, under age persons found possessing alcohol may be given a summons to appear in a local court.

Local Resources:

Twin Counties Recovery Services, Inc.

Greene County

428 West Main St., Catskill, NY 12414

Phone: (518) 943-2036

Columbia County

47 North 5th St., Hudson, NY 12534

Phone: (518) 828-9300

Drinking Driver Program

Phone: (518) 828-9486

The college will, to the best of its resources, support any employee who is identified as needing assistance by confidentially recommending appropriate drug counseling and rehabilitation. Employees are assured that all attempts will be made to preserve an employee's status at this College while assistance is sought by the employee. In the event disciplinary action becomes necessary, all rules governing such action will be followed in accordance with relevant provisions of Civil Service Law, Collective Bargaining Agreements, or such other personnel policies as may relate to the individual's employment.

Students who violate College policy and/or regulations are subject to disciplinary action that may include suspension and expulsion.

The College's prevention program includes:

- Speakers, workshops throughout the year
- Drug and Alcohol Abuse Awareness Weeks
- Brochures widely available, distributed at Orientation
- Student Activities
- Orientation presentation
- Self-help support groups
- Restroom Rap

Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low-to-moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate-to-high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsion. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

Contact person:

Dr. Joseph Watson, Vice President and Dean of Students and Enrollment Management

Phone: (518) 828-4181, ext. 3364

Classroom Civility Protocol

In the event a faculty member is late for class, students should wait fifteen minutes, make an attendance list with the signature of all students present, and leave the attendance list in the Office of the Vice President and Dean of Academic Affairs. Smoking, food, or beverages are not permitted in classrooms at any time. For lengthy classes, faculty members usually provide a break. Although there is no specific dress code, all students are expected to dress appropriately for class. As a safety regulation, shoes must be worn at all times. Students are expected to observe the attendance and lateness policies as set by individual faculty members and published in course outlines.

Contact persons:

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Phyllis Carito, Vice President and Dean of Academic Affairs

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Credit Card Solicitation Policy

New York State law provides that there shall be no solicitation for credit card holders on SUNY campuses. Pursuant to New York State Education Law A76437 (Regulation by Colleges of Conduct on Campuses and Other College Property Used for Educational Purposes) the advertising, marketing, or merchandising of credit cards to students is prohibited on the State University of New York at Columbia-Greene Community College, except within the following guidelines:

1. For the purposes of these guidelines, credit card vendors are defined to include individual students, student groups, not-for-profit and commercial organizations soliciting student applications for credit cards (direct mail solicitation of alumni or other non-students is not covered by this policy);
2. Credit card vendors must apply with, and be authorized by, the office of Student Activities to reserve a vending space on campus;
3. Solicitation of credit cards may only occur on campus between the 1st day of class through the last day of class of the Fall and Spring terms between Monday – Thursday, 11:00 a.m. – 7:00 p.m.
4. Vendors will be restricted to the Student Center Information Area only;
5. Vendors are restricted to an area of their table from their vending space for purposes of handing out (or collecting) applications;
6. Prior to their first visit on campus, vendors must file with the Office of Student Activities a declaration that they have read, understand and will abide by all of the policies in effect at the campus (failure to sign or follow the declaration could result in permanent barring of the vendor from campus);
7. On subsequent visits, vendors must register with the office of Student Activities at least ten (10) business days prior the day of vending, to receive proper authorization to vend;
8. No more than one credit card vendor is permitted to solicit on campus per day;
9. A credit card vendor is allowed to solicit only for one type of card;
10. Vendors cannot ask students to take (or fill out) an application in order to receive handouts or win other prizes; handouts and prizes are prohibited;
11. Vendors may only offer an application to an individual once;
12. Vendors must show proper ID and authorization to vend upon request by University officials (failure to do so will result in the vendor being asked to leave and be possibly barred from the campus);
13. Vendors must be notified that they may not misrepresent credit card policies ask or suggest that students put wrongful information on credit card applications;
14. Vendors may be prohibited at campus option from collecting credit card applications;
15. Credit card policies must be clearly displayed at the site of vending and copies of the credit card policies must be handed out to all individuals who accept (or complete) an application (these policies must include, but are not limited to interest rates, teaser rates, and annual fees);

16. Vendors must clearly post at the site of vending and distribute handouts on the dangers and consequences of consumer debt to all individuals who have taken (or completed) an application.

Contact person:

Dr. Joseph Watson, Vice President and Dean of Students and Enrollment Management

Office: 205A

Phone: (518) 828-4181 Ext 3364

Computer Use Policy

A. PURPOSE

Columbia-Greene Community College owns and operates a variety of computing systems which are provided for the use of C-GCC students, faculty, and staff in support of the programs of the College and are to be used for education, research, academic development, and public service only. Commercial uses are specifically excluded. Special permission users are to observe these guidelines and are not to interfere with the needs of C-GCC faculty, students, and staff. All users are responsible for using the computing facilities and machines in an effective, efficient, ethical and lawful manner. This document establishes rules and prohibitions that define acceptable use of these systems. Unacceptable use is prohibited, and is grounds for discipline or legal sanctions under Federal, State, local laws and college regulations. The College reserves the right to amend this policy at any time without notice.

B. AUDIENCE

All users must read, understand, and comply with the guidelines established by the administrators of the systems (The Academic Support Center computer lab, computer classrooms, Administrative/Academic systems and Library).

BY USING ANY OF THESE SYSTEMS, USERS AGREE THAT THEY HAVE READ, UNDERSTAND, AND WILL COMPLY WITH THESE GUIDELINES.

C. STUDENT ACCESS

Students are only allowed to use computers in designated labs (Rooms 109, 121, 123, 125, ASC, Science labs.) Students may not load or delete programs on any college computer under any circumstances.

D. RIGHTS

C-GCC reserves all rights, including termination of service without notice, to the computing resources to which it provides access. These procedures shall not be construed as a waiver of any rights of C-GCC, nor shall they conflict with applicable acts of law. Users have rights that may be protected by Federal, State, local laws and college regulations.

E. PRIVILEGES

Access and privileges on C-GCC computing systems are assigned and managed by the administrators of specific individual systems. Eligible individuals may become authorized users of a system and be granted appropriate access and privileges by following the approval steps prescribed for that system.

F. RESPONSIBILITIES

Users are responsible for maintaining the following:

- a) An environment in which access to all C-GCC computing resources are shared equitably among users: The system administrator sets minimum guidelines within which users must conduct their activities.
- b) An environment conducive to working and learning: A user who uses the College's computing systems to harass, or make defamatory remarks, shall bear full responsibility for his or her actions. Further, by using these systems, users agree that C-GCC's role in managing these systems is only as an information carrier, and that they will never consider transmission through these systems as an endorsement of said transmission by C-GCC. When accessing the Internet, users are advised that they may encounter material which may be considered offensive or objectionable in nature or content. Users are further advised that C-GCC does not assume responsibility for the contents of any of these outside networks. The user agrees to comply with the acceptable use guidelines for whichever outside networks or services they may access through C-GCC systems. Further, the user agrees to follow proper etiquette on outside networks. The user agrees never to attempt to transmit, or cause to be transmitted, any message in which the origination is deliberately misleading. The user agrees that, in the unlikely event that someone does transmit, or cause to be transmitted, any message that is inconsistent with an environment conducive to working or learning or with a misleading origination, the person who performed the transmission will be solely accountable for the message, not C-GCC, which is acting solely as the information carrier.
- c) An environment free of illegal or malicious acts: The user agrees never to use a system to perform an illegal or malicious act. Any attempt to increase the level of access to which (s)he is authorized, or any attempt to deprive other authorized users of resources or access to any C-GCC computer system shall be regarded as malicious and may be treated as an illegal act.
- d) A secure environment: Any user who finds a possible security lapse on any system is obliged to report to the system administrator/or the CIS office. Knowledge of passwords or of loopholes in computer security systems shall not be used to damage computing resources, obtain extra resources, take resources from another user, gain unauthorized access to resources or otherwise make use of computing resources for which proper authorization has not been given. All users shall take proper precautions to keep their system and passwords secure. Users shall not leave passwords written or displayed where an unauthorized user can view them. Users shall not give their passwords to other users, and will be held responsible for that user's actions if they do. All users shall not leave their computer unsupervised while they are accessing any application, data or system of a secure nature, without taking proper measures to secure their computer from unauthorized access during their absence. Any users with access to the college administrative network and applications are reminded that they are responsible for maintaining the integrity of the databases to which they have access, and shall take every security measure necessary to insure that database integrity is maintained. The CIS office provides limited use, captive accounts for employee access to the administrative network and applications. These accounts have high security measures implemented, and are recommended for users who do not require full access to the administrative database. As a security measure, students are not to use any computer designated for employee usage, including those computers located in employee offices. This includes student employees, unless the student employee has been delegated job duties that require computer usage, and have received permission from the department supervisor to use the computer.

- e) Where passwords are required, they should be changed often to protect selecting passwords:
- Pick passwords which are difficult for someone to guess.
 - Avoid words which might appear in the dictionary.
 - Select passwords which have embedded numbers or punctuation, or consist of multiple words.
 - Do not write your password where it might be found by an unauthorized user.
- f) Healthy computer system and environment: Employees, whenever possible, are to perform routine cleaning tasks on the computers in their care, such as cleaning disk drives, keyboards and monitors. Employees are required to contact the CIS office to request any computer software or hardware upgrades, and all upgrades will be performed by the CIS office, by a college employee designated by the CIS office, or at the request of the CIS office, by an outside service vendor. The CIS office may classify some computers on campus as highly integral, due either to the function that computer performs, or to specialized software installed on that computer. Employees use of any computer designated as such are prohibited from making ANY changes to their system, including even the most minor changes, such as changing screen colors, screen savers or background images, without consent from the CIS office. Employees are not to use any software or hardware to perform system diagnoses. Employees are not to prevent the CIS office from performing any duty listed herein, and are not to refuse or deny the CIS office access to their systems to perform any duty listed herein. Users are not to perform any action on their computer system that results in the removal of the central unit cover and/or the exposure of the internal components. Users are not to use system maintenance/protection programs except for the default media scanning software provided by their computer operating system or an anti-virus software application approved for use by the CIS office. Users are not to install or reinstall software applications, upgrades, or operating systems with the exception of periodic upgrades to antivirus software definitions to employee computers. All diagnoses of, and repairs to, damaged computers will be performed by the CIS office, by a college employee designated by the CIS office, or at the request of the CIS office, by an outside service vendor. Students or student employees are NOT authorized to perform any action listed herein.

G. INAPPROPRIATE USE

Users must be sensitive to the public nature of shared facilities. Behavior reflects both upon the individual and the College. Computing and networking resources should be used only in accordance with this policy. Any intentional behavior with respect to the electronic environment that interferes with the missions or activities of the College community will be regarded as unethical, and may lead to disciplinary action under standard College rules for misconduct and existing judicial, disciplinary or personnel processes. Examples of inappropriate and unacceptable use of the computer system include, but are not limited to, the following:

- a) Creating, displaying, printing, downloading or transmitting information which violates the College's sexual harassment policy. This includes, but is not limited to, displaying sexually explicit, graphically disturbing, or sexually harassing images or text.
- b) Playing games. This includes, but is not limited to, PC based games, Internet games, MUDs or any other type of interactive Internet game playing site.

- c) Chat rooms. The resources are not available for users to socialize. This includes, but is not limited to, any World Wide Web site designed as a chat room or any IRC site.
- d) Knowingly or carelessly running or installing on any computer system or network, or giving to another user, a program intended to damage or to place excessive load on a computer system or network or to deprive authorized personnel of resources or access to any college computer system. This includes, but is not limited to, programs known as computer viruses, Trojan Horses, and worms.
- e) Using a user-id or account belonging to another individual, or allowing your account to be used by another individual.
- f) Attempting to access data being transferred through the network or files on any computer connected to the network without the owner's permission.
- g) Installing, changing, or removing of software on any computer system. This includes but is not limited to, changing system defaults, customizing settings to your own preferences, deleting files from the system not belonging to yourself, storing data files on any location other than a floppy disk or space on the computer granted to you by the system administrator.
- h) Deliberately wasting/overloading computer resources. This includes but is not limited to, printing out multiple copies of a document or printing out large documents that may be available on-line and that might impact significantly on other users' printing resources. Conserve resources by avoiding unnecessary file transfers. Large file transfers should be undertaken during non-peak hours (8p.m.-8a.m. on weekdays, and any time on Saturday, Sunday, and holidays).
- i) Use of E-mail or messaging services to harass, intimidate, or otherwise annoy another person, for example, by broadcasting unsolicited messages or sending mail that is known to be unwanted. This also applies to material originating from this campus but sent to other sites or persons on the Internet. Chain letters, mass mailings (SPAM), and advertisements fall into this category and are unacceptable uses of the computer system.
- j) Use of computing facilities for financial gain or commercial purposes.
- k) Violation of software copyrights and usage licensing agreements.
- l) Violation of usage policies and regulations of the networks of which the College is a member or has authority to use.
- m) Academic dishonesty (for example, plagiarism or cheating).
- n) Using On-line music sharing services such as Napster, or using streaming audio/video applications such as RealPlayer, for nonacademic purposes. The constant flow of network traffic ties up the work network bandwidth line. See item (h) above.
- o) Using any "instant messaging" utility such as AOL Instant Messenger, ICQ or Yahoo Pager. The college provides e-mail services to its users, which is an adequate messaging service.
- p) Use of any non-college or personal computer equipment, standalone or laptop computers in conjunction with college computer equipment is not recommended or supported. Personal laptop computer use is restricted to standalone use, as the CIS peripheral network device therein. No user is to substitute or install any internal or peripheral computer component owned by the college into a non-college owned computer. The CIS office will not support equipment that is not owned by the college unless with special arrangement for use of a specific piece of equipment for a specific amount of time that is pre-approved by CIS and the department supervisor.

H. PUBLIC LAN ACCESS

Students and public visitors may use non-college computers on the Public LAN, which supports wired and wireless access in designated areas of the college. Wired network connections are specifically labeled as Public access. No one may connect a non-college owned device into any network jack that is not labeled as Public. Service and security on the Public LAN is not guaranteed and as intended as “use at your own risk.” It is recommended that users have antivirus software installed on their lap-tops with the latest anti-virus definitions along with any critical operating system patches or updates before they access the Public LAN. Infected laptops or those laptops that are found to inhibit network traffic will be removed from the network until the laptop is free from infection or malfunction. Columbia-Greene Community College will accept no responsibility for any damage to personal software or hardware while using the Public LAN. Use of the Public LAN implies acceptance and adherence to the same rights, privileges and responsibilities for acceptable use outlined in this policy. C-GCC reserves the right to monitor and record the activity of all users on the network.

I. VIOLATIONS

An individual’s computer use privileges may be suspended immediately upon the discovery of a possible violation of these policies. Such suspected violations will be reported to the appropriate system administrator and to the Vice President and Dean of Students and Enrollment Management under the Code of Conduct. Such suspected violations by employees will be reported to the CIS office and to the immediate supervisor of the suspected violator. Violations of these policies will be dealt with in the same manner as violations of other College policies and may result in disciplinary review. In such a review, the full range of disciplinary sanctions is available including the loss of computer use privileges, dismissal from the college, and legal action. Violations of some of the above policies may constitute a criminal offense.

Contact persons:

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Gino Rizzi, Director of Computer Information Systems

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Copyright

Generally, anything published in the last 100 years or so is protected by copyright. There is no safe rule you can go by in all cases. However, if you make just one copy of a chapter from a book, an article from a magazine, a short story or poem, etc., and you use it only for your own scholarly research, you are probably safe. Federal copyright law restricts the use of audio and video cassettes to private showings and prohibits their public performance. If in doubt, ask at the library for further guidelines. Computer software is protected by copyright and license agreements.

Contact person:

Geralynn Demarest

Professor, Librarian and Department Chairperson for Library and Media Services

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Ex-Offender Admission Policy

Individuals seeking admission to the college and/or registration in credit or credit free coursework who are ex-offenders are required to submit a “Request for Study Form” to the Vice President and Dean of Students and Enrollment Management. Forms are available from the Admissions Office, Community Service Office, and the Vice President and Dean of Students and Enrollment Management. Individuals will meet with the Vice President and Dean of Students and Enrollment Management and if required the Admission Review Committee to discuss the request for study at C-GCC.

Registered Offenders

In conjunction with the Campus Sex Crimes Prevention Act of 2000 and Article 6-C of New York’s Sex Offender Registration Act, a list of registered sex offenders is provided at www.criminaljustice.state.ny.us as a service to the community.

Contact person:

Dr. Joseph Watson, Vice President and Dean of Students and Enrollment Management

Phone: (518) 828-4181 Ext 3364

Emergency Procedures

1. **Contacting Students:** Please do not leave the College telephone number as an emergency number. Students cannot be called from classes for personal reasons.
2. **Fire Emergencies:** In the event of fire in a campus building, the nearest fire alarm should be pulled immediately by the person who first discovers the fire. At the sound of the alarm, all persons must evacuate the building according to the following procedures.
 - a. Leave the building immediately at the sound of the alarm. Use the nearest exit.
 - b. Take your belongings with you, but do not attempt to go to another part of the building to get your things.
 - c. Get as far from the building as possible, at least 100 feet.
 - d. Do not block roadways.
 - e. Follow directions of College officials.
 - f. Do not attempt to re-enter the building, until the “all-clear” signal is given by a College official.
3. **Fire Drills:** Follow the same procedure as for Fire Emergencies. Never assume, “it’s only a drill.”
4. **Medical Emergencies or Accidents**
 - a. All medical emergencies should be reported to the switch board. The Director of Health Services or the Director of Security or Vice President and Dean of Students and Enrollment Management or his/ her designee will determine whether the medical emergency or accident warrants calling for outside assistance, e.g. Greenport Rescue Squad, ambulance, hospital emergency. The Vice President and Dean of Students and Enrollment Management’s Office shall be contacted should the Director of Health Services or the Director for Security not be available.
 - b. An Incident Report Form shall be filed with the Office of the Vice President and Dean of Students and Enrollment Management for each medical emergency or accident involving students. Forms are available from the Vice President and Dean of Students and Enrollment Management’s Office in room 205.
 - c. Reports of accidents or injury to College personnel will be forwarded to the Office of Human Resources.
5. **Evenings:** The same procedure shall apply, except that the Office of Community Services shall be contacted, Room 107, extension 3342, for immediate assistance. The Vice President and Dean of Students and Enrollment Management will also be notified when necessary.

PLEASE NOTE: For emergencies of any kind on campus, call the switchboard. The operator will contact the appropriate administrator(s) and/or the backup personnel in case of their absence. If necessary, the operator will call for fire or police assistance, as directed. In case of accident or illness, please stay with the “patient” after notifying the operator until help arrives.

Student Crisis Response Procedure

The C-GCC Crisis Response Procedure was established to respond to the needs of the student population during a critical incident and/or during individual student crisis situations. Medical emergencies are not covered by this procedure. In the event of a medical emergency, contact the Switchboard at ext. 0. If you are unsure as to the seriousness of a situation, Security should be contacted.

DEFINITIONS:

- **Critical Incident:** A Critical Incident is an on-campus or off-campus event that has a significant impact on the emotional health and well-being of the student population. Examples include assaults, sexual assaults, suicide or suicide attempt, accident with major casualties or fatalities, hate crimes, acts of terrorism or bomb threats.
- **Student in Crisis:** A Student in Crisis is one who is in jeopardy of hurting him/ herself or others, or one who is involved in a Critical Incident.
- **Crisis Response Team:** The Crisis Response Team (CRT) shall consist of the Vice President and Dean of Students and Enrollment Management, Assistant Dean of Students, Director of Special Services, College Nurse/Director of Health Services, Director of Security, REACH Representative and faculty members and other college staff, as necessary.

RESPONSE TO CRITICAL INCIDENT:

When a Critical Incident has occurred, the Vice President and Dean of Students and Enrollment Management shall immediately notify the CRT members and assemble them, as appropriate, to determine the College's response to the incident. In the absence of the Vice President and Dean of Students and Enrollment Management, the Assistant Dean of Students, the Vice President and Dean of Administration, the Vice President and Dean of Academic Affairs or the President will automatically assume this role. In the absence of all these individuals, the Assistant Dean of Academic Affairs or the Assistant Dean of Administration shall assume the role. Prior to the assembling of the CRT, on-scene responders are authorized to make necessary operational decisions and to commit resources to mitigate and control any Critical Incident that occurs on campus.

RESPONSE TO STUDENT IN CRISIS DURING REGULAR BUSINESS HOURS (8 AM to 5 PM):

- When a Student in Crisis is identified, a CRT member will be contacted and will consult with one or more members to determine whether intervention by the College is appropriate. The Vice President and Dean of Students and Enrollment Management will be immediately notified of the CRT's decision and response plan.
- If the CRT decides that a psychological evaluation is warranted, an ambulance shall be summoned to take the student to the nearest hospital emergency room. If the student is uncooperative, a mental hygiene arrest will be requested through the appropriate local law enforcement agency. In either event, a family member (parent/ spouse) or guardian of the Student in Crisis will be notified with the student's permission. If the Student in Crisis is under 18 years of age, a family member/guardian will be notified.
- A Student in Crisis shall not be permitted to return to campus until he/she agrees to a re-entry plan. The re-entry plan will be coordinated by the Vice President and Dean of Students and Enrollment Management in consultation with the involved CRT members and other appropriate professionals on a case- by-case basis. The re-entry plan will be approved and implemented by the Vice President and Dean of Students and Enrollment Management. In the event that the Student in Crisis subsequently engages in conduct that poses a risk to him or herself or others, the Student Code of Conduct will supersede the re-entry plan.

RESPONSE TO STUDENT IN CRISIS AFTER REGULAR BUSINESS HOURS (5 PM. to 8 AM):

- In the event a Student in Crisis is identified after regular business hours, the Security Officer on duty will be contacted and will consult with the Vice President and Dean of Students and Enrollment Management to determine whether intervention by the College is appropriate.
- If the Vice President and Dean of Students and Enrollment Management is unavailable, the Assistant Dean of Students will assume this role. If the Vice President and Dean of Students and Enrollment Management or the Assistant Dean of Students is unavailable, the appropriate local law enforcement agency will be contacted.
- If a psychological evaluation of a Student in Crisis is deemed appropriate, the student will be informed by the Security Officer on duty of the available options; utilization of an ambulance or utilization of a local law enforcement agency. If the student is uncooperative, a mental hygiene arrest will be requested through the appropriate local law enforcement agency.
- An Incident report will be forwarded to the Vice President and Dean of Students and Enrollment Management for follow up purposes. The Dean will meet with the Student in Crisis to determine whether a re-entry plan is required.
- If it is determined that the individual in crisis is not a current student, the appropriate local law enforcement agency will be contacted to assess the welfare of the individual and determine the appropriate response.

RESPONSE TO STUDENT IN CRISIS OFF CAMPUS:

- The Security Officer on duty will contact the appropriate local law enforcement agency and request that they check the welfare of the Student in Crisis. The officer on duty will request that the local law enforcement agency update the Security Office following contact with the Student in Crisis.
- In cases involving a current student, the Vice President and Dean of Students and Enrollment Management will be notified.
- An Incident Report will be forwarded to the Vice President and Dean of Students and Enrollment Management for follow up purposes. The Vice President and Dean of Students and Enrollment Management will meet with the Student in Crisis to determine whether a re-entry plan is required.

Contact persons:

Office: Security Office Room 200

Phone: (518) 828-4181 Ext. 3208

Dr. Joseph Watson, Vice President and Dean of Students and Enrollment Management

Phone: (518) 828-4181, ext. 3364

Suny Complaint Procedure For Review Of Allegations Of Unlawful Discrimination /Harassment

NB: Columbia-Greene Community College adheres to the following SUNY Complaint Procedure for Review of Allegations of Unlawful Discrimination/Harassment. However, in the event of a violation of College policy or the College Code of Conduct, the matter would proceed as follows:

1. Referral to the Vice President and Dean of Students and Enrollment Management or Incident Report filed.
2. Fact-Finding Meeting with the Vice President and Dean of Students and Enrollment Management or designee.
3. Referral to the Vice President and Dean of Students and Enrollment Management or designee for an:
 - a. Informal Hearing

-or-

 - b. Administrative Hearing.
4. Upon conclusion of this hearing, **the Complainant** has the right to:
 - a. request to have the case referred to the Affirmative Action Officer, who would then proceed with the following

-or-

 - b. appeal to the President.

Overview

The State University of New York at Columbia- Greene Community College, in its continuing effort to seek equity in education and employment and in support of Federal and State anti-discrimination legislation, has adopted a complaint procedure for the prompt and equitable investigation and resolution of allegations of unlawful discrimination on the basis of race, color, national origin, religion, age, sex, sexual orientation, disability, veteran status or marital status. Harassment is one form of unlawful discrimination on the basis of the above protected categories. Conduct that may constitute harassment is described in Appendix A. For more detailed information see the Vice President and Dean of Students and Enrollment Management or the Affirmative Action Officer. This procedure may be used by any State University of New York student or employee. Employee grievance procedures established through negotiated contracts, academic grievance review committees, student disciplinary grievance boards and any other procedures defined by contract will continue to operate as before. Neither does this procedure in any way deprive a Complainant of the right to file with outside enforcement agencies, such as the New York State Division of Human Rights, the Equal Employment Opportunity Commission, the Office for Civil Rights of the United States Department of Education and the Office of Federal Contract Compliance of the United States Department of Labor. However, after filing with one of these outside enforcement agencies, or upon the initiation of litigation, the complaint will be referred to the Office of University Counsel for review and supervision. Contact information for these agencies is listed in Appendix B. More detailed information may be obtained from the Campus Affirmative Action Officer.

This SUNY Complaint Procedure for the Review of Allegations of Unlawful Discrimination provides a mechanism through which the University may identify, respond to and prevent and eliminate incidents of illegal discrimination. The University recognizes and accepts its responsibility in this regard and believes that the establishment of this internal, non-adversarial grievance process will benefit student, faculty, staff and administration, permitting investigation and resolution of problems without resorting to the frequently expensive and time consuming procedures of State and Federal and federal enforcement agencies or courts.

All campuses must use the *SUNY Complaint Procedure for the Review of Allegations of Unlawful Discrimination* unless the campus has made application for an exception. Requests for an exception, along with a copy of the requesting campus's discrimination complaint procedure must be filed with the State University of New York, Office of the University Counsel. The request for an exception will be acted upon by the Office of University Counsel after a review of the campus's complaint procedure.

The Vice President and Dean of Students and Enrollment Management or Affirmative Action Officer on campus shall receive any complaint of alleged discrimination, shall assist the Complainant in the use of the complaint form defining the charge and shall provide the Complainant with information about the various internal and external mechanisms through which the complaint may be filed, including applicable time limits for filing with each agency.

The Complainant is not required to pursue the SUNY internal procedure before filing a complaint with a State or Federal agency. In addition, if the Complainant chooses to pursue the SUNY internal procedure, the Complainant is free to file a complaint with the appropriate State or Federal agency at any point during the process. Upon filing with an external agency, however, the SUNY internal complaint procedure will be terminated and the matter referred to the Office of the University Counsel for review, defense or, if deemed appropriate by Counsel, involvement in mediation, conciliation or settlement with the external agency where the complaint was filed, or such other actions as may be in the interests of the University.

During any portion of the procedures detailed hereafter, the parties shall not employ audio or videotaping devices.

PART A: INFORMAL RESOLUTION

1. The Vice President and Dean of Students and Enrollment Management on an informal basis may receive initial inquiries, reports and requests for consultation and counseling. Assistance will be available whether or not a formal complaint is contemplated or even possible. It is the responsibility of the Vice President and Dean of Students and Enrollment Management and Affirmative Action Officer to respond to all such inquiries, reports and requests as promptly as possible and in a manner appropriate to the particular circumstances. An individual may refuse to reduce a complaint to writing. However, notwithstanding that refusal, there may be a continuing obligation on the part of the campus to investigate the verbal complaint to the best of its ability and proceed with any action that is warranted. Although in rare instances verbal complaints may be acted upon, the procedures set forth here rest upon the submission of a written complaint that will enable there to be a full and fair investigation of the facts.

IT IS THE COMPLAINANT'S RESPONSIBILITY TO BE CERTAIN THAT ANY COMPLAINT IS FILED WITHIN THE 90 DAY PERIOD THAT IS APPLICABLE UNDER THIS PARAGRAPH.

2. Complaints or concerns that are reported to an administrator, manager or supervisor concerning an act of discrimination or harassment shall be immediately referred to the Vice President and Dean of Students and Enrollment Management. Complaints may also be made directly to the Affirmative Action Officer.
3. Employees must file a written complaint with the Vice President and Dean of Students and Enrollment Management or Affirmative Action Officer within 90 calendar days following the alleged discriminatory act or the date on which the Complainant first knew or reasonably should have known of such act if that date is later. All such complaints must be submitted on the forms provided by the State University of New York (see The Vice President and Dean of Students and Enrollment Management or Affirmative Action Officer). This form will be used for both the initiation of complaints under the informal procedure and the movement of the complaint to the formal procedure. Students must file a complaint within 90 calendar days following the alleged discriminatory act or 90 calendar days after a final grade is received, for the semester during which the discriminatory acts occurred, if that date is later.
4. The complaint shall contain:
 - a) The name, local and permanent address(es), and telephone number(s) of the Complainant.
 - b) A statement of facts explaining what happened and what the Complainant believes constituted the unlawful discriminatory acts in sufficient detail to give each Respondent reasonable notice of what is claimed against him/her. The statement should include the date, approximate time and place where the alleged acts of unlawful discrimination or harassment occurred. If the acts occurred on more than one date, the statement should also include the last date on which the acts occurred as well as detailed information about the prior acts. The names of any potential witnesses should be provided, if appropriate.
 - c) The name(s), address(es) and telephone number(s) of the Respondent(s), i.e., the person(s) claimed to have committed the act(s) of unlawful discrimination.
 - d) Identification of the status of the persons charged whether faculty, staff, or student.
 - e) A statement indicating whether or not the Complainant has filed or reported information concerning the incidents referred to in the complaint with a non-college official or agency, under any other complaint or complaint procedure. If an external complaint has been filed, the statement should indicate the name of the person or department or agency with which the information was filed and its address or to which it was reported.
 - f) Such other or supplemental information as may be requested.
5. If the Complainant brings a complaint beyond the period in which the complaint may be addressed under these procedures, the Vice President and Dean of Students and Enrollment Management or the Affirmative Action Officer may terminate any further processing of the complaint, refer the complaint to University Counsel or direct the Complainant to the appropriate alternative forum (see Appendix B for a list of alternative forums).
6. If a Complainant elects to have the matter dealt with in an informal manner, the Vice President and Dean of Students and Enrollment Management will attempt to reasonably resolve the problem to the mutual satisfaction of the parties.

7. In seeking an informal resolution, the Vice President and Dean of Students and Enrollment Management shall attempt to review all relevant information, interview pertinent witnesses, and bring together the Complainant and the Respondent, if desirable. If a resolution satisfactory to both the Complainant and the Respondent is reached within 24 calendar days from the filing of the complaint, through the efforts of the Affirmative Action Officer, the Officer shall close the case, sending a written notice to that effect to the Complainant and Respondent. The written notice, a copy of which shall be attached to the original complaint form in the Officer's file, shall contain the terms of any agreement reached by Complainant and Respondent, and shall be signed and dated by the Complainant, the Respondent and the Affirmative Action Officer and Vice President and Dean of Students and Enrollment Management.
8. If the Vice President and Dean of Students and Enrollment Management is unable to resolve the complaint to the mutual satisfaction of the Complainant and Respondent within 24 calendar days from the filing of the complaint, the Officer shall so notify the Complainant. The Affirmative Action Officer shall again advise the Complainant of his or her right to proceed to the next step internally and/or the right to separately file with appropriate external enforcement agencies. The time limitations set forth above in paragraphs 7 and 8, may be extended by mutual agreement of the Complainant and Respondent with the approval of the Vice President and Dean of Students and Enrollment Management. Such extension shall be confirmed in writing by the Complainant and Respondent.
9. At any time, subsequent to the filing of the complaint form, under Part A, the Complainant may elect to proceed as specified in Part B of this document and forego the informal resolution procedure.

PART B: THE FORMAL COMPLAINT PROCEDURE

1. The formal complaint proceeding is commenced by the filing of a complaint form as described in Part A (4). The 90 day time limit also applies to the filing of a formal complaint.
2. If the Complainant first pursued the informal process and subsequently wishes to pursue a formal complaint, he/she may do so by checking the appropriate box, and signing and dating the complaint form.
3. The complaint, together with a statement, if applicable, from the Affirmative Action Officer indicating that informal resolution was not possible, shall be forwarded to the Chairperson of the Campus A.W.A.R.E. Committee within 10 calendar days from the filing of the formal complaint.
4. If an informal resolution was not pursued, the Affirmative Action Officer shall forward the complaint to the Chairperson of the Campus A.W.A.R.E. Committee within 10 calendar days from the filing of the complaint.
5. Upon receipt of a complaint, the Affirmative Action Officer will provide an initialed, signed, date-stamped copy of the complaint to the Complainant. As soon as reasonably possible after the date of filing of the complaint, the Affirmative Action Officer will mail a notice of complaint and a copy of the complaint to the Respondent(s). Alternatively, such notice with a copy of the complaint may be given by personal delivery, provided such delivery is made by the Affirmative Action Officer (or designee) and, that proper proof of such delivery, including the date, time and place where such delivery occurred is entered in the records maintained by or for the Affirmative Action Officer.

6. Within 10 calendar days of receipt of the complaint, the Chairperson of the Campus A.W.A.R.E. Committee shall send notification to the Complainant, the Respondent and the Campus President that a review of the matter shall take place by a Tripartite Panel to be jointly selected by the Complainant and the Respondent from a pre-selected pool of eligible participants.
7. The Tripartite Panel shall consist of one member of the pre-selected pool chosen by the Complainant, one member chosen by the Respondent and a third chosen by the two designees. The panel members shall choose a Chair amongst themselves. Selection must be completed and written notification of designees submitted to the Chairperson of the Campus A.W.A.R.E. Committee no later than 10 calendar days after the Complainant, the Respondent and the President received notice under Paragraph 6 above. If the President is the Respondent, then the third member of the panel shall be elected by the Chancellor or designee in System Administration.
8. In the event that the procedural requirements governing the selection of the Tripartite Panel are not completed within 10 calendar days after notification, the Chairperson of the Campus A.W.A.R.E. Committee shall complete the selection process.
9. The Tripartite Panel shall review all relevant information, interview pertinent witnesses and, at their discretion, hear testimony from and bring together the Complainant and the Respondent, if desirable. Both the Complainant and the Respondent(s) shall be entitled to submit written statements or other relevant and material evidence and to provide rebuttal to the written record compiled by the Tripartite Panel.
10. Within 48 calendar days from the completion of selection of the Panel, the Chairperson of the Tripartite Panel shall submit a summary of its findings and the Panel's recommendation(s) for further action, on a form to be provided by the Affirmative Action Officer, to the President. If the President is the Respondent, the findings and recommendation shall be submitted to the Chancellor or his/her designee. When the Panel transmits the recommendation to the President, the Panel shall transmit concurrently, copies to the Complainant, Respondent and the Affirmative Action Officer.
11. Within 24 calendar days of receipt of the written summary, the President or designee shall issue a written statement to the Complainant and Respondent, indicating what action the President proposes to take. The action proposed by the President or designee, may consist of:
 - a) A determination that the complaint was not substantiated.
 - b) A determination that the complaint was substantiated.
 - i. For Employees (including student employees) not in a Collective Bargaining Unit – The President may take such administrative action as he/ she deems appropriate under his/her authority as the chief administrative officer of the college, including but not limited to termination, demotion, reassignment, suspension, reprimand, or training.
 - ii. For Students – The President may determine that sufficient information exists to refer the matter to the student judiciary or other appropriate disciplinary panel for review and appropriate action under the appropriate student conduct code.
 - iii. For Employees in Collective Bargaining Units – The President may determine that sufficient information exists to refer the matter to his/her designee for investigation and disciplinary action or other action as may be appropriate under the applicable collective bargaining agreement. The action of the President shall be final.

If the President is the Respondent, the Chancellor or his designee shall issue a written statement indicating what action the Chancellor proposes to take. The Chancellor's decision shall be final for purposes of this discrimination procedure.

12. No later than 10 calendar days following issuance of the statement by the President or the Chancellor, as the case may be, the Affirmative Action Officer shall issue a letter to the Complainant and to the Respondent(s) advising them that the matter, for purposes of this discrimination procedure, is closed.

THE TIME LIMITATIONS SET FORTH ABOVE IN PARAGRAPHS 6, 7, 8, 10, 11, AND 12, MAY BE EXTENDED BY MUTUAL AGREEMENT OF THE COMPLAINANT AND RESPONDENT WITH THE APPROVAL OF THE PANEL. SUCH EXTENSION SHALL BE CONFIRMED IN WRITING.

13. If the Complainant is dissatisfied with the President's or Chancellor's decision, the Complainant may elect to file a complaint with one or more State and Federal agencies. The Campus Affirmative Action Officer will provide general information on State and Federal guidelines and laws, as well as names and addresses of various enforcement agencies (see Appendix B).

Internal Discrimination/Grievance Procedure

PURPOSE

In its continuing effort to seek equity in education and employment and in support of federal and state anti-discrimination legislation, Columbia-Greene Community College established a grievance procedure for the prompt and equitable investigation and resolution of allegations of unlawful discrimination on the basis of race, color, national origin, religion, age, gender, disability, marital status, or sexual orientation.

This grievance procedure for the review of allegations of discrimination provides a specific mechanism through which the College may identify and eliminate incidents of illegal discrimination. The College recognizes and accepts its responsibility in this area and establishes this internal, non-adversarial grievance process to benefit students, faculty, staff, and administration.

This procedure, which may be used by any Columbia-Greene Community College student, or employee, is not intended to supplant or duplicate any already existing grievance procedures. Employee grievance procedures established through negotiated contracts, academic grievance review committees, student disciplinary grievance boards, or any other procedure defined by contract or local by-laws will continue to operate as before.

Neither does this procedure deprive a complainant of the right to file with outside enforcement agencies, such as the New York State Division of Human Rights, the Equal Employment Opportunity Commission, the Office for Civil Rights of the Department of Education, or the Wages and Hours Division of the Department of Labor.

COVERAGE

This procedure may not be used if the complainant has already filed a complaint about the same incident with a state or federal agency. Any investigation or review under way will terminate without conclusion at any time a formal complaint is filed with a state or federal agency, or a court action is indicated on the same grievance.

DISCRIMINATION COMPLAINT PROCEDURE

The College is committed to resolving affirmative action/equal opportunity grievances informally and internally whenever possible. The President and the Affirmative Action Officer (AAO) or Vice President and Dean of Students and Enrollment Management encourage employees and students to bring complaints to the AAO, who will assist the complainant in defining the charge and inform the complainant about both formal and informal procedures.

1. A statement describing the alleged discriminatory act must be submitted by the student or employee in writing within six months following the alleged discrimination knowledge of the alleged act, if that day is later.
2. The AAO or Vice President and Dean of Students and Enrollment Management will seek to resolve the complaint informally. If a resolution satisfactory to both complainant and respondent is reached within 21 working days, the officer will close the case, sending a written notice to that effect to the complainant and the respondent (if appropriate).
3. If the AAO or Vice President and Dean of Students and Enrollment Management is unable to resolve the complaint satisfactorily to both parties, the officer will notify the complainant of the right to proceed to the next formal step internally or to file with appropriate enforcement agencies (Division of Human Rights of New York State or Equal Employment Opportunity Commission, Washington, DC) immediately.
4. If the complainant chooses the internal grievance procedure, the complainant will notify the AAO or Vice President and Dean of Students and Enrollment Management in writing within 10 working days from the time of notification by the AAO that the issue cannot be resolved informally.
5. The AAO or Vice President and Dean of Students and Enrollment Management will also notify the AA committee chairperson and the President that an ad hoc tripartite committee shall be selected from the campus community. This committee shall be selected from the campus community. The committee shall consist of one member chosen by the respondent, one member chosen by the complainant, and a grievance chairperson selected from the A.W.A.R.E. committee by both ad hoc committee members. If no member of the A.W.A.R.E. committee is acceptable to the two ad hoc committee members, they will search for another candidate in the College community. The Title IX/504 Officer shall be an ex officio member of the committee.
6. The ad hoc committee shall conduct a hearing. At such a hearing, witnesses may be called by the complainant, the respondent, and the committee. A stenographic record or tape recording will be made of such a hearing. The ad hoc committee will submit a written statement to the President as to whether or not discrimination has occurred within 15 working days from the time the selection of the committee is completed.
7. Within 10 days of the receipt of the ad hoc committee's statement, the president shall communicate the ad hoc committee's statement verbatim to the complainant, the AAO, and to the respondent, with a statement indicating acceptance or rejection of the committee's recommendation. The President will communicate the redress and /or disciplinary action to the complainant and the AAO.

8. If a committee cannot be selected within 10 days, the A.W.A.R.E. committee chairperson will be notified. A request for extension will be submitted to the AAO and proper action taken.

Contact persons:

Dr. Joseph Watson, Vice President and Dean of Students and Enrollment Management

Phone: (518) 828-4181, ext. 3364

Melissa Fandozzi, Director of Human Resources

Phone: (518) 828-4181, ext. 3337

Off-Campus Resolution of Grievances

A complainant dissatisfied with any portion of the grievance procedure may file a formal complaint with the appropriate state or federal agency. The AAO or Vice President and Dean of Students and Enrollment Management will provide information on state and federal guidelines and laws and names and addresses of enforcement agencies.

Harassment, Sexual Harassment, Bias Crimes and Hate Crimes Prevention

It is the policy of C-GCC to follow this sequence in dealing with issues related to the following issues:

- Harassment
- Sexual Harassment
- Bias Crimes
- Hate Crimes

1. Harassment

Our community depends on trust and civility. A willingness to recognize the dignity and worth of each person at Columbia-Greene Community College is essential to our mission. The college celebrates the diversity of its community. We come from many different backgrounds and include different races, religions, and ethnic ancestry.

Learning to understand the differences among us, as well as the similarities, is an important dimension of education, one that continues for a lifetime. Tolerance alone, however, is not enough. Respect and understanding are also needed. We should delight in our differences, and should seek to appreciate the richness and personal growth which our diversity provides us as members of the community. It is, therefore, the intention of Columbia-Greene Community College to provide equal opportunity to qualified individuals in the operation of its program, in work and academic environments that are conducive to the achievement of work and academic goals, and free of any implicit or explicit forms of harassment. For the purposes of this policy, the term harassment refers to any behavior, verbal or physical, or electronic, that attacks, demeans, or offends individuals on the bases of race, ethnic or national origin, gender, handicap, religion or sexual orientation and that:

- Involves a stated or implicit threat to the victim's academic or employment status;
- Has the purpose or effect of interfering with an individual's academic or work performance; and/or creates an intimidating or offensive academic or work environment.

The college regards such behavior, whether verbal, physical, or electronic, as a violation of the standards of conduct required of all persons associated with the institution. The prohibition against harassment applies to all interaction on the college campus, in college facilities or within the context of college related activities. We expect members of our college community to demonstrate a basic generosity of spirit that precludes expressions of bigotry. Accordingly, those inflicting such behavior on others are subject to the full range of the college's disciplinary actions, including separation from the institution.

Not every act that might be offensive to an individual or a group necessarily will be considered as harassment and/or a violation of the college's standards of conduct. In determining whether an act constitutes harassment, the totality of the circumstances that pertain to any incident in its context must be carefully reviewed and due consideration must be given to the protection of individual rights, freedom of speech, academic freedom, and advocacy. Essential components of offenses include intent to hurt or harass, direct address to the people involved, and expression in words, pictures or symbols that are commonly understood to convey hatred or contempt for the people in question. To expedite the investigation and resolution of complaints, should they arise, the college has developed both informal and formal mechanisms for mediation, resolution, and adjudication. Those individuals who honestly believe they have been a victim of harassment should contact the college Affirmative Action Officer to obtain a copy of the Harassment Complaint Procedure.

2. Sexual Harassment

Sexual harassment is against the law and a violation of the non-discriminatory policy of Columbia-Greene Community College. Harassment on the basis of sex is a violation of federal law including Section 703 of Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. It is also a violation of New York State's human rights law. Sexual harassment, like harassment based on race, color, national origin, or religion, will not be condoned by Columbia-Greene Community College, whether it occurs in our educational programs or at our work place.

Contact person:

Dr. Joseph Watson, Vice President and Dean of Students and Enrollment Management

Phone: (518) 828-4181, ext. 3364

WHAT IS SEXUAL HARASSMENT?

Sexual harassment is any repeated and/or unwelcome verbal or physical sexual advance, requests for sexual favors, sexually explicit derogatory remarks, and sexually discriminatory remarks that are offensive or objectionable to the person at whom they are directed or that cause a person discomfort or humiliation. Sexual harassment in an academic environment may involve the use of authority to emphasize the sexuality of a student in a manner that prevents a student from achieving full benefit from educational opportunities.

IT MAY INCLUDE:

- Verbal harassment or abuse
- Subtle pressure for sexual activities
- Touching, patting or pinching
- Leering at a person's body
- Constant brushing against a person's body
- Demands for sexual favors accompanied by implied or overt threats concerning one's job performance, evaluation, promotion, or course grades
- Physical assault

WHAT CAN YOU DO ABOUT SEXUAL HARASSMENT?

1. **DO NOTHING:** This is not a good idea, because in most cases, ignoring the harassment only leads to a continuation of the problem. Also, ignoring the harasser may cause him or her to punish the victim in some way. Finally, sexual harassers tend to be repeaters; even if you solve your own problem by ignoring it, the harasser is likely to move on to another victim.
2. **SAY NO:** Say it firmly without smiling or apologizing. At the same time keep a record of any harassment incidents, including dates, times, places, and witnesses. Write down directly the phrases the harasser says to you. Save any notes or letters from the harasser. Also be sure to keep all information in a safe place.
3. **TALK TO THE HARASSER:** Make it clear what it is that offends you, how these actions make you feel, and what you want done about the problem. If you are uncomfortable with direct confrontation, write the harasser a letter. Keep a copy of the letter.
4. **COMPLAIN TO SOMEONE:** Talk to your supervisor (If the harasser is your supervisor, talk to his/her supervisor), to a teacher, counselor, or administrator you trust, or to the Affirmative Action Officer (AAO).

WHAT HAPPENS WHEN YOU COMPLAIN ABOUT SEXUAL HARASSMENT?

All complaints will be investigated. Your complaint will be kept confidential, to the extent possible. Whether you complain directly to the AAO or Vice President and Dean of Students and Enrollment Management or to someone else, your complaint will remain private, unless you wish it otherwise. Your complaint will be referred to the AAO or Vice President and Dean of Students and Enrollment Management, if you want it to be. The AAO or Vice President and Dean of Students and Enrollment Management will hear your complaint and attempt to solve the problem informally. If the informal resolution fails, you can file a formal grievance under the procedure referred to below.

If you do not want your identity revealed to the Affirmative Action Officer (AAO) or Vice President and Dean of Students and Enrollment Management, the person you complain to will report to the AAO or Vice President and Dean of Students and Enrollment Management that a complaint has been made. A complaint will not be written down by the AAO or Vice President and Dean of Students and Enrollment Management, unless the complainant speaks to him/her directly. When it is written down, the complaint should be shared with the respondent. Remember, telling someone about your problem does not mean you have to file a grievance. Sharing your experience is the first step in the process. You decide if the complaint should be pursued further. Filing a grievance is serious business, and any charge should be made responsibly.

WHAT IS THE GRIEVANCE PROCEDURE?

1. A statement describing the alleged sexual harassment must be submitted by the student or employee in writing within six months following the alleged sexual harassment or knowledge of the alleged sexual harassment, if that day is later.
2. The AAO or Vice President and Dean of Students and Enrollment Management will seek to resolve the complaint informally. If a resolution satisfactory to both complainant and respondent is reached within 21 working days, the officer will close the case, sending a written notice to that effect to the complainant and respondent (if appropriate).
3. If the Vice President and Dean of Students and Enrollment Management is unable to resolve the complaint satisfactorily to both parties, the Vice President and Dean of Students and Enrollment Management will notify the complainant of the right to proceed to the next formal step internally or to file with appropriate enforcement agencies (Division of Human Rights of New York State or Equal Employment Opportunity Commission, Washington, DC) immediately.
4. If the complainant chooses the internal grievance procedure, the complainant will notify the AAO or Vice President and Dean of Students and Enrollment Management in writing within 10 working days that the issue cannot be resolved informally.
5. The AAO will also notify the A.W.A.R.E. Committee chairperson and the President that an ad-hoc tripartite committee is being selected from the campus community. This committee shall consist of one member chosen by the complainant, one chosen by the respondent, and a chairperson selected from the A.W.A.R.E. by both ad hoc committee members. If no member of the A.W.A.R.E. Committee is acceptable to the two ad hoc committee members, they will search for another candidate in the College community. The Title IX/504 Officer shall be an ex-officio member.

6. The ad hoc committee shall conduct a hearing. At such a hearing, witnesses may be called by the complainant, the respondent, and the committee. A stenographic record or tape recording will be made at such a hearing. The ad-hoc committee will submit a written statement to the President as to whether or not harassment has occurred within 15 working days from the time the selection of the committee is completed.
7. Within 10 days of the receipt of the ad hoc committee's statement, the President shall communicate the ad hoc committee's statement verbatim to the complainant, the AAO, and to the respondent, with a statement indicating acceptance or rejection of the committee's recommendation. The President will communicate the redress and/or disciplinary action to the complainant and the AAO.
8. If a committee cannot be selected within 10 days, the A.W.A.R.E committee chairperson will be notified. A request for extension will be submitted to the AAO and proper action taken.

Sexual Assault Prevention

SEXUAL ASSAULT AND THE LAW

The State University of New York has programs in place to protect all members of Columbia-Greene Community College community from sexual assault, including programs for prevention and prosecution of these crimes that occur within the jurisdiction of SUNY at Columbia-Greene Community College.

NYS Law contains the following legal provisions defining the crimes related to sexual assault:

Section 130.20 – Sexual Misconduct.

This offense includes sexual intercourse without consent and deviate sexual intercourse without consent. The penalty for violation of this section includes imprisonment for a definite period to be fixed by the court up to one year.

Section 130.25/30/35 – Rape.

This series of offenses includes sexual intercourse with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes sexual intercourse with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to imprisonment for a period not to exceed 25 years.

Section 130.40/45/50 – Criminal Sexual

Act. This series of offenses includes oral or anal sexual conduct with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes oral or anal sexual conduct with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to imprisonment for a period not to exceed 25 years.

Section 130.52 - Forcible Touching.

This offense involves the forcible touching of the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. Forcible touching includes the squeezing, grabbing, or pinching of such other person's sexual or other intimate parts. The penalty for violation of this section includes imprisonment for a period of up to one year in jail.

Section 130.55/.60/.65 – Sexual Abuse.

This series of offenses includes sexual contact with a person by forcible compulsion, or with a person who is incapable of consent due to physical helplessness, or due to the person being under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed three months up to imprisonment for a period not to exceed seven years.

Section 130.65-a/.66/.67/.70 – Aggravated Sexual Abuse.

This series of offenses occurs when a person inserts a finger or a foreign object in the vagina, urethra, penis or rectum of another person by forcible compulsion, when the other person is incapable of consent by reason of being physically helpless, or when the other person is under the age of consent. The level of this offense is enhanced if the insertion of a finger or foreign object causes injury to the other person. The penalties for violation of these sections range from imprisonment for a period not to exceed seven years up to imprisonment for a period not to exceed 25 years.

If you are sexually or otherwise assaulted on campus:

- Get to a safe place as soon as you can.
- Try to preserve all physical evidence; do not bathe, douche, or change your clothes.
- Contact the campus security immediately (call 911 in an emergency, or use a campus emergency phone).

Remember, assaults – sexual or otherwise – are crimes; they are not the victims' fault. Victims have the right to pursue adjudication of crimes that occur at Columbia-Greene Community College through criminal courts and/or through the college's internal disciplinary process (under the Campus Code of Conduct). Columbia-Greene Community College Security Director is trained to assist with prosecution in both systems.

DISCIPLINARY ACTION

Where there is probable cause to believe the college's regulations prohibiting sexual misconduct have been violated, the college will pursue strong disciplinary action through its own channels. This discipline includes the possibility of suspension or dismissal from the college.

An individual charged with sexual misconduct will be subject to college disciplinary procedures, whether or not prosecution under New York State Criminal Statutes is pending.

The college will make every effort to be responsive and sensitive to the victims of these serious crimes. Protection of the victim and prevention of continued trauma is the college's priority.

When the victim and the accused attend the same class, an immediate hearing with the Vice President and Dean of Students and Enrollment

Management will be held to determine the need for modifying the class arrangements. Assistance for any other personal or academic concerns will be reviewed and options provided.

During the disciplinary process, the victim's rights are:

- To have a person or persons of the victim's choice accompany the victim throughout the disciplinary hearing.
- To remain present during the entire proceeding.
- As established in state criminal codes, to be assured that his/her irrelevant past sexual history will not be discussed during the hearing.
- To make a "victim impact statement" and accused is found in violation of the code.
- To be informed immediately of the outcome of the hearing.
- During the disciplinary process, the rights of the "accused" are as described under the due process procedure of the college judicial system.

INFORMATION AND SUPPORT

If you are the victim of sexual assault or sexual misconduct, you may seek support services as well as the assistance described above from the REACH Center College Advocate.

EDUCATIONAL PROGRAMS

Educational programs to promote awareness of rape, acquaintance rape, and sex offenses are presented to the campus community. Student Services staff provides programs throughout the year.

SEXUAL ASSAULT AND AWARENESS

- Be aware of your surroundings, whenever possible stay in well-lighted areas, walk where there are clusters of people, know the location of public phones, vary travel routes, and walk facing traffic.
- Avoid playing music or using headphones, especially when walking after dark or in isolated areas.
- If you think someone in a car is following you, cross the street and walk on the opposite side. If the person persists, record the license number and report it to the security or police department.
- If someone persists in following you, walk toward a classroom building, lighted or busy area, or into a store. Do not walk directly to your car; it could lead the attacker to you. Do call campus security or the police or ask someone in a classroom building or store to do so for you.
- If you are carrying packages, books, and bags, you should be prepared to drop them. Nothing you are carrying is as valuable as you are. Do not hitchhike or take rides from strangers.
- Avoid walking alone at night. If you need an escort, call campus security, and they will accompany you to your car.
- Have your keys in your hand when you approach your car and check the back seat before you get in. As soon as you get in, lock the doors. Always lock your parked car.
- Always carry enough money for an emergency phone call.
- If you think someone is following you or if someone is bothering you, say in a loud voice, "Leave me alone!" Others around you will become aware of the problem, and the attacker may leave.
- Always report an on-campus incident or suspected incident to campus security, the Vice President and Dean of Students and Enrollment Management, or any other College official. Adapted from: AVOIDING RAPE ON AND OFF CAMPUS, Carol Andrews Pritchard, M.A. State College Publishing Co., 1988

Contact persons:

Dr. Joseph Watson, Vice President and Dean of Students and Enrollment Management

Phone: (518) 828-4181 Ext 3364

Catherine M. Tretheway: Registrar

Phone: (518) 828-4181 Ext 3361

SELF PROTECTION:

- Know you have the right to set sexual limits: You may have different limits with different people. Your limits may change. It is a good idea to know what you want or don't want before you end up in the back seat of a car.
- Communicate those limits. Get them across to the other person. E.S.P. doesn't work.
- Trust your feelings. If you feel you are being pressured into unwanted sex, you're right.
- Pay attention to behavior that doesn't seem right, such as: someone sitting too close to you, someone who blocks your way, someone who grabs or pushes you to get his way, someone who disregards what you are saying, and someone who gives power stares.
- Be assertive. Don't be afraid to get angry when someone does something to you that you don't want. Act immediately with some kind of negative response. Stand up for yourself.

NINE WARNING SIGNS OF DATING VIOLENCE AND DATE RAPE

- Poor communication or problem solving skills. Failure to communicate expectations, constant misunderstandings, making assumption, lack of assertiveness, not knowing how to negotiate differences.
- Constant Arguments. Arguments that get out of hand, are frequent or constant, and have escalating verbal aggression.
- Excessive or compulsive use of alcohol or drugs (especially in combination with any other factors).
- Stress. Economic, academic, family pressures, loneliness, jealousy.
- Low self-esteem. Tendency to defer to others' feelings or opinions because of feeling inadequate.
- Abusive family background.
- High degree of interdependence. Partners who physically, socially, emotionally, economically rely on each other to the exclusion of others.
- Large power differential. One partner is perceived to be stronger physically and emotionally.
- Incidence of violence in a previous relationship.

WHAT TO DO IF YOU ARE SEXUALLY ASSAULTED:

- Get to a safe place and call a supportive friend and/or The REACH Center at (518) 828-5556.
- Don't wash, douche, gargle or change clothes before going to the hospital or police.
- If you would like police involvement, call 911 or the local police.
- It is important to go to a hospital for treatment of external and internal injuries, tests for AIDS and pregnancy and gathering of medical evidence. A rape crisis counselor is on call 24 hours a day and will meet you at the emergency room if you call the hot-line at 828-5556. Bring a complete change of clothing with you, including shoes. The hospital does not release medical evidence to the police without your written consent.
- The REACH Center does not report the crime to the police. Reporting is your choice.
- If you decide not to go to the police immediately, write down all the details of the assault and save them in case you change your mind.

REPORTING AGENCIES

Campus Security:	Extension 3208
Greenport Police:	828-6121
Columbia County Sheriff:	828-3344
New York State Police:	851-3111

CONFIDENTIAL ASSISTANCE AND REFERRAL

VP and Dean of Students and Enrollment Management:	Extension 3320
Director of Special Services:	Extension 3437
Counseling Office:	Extension 3396
REACH Center – On-Campus	Extension 3179
REACH Center – Off Campus	(518) 828-5556
Columbia County Mental Health Center	(518) 828-9446
Greene County Mental Health Services	(518) 622-9163
AIDS hotline	445-AIDS

DRUG FACILITATED SEXUAL ASSAULT

Facilitating a sex offense with a controlled substance:

The SARA Act creates a new offense in Penal Law & 130.90 A person is guilty of facilitating a sex offense with a controlled substance when he or she: 1) knowingly and unlawfully possesses a controlled substance and administers such substance to another person without such person's consent and with intent to commit again such person conduct constituting a felony defined in [Penal Law article 130]; and 2) commits or attempts to commit such conduct (D Felony). Consecutive Sentence Permissible: SARA adds a new subdivision 2-f to Penal Law & 70.25, which provides that a court may impose consecutive sentences for facilitating a sex offense with a controlled substance and the Article 130 substantive offense arising from the same criminal transaction.

Penalty Enhancement For Committing Sex Crime Upon Victim Who is "Mentally Incapacitated" Upgrades offenses committed against a "mentally incapacitated" victim to "D" felony, Rape in the Second Degree, P.L. & 130.30 (2); Sodomy in the Second Degree, P.L. & 130.45 (2).

Aggravated Sexual Abuse 3rd degree: Expands Penal Law & 130.66 by adding a new subdivision (2) to cover instances where this crime is committed upon a "mentally incapacitated" victim. (D Felony)

Rape 3rd degree: [Penal Law & 130.25 (1)] and Sodomy 3rd degree: [Penal Law & 130.40(1)], are unchanged and may be charged additionally or in the alternative, in cases where the victim is incapable of consent by reason of some factor other than being less than 17 years old. (E Felonies)

Note: *People v. DiNoia*, 105 A.D.2d 799, 481 NYS 2d 738 (2d Dept 1984), prosecution under "mentally incapacitated" theory need not specify precise substance utilized or whether defendant administered the substance; see also, *Rapetti v. James*, 784 F.2d 85 (2nd Cir. 1986).

GHB Gamma Hydroxybutyric Acid: Amends New York's schedule of controlled substances, making its possession and sale illegal by adding a new paragraph 4 to make GHB a schedule I drug. The Legislature will provide the weight (amount) it will take to be a schedule I via amendment to be added later. GHB is listed separately in Public Health Law & 3306, Schedule I (e), P 4 and Schedule III (c), P 12. Unless amended, this dual listing may cancel legislative intent to make GHB illegal.

SEXUAL ASSAULT REFORM SYNOPSIS

Programmatic elements

- Crime Victims Board reimbursement – Allows documentation of a hospital visit where a medical/forensic exam occurred to establish eligibility for CVB compensation. The survivor will have to follow the regular procedure and file a claim. This means that many hospitals are not reimbursed for care.
- Statutory funding for rape crisis programs – The bill puts into law that funding for rape crisis programs must exist. It defines what constitutes a rape crisis program.
- Designation of Sexual Assault Examiner Programs – The legislation states that the Commissioner of Health will designate sexual assault examiner programs throughout the state. Criteria are given by which to determine eligibility for the sites of these programs.

New Crimes

- Creates new crime of forcible touching – When a person “intentionally and for no legitimate purpose” forcibly touches the sexual or other intimate parts of another person – Class A misdemeanor.
- Healthcare and mental health provider – Makes it illegal for a health care or mental health provider as defined in the law to have sexual intercourse with a patient during a treatment session. However, there is a defense that if the provider can show that he/she informed the client that intercourse was not a part of the treatment, and the client consented, then a crime has not occurred Class E felony.
- Workers in Office of Children and Family Services facilities – prohibited from having sexual contact with residents of those facilities. This amends an earlier law which established such protection for incarcerated adults.
- Facilitating a sex offense with a controlled substance – GHB was “scheduled” so that it’s illegal use is criminal. In addition, committing a sex crime by using GHB is now a D level felony.
- Creates the crime of persistent sexual abuse for repeat sexual offenders – E level felony.
- Creates the crime of Aggravated Sex Abuse IV that broadens conditions under which aggravated sexual abuse can be charged -E level felony.

New Provisions

- Creates a new condition for an E level felony for consent, that of expressing by word or act non-consent to intercourse – an alternative “no means no” provision which creates a middle crime between a B level felony (the highest sexual assault category) and an A level misdemeanor.
- Age changes
 1. Rape I and Sodomy I can be charged to anyone over the age of 18 who engages in sexual intercourse with someone under the age of 13 (Current law is under age 11).
 2. Rape II and Sodomy II can be charged to anyone 18 or older when the victim is less than 15 years old. (Current law is less than 14 years old.)
 3. Age of “swearability” – the new law lowers the age of “swearability” from 12 to 9, eliminating a separate hearing to determine whether children between the ages of 9 and 12 can provide testimony in a court of law.
 4. Promotion of sexual performances by a child or obscene sexual performances by a child is now prosecutable for victims under the age of 17 (current law is 16).

- A provision for prosecutors who failed in discovery to reveal some non-essential document to the defense that this failure cannot result in a vacated conviction of the case.
- Provisions in the Course of Sexual Conduct against a child in the 1st degree and 2nd degree which stipulate that someone 18 years of age or older who engages in two or more acts of sexual conduct with a child less than 13 years of age over a three month period will receive specific charges.

Contact persons:

Dr. Joseph Watson, Vice President and Dean of Students and Enrollment Management

Phone: (518) 828-4181, ext. 3364

Catherine M. Tretheway, Registrar

Phone: (518) 828-4181, ext. 3361

OFFENDERS/BAIL/SENTENCING PROVISIONS

1. Convicted sex offender changes

- Mandated probation and parole conditions are added for released convicted child molesters to keep them away from child settings, such as playgrounds and schoolyards.
- Harsher penalties and determinate sentences for repeat sex offenders and longer periods of probation and parole for persistent child molesters. This includes 10 years of probation for any felony sexual assault and 6 years for a misdemeanor sexual assault charge.
- No bail for those convicted of B or C level violent felonies, even on appeal.
- Whereby internet accounts and screen names must be added to aliases of registered sex offenders.
 1. Five years will be added to the maximum sentence of a defendant who engaged in sex with a child after contacting his/ her victim through the Internet.
 2. The “900” number used to receive information about convicted sexual offenders will notify callers about the charge (lowered from \$5.00 to \$.50) and provide basic information about the packet of materials that is available.

3. Bias Crimes

It is a State University of New York at Columbia-Greene Community College mandate to protect all members of the Columbia-Greene Community College community by preventing and prosecuting bias or hate crimes that occur within the campus's jurisdiction.

Hate crimes, also called bias crimes or bias-related crimes, are criminal activity 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, religion, ethnicity, gender, sexual orientation, or disability. Hate/bias crimes have received renewed attention in recent years, particularly since the passage of the federal Hate/ Bias Crime Reporting Act of 1990 and the New York State Hate Crimes Act of 2000 (Penal Law Article 485). Copies of the New York law are available from The Vice President and Dean of Students and Enrollment Management Office and The Office of Human Resources.

Penalties for bias-related crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence or previous convictions of the offender. Perpetrators who are students will also be subject to campus disciplinary procedures where sanctions including dismissal are possible.

In addition to preventing and prosecuting hate/ bias crimes, Columbia-Greene Community College Security also assist in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and defined by the University as acts of bigotry, harassment, or intimidation directed at a member or group within the Columbia-Greene Community College community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status, may be addressed through the State University's Discrimination Complaint Procedure or the campus conduct code. Bias incidents can be reported to Security as well as to Vice President and Dean of Students and Enrollment Management.

If you are a victim of, or witness to, a hate/bias crime on campus, report it to a Security Officer or Vice President and Dean of Students and Enrollment Management by calling the switchboard operator at extension 0 or by stopping by the Security or Vice President and Dean of Students and Enrollment Management offices. The Office of Safety and Security and the Vice President and Dean of Students and Enrollment Management will investigate and follow the appropriate adjudication procedures.

Victims of bias crime or bias incidents can avail themselves of counseling and support services from the campus as follows: REACH Center Campus Advocate, Counseling, Career and Transfer Services, Vice President and Dean of Students and Enrollment Management, Health Services and Special Services Offices.

For general information on Columbia-Greene Community College security procedures, see p. 17 of the Student Handbook, or call 518-8284181 ext.3364. More information about bias-related and bias crimes, including up-to-date statistics on bias crimes is available from Vice President and Dean of Students and Enrollment Management Office.

4. Hate Crimes

SECTION 485.00 LEGISLATIVE FINDINGS OF NYS HATE CRIMES ACT OF 2000

The legislature finds and determines as follows: criminal acts involving violence, intimidation and destruction of property based upon bias and prejudice have become more prevalent in New York State in recent years. The intolerable truth is that in these crimes, commonly and justly referred to as “hate crimes”, victims are intentionally selected, in whole or in part, because of their race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation. Hate crimes do more than threaten the safety and welfare of all citizens. They inflict on victims incalculable physical and emotional damage and tear at the very fabric of free society.

Crimes motivated by invidious hatred toward particular groups not only harm individual victims but send a powerful message of intolerance and discrimination to all members of the group to which the victim belongs. Hate crimes can and do intimidate and disrupt entire communities and vitiate the civility that is essential to healthy democratic processes.

In a democratic society, citizens cannot be required to approve of the beliefs and practices of others, but must never commit criminal acts on account of them. Current law does not adequately recognize the harm to public order and individual safety that hate crimes cause. Therefore, our laws must be strengthened to provide clear recognition of the gravity of hate crimes and the compelling importance of preventing their recurrence.

Accordingly, the legislature finds and declares that hate crimes should be prosecuted and punished with appropriate severity.

SECTION A7 485.05 HATE CRIMES

1. A person commits a hate crime when he or she commits a specified offense and either:
 - a) 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
 - b) 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.
2. Proof of race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of the defendant, the victim or of both the defendant and the victim does not, by itself, constitute legally sufficient evidence satisfying the people’s burden under paragraph (a) or (b) of subdivision one of this section.

3. A “specified offense” is an offense defined by any of the following provisions of this chapter: section 120.00 (assault in the third degree); section 120.05 (assault in the second degree); section 120.10 (assault in the first degree); section 120.12 (aggravated assault upon a person less than eleven years old); section 120.13 (menacing in the first degree); section 120.14 (menacing in the second degree); section 120.15 (menacing in the third degree); section 120.20 (reckless endangerment in the second degree); section 120.25 (reckless endangerment in the first degree); subdivision one of section 125.15 (manslaughter in the second degree); subdivision one, two or four of section 125.20 (manslaughter in the first degree); section 125.25 (murder in the second degree); section 120.45 (stalking in the fourth degree); section 120.50 (stalking in the third degree); section 120.55 (stalking in the second degree); section 120.60 (stalking in the first degree); subdivision one of section 130.35 (rape in the first degree); subdivision one of section 130.50 (sodomy in the first degree); subdivision one of section 130.65 (sexual abuse in the first degree); paragraph (a) of subdivision one of section 130.67 (aggravated sexual abuse in the second degree); paragraph (a) of subdivision one of section 130.70 (aggravated sexual abuse in the first degree); section 135.05 (unlawful imprisonment in the second degree); section 135.10 (unlawful imprisonment in the first degree); section 135.20 (kidnapping in the second degree); section 135.25 kidnapping in the first degree); section 135.60 (coercion in the second degree); section 135.65 (coercion in the first degree); section 140.10 (criminal trespass in the third degree); section 140.15 (criminal trespass in the second degree); section 140.17 (criminal trespass in the first degree); section 140.20 (burglary in the third degree); section 140.25 (burglary in the second degree); section 140.30 (burglary in the first degree); section 145.00 (criminal mischief in the fourth degree); section 145.05 (criminal mischief in the third degree); section 145.10 (criminal mischief in the second degree); section 145.12 (criminal mischief in the first degree); section 150.05 (arson in the fourth degree); section 150.10 (arson in the third degree); section 150.15 (arson in the second degree); section 150.20 (arson in the first degree); section 155.25 (petit larceny); section 155.30 (grand larceny in the fourth degree); section 155.35 (grand larceny in the third degree); section 155.40 (grand larceny in the second degree); section 155.42 (grand larceny in the first degree); section 160.05 (robbery in the third degree); section 160.10 (robbery in the second degree); section 160.15 (robbery in the first degree); section 240.25 (harassment in the first degree); subdivision one, two or four of section 240.30 (aggravated harassment in the second degree); or any attempt or conspiracy to commit any of the foregoing offenses.
4. For purposes of this section:
 - a) the term “age” means sixty years old or more;
 - b) the term “disability” means a physical or mental impairment that substantially limits a major life activity.

SECTION A7 485.10 SENTENCING

1. When a person is convicted of a hate crime pursuant to this article, and the specified offense is a violent felony offense, as defined in section 70.02 of this chapter, the hate crime shall be deemed a violent felony offense.
2. When a person is convicted of a hate crime pursuant to this article and the specified offense is a misdemeanor or a class C, D or E felony, the hate crime shall be deemed to be one category higher than the specified offense the defendant committed, or one category higher than the offense level applicable to the defendant's conviction for an attempt or conspiracy to commit a specified offense, whichever is applicable.
3. Not with standing any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class B felony:
 - a) the maximum term of the indeterminate sentence must be at least six years if the defendant is sentenced pursuant to section 70.00 of this chapter;
 - b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of this chapter;
 - c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter;
 - d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and
 - e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter.
4. Not with standing any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the indeterminate sentence shall be not less than twenty years.

Section A7 3. Subdivision 3 of section 240.30 of the penal law, as amended by chapter 345 of the laws of 1992, is amended to read as follows:

Strikes, shoves, kicks, or otherwise subjects another person to physical contact, or attempts or threatens to do the same because of [the] a belief or perception regarding such person's race, color, [religion or] national origin [of such person], ancestry, gender, religion, religious practice, age, disability or sexual orientation, regardless of whether the belief or perception is correct; or

A7 4. The opening paragraph of section 240.31 of the penal law, as amended by chapter 958 of the laws of 1983, is amended to read as follows:

A person is guilty of aggravated harassment in the first degree when with intent to harass, annoy, threaten or alarm another person, because of [the] a belief or perception regarding such person's race, color, [religion or] national origin [of such person], ancestry, gender, religion, religious practice, age, disability or sexual orientation, regard less of whether the belief or perception is correct, he or she:

A7 5. Section 240.00 of the penal law is amended by adding two new subdivisions 5 and 6 to read as follows:

1. "Age" means sixty years old or more.
2. "Disability" means a physical or mental impairment that substantially limits a major life activity.

A7 6. (Intentionally Omitted.)

A7 7. Subdivisions 4 and 7 of section 200.50 of the criminal procedure law, subdivision 4 as amended by chapter 467 of the laws of 1974 and subdivision 7 as amended by chapter 481 of the laws of 1978, are amended to read as follows:

A statement in each count that the grand jury, or, where the accusatory instrument is a superior court information, the district attorney, accuses the defendant or defendants of a designated offense, provided that in any prosecution under article four hundred eighty-five of the penal law, the designated offense shall be the specified offense, as defined in subdivision three of section 485.05 of the penal law, followed by the phrase "as a hate crime"; and

A plain and concise factual statement in each count which, without allegations of an evidentiary nature, (a) asserts facts supporting every element of the offense charged and the defendant's or defendants' commission thereof with sufficient precision to clearly apprise the defendant or defendants of the conduct which is the subject of the accusation; and (b) in the case of any armed felony, as defined in subdivision forty-one of section 1.20, states that such offense is an armed felony and specifies the particular implement the defendant or defendants possessed, were armed with, used or displayed or, in the case of an implement displayed, specifies what the implement appeared to be; and (c) in the case of any hate crime, as defined in section 485.05 of the penal law, specifies, as applicable, that the defendant or defendants intentionally selected the person against whom the offense was committed or intended to be committed; or intentionally committed 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; and in cooperation with the chief administrator of the courts as well as any other public or private agency, including law enforcement agencies, collect and analyze statistical and all other information and data with respect to the number of hate crimes reported to or investigated by the division of state police, and all other police or peace officers, the number of persons arrested for the commission of such crimes, the offense for which the person was arrested, the county within which the arrest was made and the accusatory instrument filed, the disposition of the accusatory instrument filed, including, but not limited to, as the case may be, dismissal, acquittal, the offense to which the defendant pled guilty, the offense the defendant was convicted of after trial, and the sentence imposed. The division shall include the statistics and other information required by this subdivision in the annual report submitted to the governor and legislature pursuant to subdivision twelve of this section.

Contact persons:

Dr. Joseph Watson, Vice President and Dean of Students and Enrollment Management

Phone: (518) 828-4181, ext. 3364

Earl Tretheway, Assistant Dean of Students

Phone: (518) 828-4181, ext. 3362

Overnight Parking on Campus

Applicability:

All employees, students and members of the general public.

Background:

Except for official college vehicles and personal vehicles driven to campus by on duty employees, all other vehicles left on campus between the end of the day's final scheduled activity and the first scheduled activity of the following day, shall be considered parked without proper authorization.

In certain circumstances it is appropriate for College Faculty, Staff and Students to park a personal vehicle on campus for one or more overnight periods. Overnight parking may properly occur in the following circumstances.

1. Faculty and Staff using college vehicles or carpooling for work related travel.
2. Class field trip, and/or club activities.
3. Athletics' team road trip.
4. Vehicle remaining on campus due to an emergency or waiting for repair or tow.
5. Other circumstances pre-arranged with Campus Security in advance.

Procedures:

This policy shall be implemented through authorization from the President or his designee. All procedures are subject to review and approval of the Administration.

1. Vehicles that will be left overnight or extended times will be reported by the owner/driver to Campus Security to be logged.
2. Vehicles that plan to be parked overnight will park in the front row closest to the Central Services building (at the rear of the south lot.) Please check with maintenance in winter to find out snow procedures.
3. Vehicles that break down, or are left in an emergency, the owner must, if unable to reach security leave a sign in the vehicle window with the name and a phone number where the owner/driver can be reached.

Rationale:

To insure safety and avoid conflicts with activities and classes using the campus, any vehicle deemed to be parked without authorization will be subject to removal from college property at the owner's expense.

Administration/Enforcement: Campus Security

Phone: (518) 828-4181 Ext 3208

Use of Grounds and Facilities

SECTION 1.0

GENERAL STATEMENT

Although the College strives to make every attempt to accommodate the needs of all community constituencies, recent security and safety concerns have necessitated certain restrictions on the use of the College premises.

SECTION 2.0

PRIORITY FOR BUILDING USE

- a. Priority for use of the buildings and grounds will be, in the following order:
 - i. Credit classes or graduate classes brought to the College for staff development purposes.
 - ii. Non-credit College-sponsored classes (except those requiring use of the gym).
 - iii. Official College boards, councils, committees and related groups, as well as student activities and the concert/lecture series.
 - iv. Outside public groups, organizations, and people
- b. When the college is officially closed, only those individuals who are engaged in administrative assignments or involved in supervised activities or classes or otherwise have secured written permission will be allowed access.

SECTION 3.0

PROCEDURES IN SCHEDULING

- a. All credit classes and special graduate courses are to be scheduled through the Office of the Dean of Academic Affairs.
- b. All non-credit classes, as well as all other activities, meetings, gallery exhibits, and events are to be scheduled and supervised by the Community Services Office. Room requests shall be processed according to the priorities in Section 2.0 except:
 - i. All athletic home games and practices in the gym and athletic fields are to be scheduled by the Office of the Athletic Director.
 - ii. The Board Room is to be scheduled by the President's Office.
 - iii. Foundation Gallery is to be scheduled and supervised by the Chairperson of the Arts and Humanities Division.
 - iv. Room 217 is to be scheduled by the Student Activities Office. Preference for use shall be given to all student organizations.

SECTION 4.0**OUTSIDE GROUP/PUBLIC USAGE/DESIGNATED LIMITED PUBLIC FORUM**

- a. The College's facilities are available primarily for programs offered by and intended for the campus community's educational, cultural and charitable benefit. No social, fund-raising, or for-profit oriented group, organization or person will be permitted on College property. No individual or organization may use the college buildings and/or grounds without filing the appropriate application with the College as specified in Section 6.0 below.
- b. The College makes available as an area designated for use as a limited public forum that part of the campus, which is generally located around the 911 Memorial and flag pole area. The purpose of such designation is to permit non-college groups, organizations and members of the public to exercise their rights of speech and assembly. To the extent possible, the designated area shall be made available to members of the general public between the hours of 9:00 AM and 4:30 PM Monday through Friday. Any use of the designated limited public forum area shall comply with all federal, state, county, local and College laws, rules and ordinances, and shall be limited to the times and circumstances granted in writing by college officials after consideration of the application and other planned college activities.
- c. Shouting, the use of loudspeakers, bullhorns, microphones or other sound-enhancers may not be used in the limited public forum designated area so as to interfere with regularly scheduled activities of the College or specially-planned events held by the College. The President or his designee shall have sole discretion in determining whether or not said sound enhancers interfere with College activities or events.
- d. The activity shall not conflict with regularly scheduled activities of the College or specially planned events held by the College.
- e. The group and/or member(s) of the public shall have adequate leadership and supervision to ensure adherence to college regulations and ensure the safety of the faculty and staff of the College.
- f. No political campaigning by any political party representative or advocate shall be allowed on College property. This policy is a "blanket exclusion" not to be used to discriminate against any speaker's viewpoint to the advantage of another speaker's viewpoint. This policy shall not apply to recognized student political clubs and activities hosted by student clubs acting in accordance with College procedures.

SECTION 5.0

OUTSIDE GROUP FEES AND TAXES

- a. Outside groups, organizations or individuals shall reimburse the College in full for all of the expense of operation, maintenance, and depreciation of the facility associated with such use. Schedule of appropriate fees shall be established by the Office of Community Services from time-to-time, and approved by the President and Board of Trustees.
- b. The Cost of personnel, including applicable fringe benefits, required by the College for security or custodial maintenance (or requested by the applicant) shall be in addition to the rental fees.
- c. The Office of Community Services shall, in their sole discretion, have the authority to waive the fees for governmental or educational programs that are of benefit to the College community.
- d. If an admission or other fee is charged for an event utilizing College facilities, the applicant is responsible for the payment of any taxes (including sales tax) required by law directly to the appropriate tax collection agency or agencies.

SECTION 6.0

APPLICATION CONTENTS AND APPLICATION PROCEDURES

- a. The applicant shall file a written application for use of the College's grounds and/or facilities on a form to be supplied by the college. Such request shall specify with particularity the location, dates, times and intended purpose(s) for use. The request shall also designate one contact person who shall be present at all times throughout the event.
- b. The application shall be filed at least five (5) days in advance with the appropriate scheduling office listed above in Section 3.0.
- c. The applicant shall submit a Certificate of Insurance if an event or class will be attended by more than fifty (50) people. Said Certificate of Insurance will name the Columbia-Greene Community College, Columbia County, Greene County, and the State of New York as named insured's. The amount of coverage of said Certificate of Insurance is subject to approval by the College.
- d. The applicant shall submit an indemnity and hold harmless agreement indemnifying and holding harmless the College, Columbia County, Greene County, the State of New York, their agents, servants or employees from any and all claims arising out of, or in any way connected with the function and activities for which application is made.
- e. The applicant shall agree to assume all responsibilities for damage or liability including theft of any kind whatsoever and further agrees to reimburse the College for any expense or cost in connection with the use of College facilities in accordance with the policies and procedures of the College.
- f. The applicant shall agree to comply with all appropriate federal, state, county and municipal laws, regulations, ordinances, College policies, and codes in effect.
- g. The applicant shall meet all conditions established by the College approving the requested facility use. These conditions must be met by the applicant prior to the actual facility use.

- h. The College President and/or his designees shall review the application and have the sole authority to execute their discretion in granting or denying said application, or otherwise acting upon same.

SECTION 7.0

LIMITATIONS, CONDITIONS AND RESTRICTIONS OF APPLICANT'S USE

- a. The applicant may not transfer or sublet its rights and privileges to any other individual, group or organization.
- b. The administration of the College reserves the right for the college cafeteria operator or an appropriate student organization to operate any and all concessions on campus.
- c. Use of specialized facilities (i.e. theater, gym, etc.) requires the presence of College staff familiar with the specific facility and its equipment, and is subject to the availability of said staff.
- d. College Officials and designated employees may not be refused admission and/or access at any time during the applicant's use of College facilities and/or grounds.
- e. There shall be no installation of equipment or alterations to existing facilities by the applicant without prior permission of the administration.
- f. Loudspeakers, bullhorns, microphones and other sound-enhancing devices that increase the outside sound level of speech so that it can be heard inside any College building are not permitted at anytime on campus without the express written consent of the college.

SECTION 8.0

LIMITATIONS ON USE OF DECORATIONS AND SETS

- a. Any and all decorations and sets to be used must be fireproof and subject to the approval of the administration of the College. No open flame decorations shall be used anywhere in any building. No decorations or sets shall be fastened to any walls, ceilings, stages, or floors.
- b. Any and all decorations, furnishings, sets and equipment shall be installed and removed by the applicant. All such decorations, furnishings, sets, equipment and debris shall be removed within such periods as the College administration shall direct.

SECTION 9.0

ALCOHOL AND SMOKING POLICY

- a. Alcoholic beverages of any type may not be consumed, distributed, or served on campus except at special College events that have been granted specific written approval by the President or his/her designee. Only nonalcoholic beverages may be served and/or sold at student-sponsored events on campus, and alcoholic beverages are expressly prohibited. The College administration interprets this section to exempt lawful alcohol consumption provided by licensed vendors on their premises with approval by the President or Designee.
- b. Smoking is only permitted in the parking lot areas of the College campus, and is not permitted inside any campus building or in any other area of the campus.

SECTION 10.0
USE OF ATHLETIC FIELDS

The Athletic Fields may not be used by outside groups, organizations or individuals for recreational purposes except with express written permission of the administration, and subject to the remaining provisions of this Article.

SECTION 11.0
USE OF THE GYM AND FITNESS CENTER

The priority for use of the gymnasium and fitness center always will be given to physical education classes and inter-collegiate athletic practices and games. Varsity practice in the gym will be scheduled by the Athletic Department and will be generally held from 3 to 7 p.m. daily. The college fitness center is utilized for credit and non-credit classes as well as special programs. When the fitness center is not scheduled for instructional purposes it is available for use by **current** students and employees as per posted hours. Everyone using the fitness center must complete required paperwork and follow all published rules and regulations. The fitness center is NOT open to the general public.

SECTION 12.0
RESERVATIONS

- a. The Board of Trustees or Administration of the College reserves the right to refuse any applicant or to revoke an application that has heretofore been approved in their sole discretion.
- b. The Board of Trustees or Administration of the College reserves the right to deviate from the policy outlined herein to provide for any special circumstances and requests as they deem fit under the circumstances for the safety and well-being of the students, faculty and members of the college community.
- c. The College reserves the right to close the College and cancel activities and events with no notice due to weather or other conditions which, in the sole opinion of the College, are hazardous.
- d. The College will not be liable for any special damages incurred or sustained by any applicant due to any such cancellation or adjournment of any activity, event or grant of use of the college facility.

SECTION 13.0
NOTICE OF DENIAL

In the event that an application is denied by the College, the applicant will be provided with notice of denial of the designated area or use for the proposed date and/or time, at least one (1) business day prior to the date of the proposed used. In the event two or more requests are made for the same area, preference will be given to the first request received, however, subject to the order of priority of scheduled events set forth in Section 3.0 above.

SECTION 14.0
APPEALS

- a. Any applicant denied use of the facilities as herein provided shall have the right to appeal to the College President or the person designated by him for a review of the denial, by serving a written notice of any such appeal and include therein a statement setting forth the reasons why the applicant believes that the denial was improper.
- b. The notice of appeal must be filed with the office of the College President within ten (10) days after the mailing of the notification of denial. In the event a notice of appeal is not timely filed, it shall be a conclusive presumption that such denial was reasonable and appropriate.

SECTION 15.0
AMENDMENT

The College President and Board of Trustees hereby reserve the right to amend, supplement or alter these rules, policies and regulations as they deem necessary and appropriate for the security and safety of the students and staff, and the orderly operation of the College campus.