

# SUNY Ulster Board Policy Manual

Policy Section	
<b>6.</b>	<b>STUDENTS AND STUDENT AFFAIRS</b>

Policy Section	
<b>6.1</b>	<b>ADMISSION</b>

<b>Policy Section</b>	
<b>6.1.1.</b>	<b>FULL OPPORTUNITY POLICY</b>

Approval Date: June 9, 1970

WHEREAS the Governor of the state of New York has signed into law Senate Bill #9092-A amending the Education Law to increase state aid up to 40% for operating costs of community colleges which implement plans of full opportunity, and

WHEREAS principles of full opportunity are already in operation at Ulster County Community College, as indicated by the statement of Philosophy and Objectives printed in the College catalog and formally adopted by the faculty, administration and trustees, and

WHEREAS a commitment to excellence in teaching, counseling and remediation is fundamental to carrying out a full opportunity plan which is available to all high school graduates and veterans of Ulster County who apply for admission to Ulster County Community College, and

WHEREAS the faculty and administration on June 4, 1970 passed a resolution reaffirming their complete support of comprehensive programs necessary to provide for full opportunity for all high school graduates and veterans of Ulster County, now, therefore, be it

RESOLVED that the Board of Trustees of Ulster County Community College approve the foregoing full opportunity plan to accept as full-time students all applicants residing in Ulster County who graduated from high school and to applicants who are high school graduates and who were released from active duty from the armed forces of the United States.

Adopted June 9, 1970 (70-6-28)

<b>Policy Section</b>	
<b>6.1.2.</b>	<b>EQUAL ACCESS FOR ADMISSION</b>

Approval Date: November 28, 1972

RESOLVED that the statement entitled "Admissions - Equal Opportunity in Ulster County Community College" as set forth below be, and hereby is, adopted as the policy of Ulster County Community College on Admissions Equal Opportunity; and the President or his designee is authorized and directed to take all steps necessary and proper to promulgate and implement said policy:

**ADMISSIONS - EQUAL OPPORTUNITY - ULSTER COUNTY COMMUNITY COLLEGE**

Ulster County Community College, in recognition of its educational missions, its social concern, its responsibility for the personal development of individuals, and its concern for the rights of the individual, does hereby express and establish this College Policy Admissions - Equal Opportunity.

1. Ulster County Community College seeks to expand educational opportunities for students and to recruit promising students from economically and culturally disadvantaged backgrounds.
2. The College admissions policy prohibits any discrimination on the basis of race, creed, color, national origin, age or sex, sexual preference, physical challenge, or emotional challenge.
3. This policy applies to all students seeking admission to, and financial aid from, Ulster County Community College.

Full, immediate and continuing realization of this policy is to be undertaken by the following means:

1. The College will continue to follow its Affirmative Action Plan as applied to students. The plan details procedures to reach the College's commitment to equal opportunity and to cultural diversity, provides for internal and external dissemination of College policy, and provides for the review, assessment, evaluation, and improvement of college action in maintaining this policy.

2. The College will continue to utilize necessary resources to achieve implementation of this policy. Campus liaison and leadership shall be provided by the College's Affirmative Action Officer. The Affirmative Action Officer or the Affirmative Action Officer's designee shall assist in the establishment of goals and objectives for equal opportunity and cultural diversity, shall develop and revise policy statements, shall maintain and update the College's Affirmative Action Plan, shall develop internal and external communications concerning the College's commitment to equal opportunity and cultural diversity, shall assist in the identification of problem areas, and shall design and implement audit and reporting systems required for implementation of Affirmative Action Programs.

Adopted November 28, 1972  
Revised December 17, 1991 (9112181)

Policy Section	
<b>6.1.3.</b>	<b>FINANCIAL AID</b>

Approval Date: March 26, 1968

WHEREAS there is a need for a statement on financial aid and awards, and

WHEREAS such a statement was developed by the faculty and administration and accepted by The Faculty Organization, and

WHEREAS the Board of Trustees have had an opportunity to review this policy, now, therefore, be it

RESOLVED that the Board of Trustees accept the following statement on financial aid and awards.

#### **STATEMENT ON FINANCIAL AID AND AWARDS**

It is our belief that no able student should be denied the opportunity of attending college because of insufficient financial resources. Therefore, the basic purpose of our financial aid program is to furnish assistance to those students who, without such aid, would be unable to attend college. We feel that the family of a student bears an obligation to provide a reasonable measure of financial support while the student is in college. Financial assistance through the college consists of scholarships, loans, grants, and employment, which may be offered to students singly or in various package combinations. The extent of the student's financial need will be determined primarily through the Free Application for Federal Student Aid (FAFSA) received through the Office of Financial Aid. There will, of course, be some cases which must be left to professional judgment.

With special reference to the scholarship funds administered by the Ulster Community College Foundation, the awards will normally be determined by the action of the Ulster County Community College Scholarship Selection Committee. These scholarships are awarded on the basis of guidelines furnished by the donor which may be on a completely unrestricted basis or may limit the recipient to a student within a particular field of study and at a particular point in his educational career, such as an entering Freshman or graduating Sophomore.

As a rule these awards are to be based on both financial need and academic achievement. Financial need will be determined by the FAFSA previously mentioned as it applies to the student's expenses for the coming academic year. Academic achievement will be determined by the student transcript. With these two sets of figures to work from the Committee will then be guided by any extenuating circumstances regarding family finances and by recommendations from faculty and/or staff.

Adopted March 26, 1968 (68-3-22)

Amended November 16, 2010 (10-11-121)

Policy Section	
<b>6.1.4.</b>	<b>TUITION BUDGET PLAN</b>

Approval Date: April 21, 1987

WHEREAS there is an increasing need for students to obtain financial assistance, and

WHEREAS the Dean of Administration and the Office of Student Accounts are recommending the adoption of an alternative plan to students who pay tuition in a lump sum in the form of tuition installment payments, and

WHEREAS the President has met with the Finance Committee of the Board of Trustees to review this plan, and

WHEREAS the President and the members of the Finance Committee concur with this recommendation, now, therefore, be it

RESOLVED that the Board of Trustees hereby approves the adoption of the Tuition Budget Plan and the schedule of payments to the College as outlined in a memorandum from the Office of Student Accounts dated April 8, 1987.

**TUITION BUDGET PLAN VIA AUTOMATIC PAYMENT PLAN**

Nelnet Business Solutions offers an alternative to students in the form of tuition installment payments. This program does not incur any additional cost to Ulster County Community College in terms of delinquent accounts, internal processing of accounts and mailings. The cost to a student to enroll in the program is \$35 per semester.

Adopted April 21, 1987 (87-4-43)  
Amended November 16, 2010 (10-11-121)



<b>Policy Section</b>	
<b>6.1.5.</b>	<b>SPECIAL ADMISSIONS REVIEW POLICY</b>

Approval Date: March 15, 2011

This policy is developed and implemented with consideration given to the requirements set forth in Sections 750, 752 and 753 of the New York State Correction Law and SUNY University-wide policy as expressed in SUNY Board of Trustees Policy Resolution No. 2016-52 admission of persons with prior felony conviction.

1. **Pre-Admission Inquiry:** The SUNY Ulster admissions application shall not inquire about prior criminal history. To the extent that SUNY Ulster receives admissions applications from a third-party admission service whose content is not controlled by SUNY Ulster, any prior felony conviction information provided thereon shall not be considered on a pre-admission basis.
2. **Post-Admission Inquiry:** After a student has been accepted for admission, if such student seeks to participate in clinical or field experiences, internships or study abroad programs, the College shall inquire if the student has a prior felony conviction.
3. **Special Admission Review Committee:** There is hereby established the Special Admission Review Committee, the purpose of which shall be to decide whether an applicant who has made a post-admission disclosure of a prior felony conviction shall be provided access to clinical or field experiences, internship or study abroad programs, and any conditions on such access. New York State Correction Law forbids discrimination against any individual previously convicted of criminal offenses. As a result, the Committee must carefully evaluate the relevance of an individual's previous felony conviction to the activities/services requested consistent with the legal standards articulated in the New York State Corrections Law. To facilitate this evaluation, the Committee shall request the following:
  - a. The specifics of all prior felony convictions and dates of occurrence.

- b. For students in parole or probation status, references must be provided from the Department of Correctional Services Division of Parole or the Office of Probation and Correctional Alternatives, including the name and address of parole or probation officers. Parole and probation officials should be questioned as to whether the individual's admission as a student or in participation in the activities/services requested are consistent with the student's parole or probation conditions or would pose a threat to the safety of the College community.
- c. A personal interview to either clarify or verify information may be conducted if desired by the Committee. The College may require that the student execute the appropriate releases in order for the Committee to obtain criminal history information.
- d. A personal interview to either clarify or verify information may be conducted if desired by the Committee.

**4. Factors for Decision:**

- a. The bearing, if any, the felony offense(s) will have on his/her fitness or ability to function successfully in the activity or service requested.
- b. The time which has elapsed since the occurrence of the felony offense(s).
- c. The age of the person at the time of the occurrence of the felony offense(s).
- d. The seriousness of the felony offense(s) in relation to the unreasonable risk to property or to the safety or welfare of the specific individuals or the public.
- e. Any information produced by the student, or produced on the student's behalf, in regards to his/her rehabilitation and good conduct.
- f. A certificate of relief from disabilities or a certificate of good conduct issued to the student, which certificate shall create a presumption of rehabilitation in regard to the felony offense or offenses specified therein.

After reviewing all available information, the Committee must decide whether to grant or deny the individual's admission or participation in the activities/services requested or to grant such admission/participation subject to articulated conditions. Admission and/or participation in requested activities/services may only be denied if such admission/participation would pose an unreasonable risk to property or the safety or welfare of specific individuals or the general public.

5. **Designation of College Liaison:** The Director of Public Safety is hereby designated by the President to act as liaison with the Department of Correctional Services Division of Parole or the Department of Probation and Correctional Alternatives and any local parole or probation office.
6. **Notification of Impediments to Completion of Academic Programs or Licensure Requirements:** SUNY Ulster acknowledges its obligation to advise students that a prior felony conviction may impede their ability to complete the requirements of certain academic programs and to meet the licensure requirements for certain professions. Nevertheless, once so advised students may not be prohibited from pursuing a particular course of study.

<b>Policy Section</b>	
<b>6.1.6.</b>	<b>APPROVAL OF ADMISSION CHANGES FOR NURSING PROGRAM</b>

Approval Date: October 19, 2010

WHEREAS, further recommendations have been made to enhance the policy for determining entering nursing students, and

WHEREAS, the Vice President and Dean for Enrollment Management and the Dean of Academic Affairs recommend and the President concurs, and

WHEREAS, the Personnel, Educational Programs and Services Committee has met and concurs, therefore, be it hereby

RESOLVED, that the Board of Trustees approve the attached amended Nursing Admission Model/Rubric as a policy for determining entering nursing students, and be it further,

RESOLVED, that the Nursing Admission Model/Rubric be reviewed annually.

**SUNY Ulster**  
**NURSING ADMISSION MODEL/RUBRIC**  
**June 19, 2019**

**SUNY Ulster**  
**Nursing Admissions RUBRIC 2020**

Name \_\_\_\_\_ ID# \_\_\_\_\_ Date \_\_\_\_\_

**SECTION I Pre-Entrance EXAM**

Test Score \_\_\_\_\_ 0.5   
 (50 points maximum)

**SECTION I Academic History for A&P I (BIO 107)**

10 ts for grad A A & P I (BIO 107) \_\_\_\_\_ 0  
 8.5 ts for grad A-  
 7 ts for grad B+  
 5.5 ts for grad B  
 4 Points for B-

**Section II Total Score**  0

(10 points maximum)

**Section III Academic History (General Education Requirements)**

5 points ts for grad A PSY 101 \_\_\_\_\_ 0  
 4.5 ts for grad A- ENG101 \_\_\_\_\_ 0  
 4 ts for grad B+ MAT105 \_\_\_\_\_ 0  
 3.5 ts for grad B  
 3 ts for grad B-

**Section III Total Score**

(15 points maximum)

**Total Student Score** \_\_\_\_\_

**Maximum total score possible** 75

Name \_\_\_\_\_ ID# \_\_\_\_\_ Date \_\_\_\_\_

	Grade	Credits	Total Points	Total GPA
ENG 101		3	0	
ENG 102		3	0	
LIB 111		1	0	
PSY 101		3	0	
PSY 210		3	0	
MAT 110		3	0	
BIO 107		4	0	
BIO 108		4	0	
<b>Total</b>		<b>0</b>	<b>24</b>	<b>0</b>

**Grade Scale**

A	4
A-	3.67
B+	3.33
B	3
B-	2.67
C+	2.33
C	2
C-	1.67
D+	1.33
D	1
D-	0.67
F	0

\*If student has not taken course yet, change credits to '0'.

GPA on transcript: \_\_\_\_\_

**SUNY Ulster**  
**NURSING ADMISSION MODEL/RUBRIC Fall 2020**

This Rubric will be part of the selection process for students to begin clinical nursing courses. All students will have to meet the general admission requirements already in place:

- Out of county residents will be considered for the Nursing Program.
- Submit completed admissions application by March 1st each year.
- Satisfactorily complete the College's Entering Student Assessment Test showing the readiness to enter ENG 101, PSY 101, and MAT 095.
- Complete all pre-requisite work or the equivalent knowledge in biology, chemistry and algebra.
- Successfully complete the nursing pre-admission testing once within the last twelve months.
- An applicant who has earned less than a 'C' grade in two or more nursing courses from any college will not be eligible for the Nursing Program.
- A maximum of two attempts to achieve a "C" or better in BIO 107 within the last five years is allowed.
- To meet program requirements science courses must be less than five years old at the time of entry into nursing courses (NUR 152).
- Must have overall minimum GPA of 2.75 in all required courses.

Federal and/or State Law concerning U.S. citizenship may affect a student's ability to obtain a license to practice the Nursing Professions following successful completion of the program. Compliance with all licensing requirements remains the responsibility of the student.

All students are expected to have completed all the pre-requisites or have the equivalent recent knowledge of high school biology, chemistry and algebra. Students who do not meet the criteria will not be considered for the Nursing Program but may be accepted to the College under another program while completing the pre-requisites.

**Internal Considerations**

The College has the right to hold five (5) spots for qualified high school seniors subject to the same general criteria.

**HIGH SCHOOL STUDENTS**

High School Students who apply to the Nursing program while completing their senior year of high school will be considered based on their high school grades, completion of pre-requisite work and readiness to enter this rigorous program.

Adopted October 19, 2010 (10-10-103)  
Amended November 16, 2010 (10-11-120)  
Amended December 13, 2011 (11-12-172)  
Amended October 16, 2012 (12-10-135)  
Amended November 19, 2013 (13-11-115)  
Amended September 16, 2014 (14-9-135)  
Amended December 16, 2014 (14-12-166)  
Amended October 20, 2015 (15-10-135)  
Amended August 16, 2016 (16-8-109)  
Amended November 21, 2017 (17-11-308)  
Amended June 19, 2019 (19-6-126)

<b>Policy Section</b>	
<b>6.1.7.</b>	<b>APPROVAL OF ADMISSION POLICY FOR VETERINARY TECHNOLOGY PROGRAM</b>

Approval Date: June 21, 2011

WHEREAS, per Community College Regulation Part 604.2, under the time-honored practice of American colleges, trustees of colleges concentrate on establishing policies governing the college, including personnel policies, creation of divisions and departments, authorization of travel, use of college facilities for outside organizations, and admission of students, and

WHEREAS interest in SUNY Ulster's Veterinary Technology Program has increased beyond the College's ability to enroll all applicants, and

WHEREAS, the Veterinary Technology Program needs to consider student success in addition to the already established admission criteria for entering students, and

WHEREAS, the Vice President and Dean for Enrollment Management and the Dean of Academic Affairs recommend and the President concurs, and

WHEREAS, the Personnel, Educational Programs and Services Committee has met and concurs, therefore, be it hereby

RESOLVED, that the Board of Trustees adopt the Veterinary Technology Admission Model/Rubric as a policy for determining entering veterinary technology students, and be it further,

RESOLVED, that the Veterinary Technology Admission Model/Rubric be reviewed annually.

**VETERINARY TECHNOLOGY ADMISSION MODEL/RUBRIC 2016**

Total Points: 100

- 40 Points Based on TEAS V for AH
- 45 Points Based on Academic History
- 15 Points Based on Work Experience



**TEAS V for AH**

40 Points (TEAS V for AH Score x .40)                      Total Test Score\_\_\_\_\_

**ACADEMIC HISTORY**

45 Points (Based on Completed Core Courses and Grades)

**Points for ENG 101, MAT 100 or higher, BIO 100 or higher, VTS 149, VTS 150, VTS 151, VTS 152, VTS 155, VTS 159**

- 5.0 pts for a grade of A
- 4.5 pts for a grade of A-
- 4.0 pts for a grade of B+
- 3.5 pts for a grade of B
- 3.0 pts for a grade of B-
- 2.5 pts for a grade of C+
- 2.0 pts for a grade of C

45 Total Points Possible

Total Academic History Score \_\_\_\_\_

**HIGH SCHOOL STUDENTS**

High School Students who apply to the Veterinary Technology program while completing their senior year of high school will be considered based on their high school grades, completion of pre-requisite work and readiness to enter this rigorous program along with the completion of the TEAS V for AH after the 1<sup>st</sup> and 2<sup>nd</sup> semester of required courses.

All students are expected to have completed all the pre-requisites or have the equivalent recent knowledge of high school biology, chemistry and algebra.

**WORK EXPERIENCE**

15 Points      Score\_\_\_\_\_

Students will be evaluated on past work experience in a veterinary hospital and their ability to perform physical tasks related to animal care. **A minimum of 40 hours work experience in a Veterinary Hospital is required.**

**OVERALL TOTAL SCORE\_\_\_\_\_**

This rubric will be part of the selection process for students to begin clinical Veterinary Technology courses (**VTS 253, VTS 256**). All students will have to meet all the general admission requirements already in place.

- Completed the general college admission process.
- Satisfactory completion of the College's Entering Student Assessment Test indicating readiness to enter College level courses
- Completion of all pre-requisite work or the equivalent knowledge in biology, chemistry and algebra
- Completion of the TEAS V for AH test with a minimum score of 65. All required science courses must have been completed within the last five years with a minimum grade of 2.0 or higher. A maximum of two attempts within the last five years is allowed.
- Minimum GPA of 2.5 in all required courses to enter and remain in the Veterinary Technology program. If a course has been repeated the most recent grade will be considered.
- Signed the Entry Requirements and Technical Standards for Admission and Graduation from the program.
- Minimum of 40 hours of work experience in a Veterinary Hospital

Students who do not meet the criteria will not be considered for the Veterinary Technology Clinical courses (**VTS 253 and VTS 256**) but may be accepted to begin their studies while completing the pre-requisites.

Adopted June 21, 2011 (11-6-115)  
Amended November 19, 2013 (13-11-116)  
Amended October 20, 2015 (15-10-136)

Policy Section	
<b>6.1.8.</b>	<b>DEPARTMENT OF DEFENSE RECRUITMENT INDUCEMENT BAN POLICY</b>

Approval Date: March 19, 2013

*Resolution:*

WHEREAS the College has entered into the United States Department of Defense Voluntary Education Partnership program pursuant to a Memorandum of Understanding effective March 1, 2013, and

WHEREAS as part of an effort to eliminate aggressive marketing aimed at Service members the Memorandum of Understanding between the College and the Department of Defense requires that the College adopt an institutional policy banning inducements for the purpose of securing enrollments of Service members or the obtaining of access to tuition assistance funds, now, therefore, be it

**Board policy 6.1.8 as follows:**

RESOLVED that the Board of Trustees does hereby adopt this Recruitment Inducement Ban Policy, Board Policy 6.1.5 as follows:

Inducements (including any gratuity, favor, discount, entertainment, hospitality, loan, transportation, lodging, meals, or other item having a monetary value of more than a de minimus amount) to any individual or entity (other than salaries paid to employees or fees paid to contractors in conformity with all applicable laws) for the purpose of securing enrollments of Service members or obtaining access to tuition assistance funds available to Service members are banned.

Adopted March 19, 2013 (13-3-45)

Policy Section	
<b>6.2.</b>	<b>REGISTRATION AND FEES</b>

Policy Section	
<b>6.2.1.</b>	<b>TESTING FOR DEGREE PROGRAM REGISTRATION</b>

Approval Date: November 27, 1973

WHEREAS it would be most beneficial for the students and for the College to participate in a national standardized testing program, and

WHEREAS there is the need for additional information concerning students' abilities and aptitudes, and

WHEREAS such knowledge could result in achieving more successful student academic placement, and

WHEREAS this increased knowledge could result in reducing student attrition, and

WHEREAS the College also requires additional student demographic information for research and planning, now, therefore, be it

RESOLVED that the College require participation in a testing program as a prerequisite for registration, but not for admission, for degree seeking students, and be it further

RESOLVED that the cost of such testing be borne by the applicant, and be it further

RESOLVED that the Tuition and Fee Schedule, effective September 1, 1973, be revised by eliminating the application fee of \$5.00 for those full-time students applying for September, 1974, and the matriculation fee of \$5.00 for those students matriculating for September, 1974, and, be it further

RESOLVED that a copy of this resolution be transmitted to the State



University of New York for approval of the revision to the 1973-74 Tuition and Fee Schedule.

Adopted November 27, 1973 (73-11-109)

<b>Policy Section</b>	
<b>6.2.2.</b>	<b>COURSE AUDITING POLICY</b>

Approval Date: March 26, 1968

WHEREAS a policy, providing for mature adults interested in continuing their education in college credit courses where grades are not a concern, will benefit a substantial segment of the adult community, and

WHEREAS it will be of further benefit to full-time students who wish to enrich their educational experiences at the College, and

WHEREAS, realizing the value of an audit policy for a comprehensive community college, the Faculty Organization and administration have approved and transmit to the Board of Trustees for their approval the attached statement, and

WHEREAS the Board of Trustees has had an opportunity to study and discuss this policy, now, therefore, be it

RESOLVED that the Board of Trustees of Ulster County Community College approve the audit policy as presented in the following statement.

ULSTER COUNTY COMMUNITY COLLEGE  
STATEMENT ON AUDIT

POLICY

The audit privilege at Ulster County Community College is primarily designed for adults in the community who are interested in continuing their education by pursuing college-credit courses but who are not concerned with credit or grades. It also provides opportunity for full-time students to enrich their academic experiences.

An audit student will receive an audit notation on his transcript upon the direction from the instructor of the course. Auditors are encouraged to

observe attendance regulations of the College and to participate in class to the extent deemed reasonable and necessary by the instructor in order to receive the audit notation.

## COURSE AUDITING POLICY (continued)

### PROCEDURES FOR AUDITING

1. Information and materials for auditing may be obtained from the Admission Office.
2. Permission to audit must be obtained before registering.
3. An audit student registers for class in the same manner as prescribed for credit students.
4. Fees for auditing are the same as those established in the fee schedule for credit courses.

### AUDIT REGULATIONS

1. Permission to audit will be granted after all credit seeking students have been considered.
2. Permission to audit a course must be obtained from the student's advisor and the chairman, or his representative, of the division responsible for the course offering. Division chairmen may recommend the number of audit students to be enrolled in any particular course.
3. Full-time students may not audit more than one course each semester.
4. A change from audit to credit status will be permitted only during the first week of classes.
5. A change from credit to audit status will be permitted, with the consent of the instructor, through the fifth week of classes.
6. A full-time student will not be permitted to audit any course more than once except by official approval. If a student is allowed to



audit a particular course more than once, he will not be permitted to take this course at a later time for credit.

Adopted March 26, 1968  
Revised May 17, 1994 (94-05-070)

Policy Section	
<b>6.2.3.</b>	<b>STUDENT ACTIVITY FEES</b>

Approval Date: May 28, 1968

WHEREAS the State University of New York and Ulster County Community College recognize that extra-curricular educational, cultural, recreational, athletic, and social programs initiated, supported and managed by the students themselves, can greatly enhance the educational experience offered by institutions of higher education, and

WHEREAS student insurance is a necessary protection for the student and the college, and

WHEREAS support for student activities and student insurance fees should require a procedure which states positively that payment of these fees are mandatory, now, therefore, be it

RESOLVED that the following regulations be, and the same hereby are, adopted:

Student Activities Fee

The student body at Ulster County Community College, through its duly elected representatives of the Student Government Organization may fix and access upon themselves an annual fee for the support of programs of an educational, cultural, recreational, athletic, and social nature approved by the Student Government Organization. The fee may be fixed in different amounts for designated classes of students other than full time.

Adopted May 28, 1968 (68-5-41)

Policy Section	
<b>6.2.4.</b>	<b>STUDENT INSURANCE FEE</b>

Approval Date: May 28, 1968

The full-time student shall pay the student insurance fee as approved by the Board of Trustees.

Adopted May 28, 1968 (68-5-41)

Policy Section	
<b>6.2.5.</b>	<b>PAYMENT, COLLECTION &amp; DISBURSEMENT OF STUDENT FEES</b>

Approval Date: May 28, 1968

Every student at Ulster County Community College, with the exception of those students enrolled in the Prison Education Program and in the Bridge Program, shall be required to pay the appropriate student activity fee and insurance fee. The Dean of Administration shall collect the prescribed student activity fee and insurance fee, and shall pay over the amounts to the Ulster Community College Association, Inc. Control over disbursement of the proceeds of the student activity fee and insurance fee shall be exercised by the Ulster Community College Association, Inc., the appropriate organization representing the interests of the students.

Adopted May 28, 1968 (68-5-41)  
 Amended December 20, 1994 (94-12-184)  
 Amended August 22, 1995 (95-08-106)

Policy Section	
<b>6.2.6.</b>	<b>PART-TIME STUDENT ACCIDENT INSURANCE</b>

Approval Date: July 23, 1968

WHEREAS on May 28, 1968 the Board of Trustees passed a resolution making it mandatory for full-time students to pay a student insurance fee as approved by the Board of Trustees, and

WHEREAS student insurance is likewise important for part-time students and the College, and

WHEREAS it is recommended that part-time students shall be assessed a student insurance fee of \$1.00 per semester.

Adopted July 23, 1968

Policy Section	
<b>6.3</b>	<b>STUDENT AFFAIRS</b>

<b>Policy Section</b>	
<b>6.3.2.</b>	<b>STUDENT CONDUCT</b>

Approval Date: March 26, 1968

WHEREAS, the Board of Trustees last approved amendments to the policy on Student Conduct – 6.3.2. via Resolution # 17-8-251, and

WHEREAS, additional revisions have been recommended, and

WHEREAS, the Senior Vice President for Enrollment Management and Student Services and College Attorney h reviewed and the President concurs, and

WHEREAS, the Personnel, Educational Programs and Services Committee has met and concurs, now, therefore be it

RESOLVED that the Board of Trustees hereby approves the amendments and additional revisions to the policy on Student Conduct – 6.3.2., as attached.

**STATEMENT ON STUDENT CONDUCT**

Ulster County Community College maintains that education includes not only the acquisition of academic knowledge but also the development of responsible citizenship. It is believed, consequently, that the student has the right and concurrent responsibility of participation in decisions regarding the setting of standards for student conduct. The standards of conduct, established jointly by the College Student Government Organization, Faculty Organization, and the Board of Trustees, shall recognize that the student has the right of free expression and inquiry.

Regulations, laws, by-laws, policies, and administrative codes contained within the College Catalog, the Handbook for Professional Staff, Student Handbook, Board of Trustees Policies, and collective bargaining contracts define the standards for student conduct and student rights and responsibilities.

Student conduct must assume that each student is aware that student rights are contingent upon conduct which is lawful and which sustains the orderly function of the College as an educational institution.

## ATTENDANCE POLICIES AND CLASSROOM STANDARDS

Students are expected to attend all scheduled class meetings in the classes for which they are registered. Absence does not excuse the student from responsibility for class work or assignments missed. Excessive absence or lateness may lead to a recommendation by the instructor that the student be dropped from the class with an appropriate grade.

Individual instructors determine their own class attendance policy, and inform their students in writing about this policy at the beginning of each semester.

As a public, comprehensive, learner-centered institution, SUNY Ulster is committed to establishing the best learning environment for all students. As part of this goal, principles of suitable classroom behavior include the following:

1. Students are responsible for arriving to class on time and remaining in class for the entire period. Arriving late or leaving early is disruptive to the instructor and other students. Instructors may have specific policies regarding penalties for tardiness and/or early departure.
2. Students are responsible for complying with attendance requirements. Excessive absences contribute to poor student performance. When students are absent from class, they are responsible for any missed lecture material, assignments, and handouts. Instructors may have specific policies regarding academic penalties for excessive absences. These may include withdrawal from the class.
3. Classroom behavior should not interfere with the learning process. Inappropriate behavior during class includes not being respectful of the instructor and other students. Examples of unacceptable behavior include leaving one's seat, carrying on conversations, using a cell phone in class, having notifications sound, and using foul language. Policies regarding drugs and alcohol, harassment and assault, and the carrying of weapons can be found in this Catalog. Instructors have the right to Withdraw a Student for Cause should they feel that a student's actions continue to be disruptive following adequate warning. Instructors may have other specific policies regarding classroom behavior.



4. Students should come to class prepared. They should have the required textbooks and completed assignments, and be prepared for exams and quizzes, and active participation in class discussions where appropriate. Failure to prepare adequately not only puts students in jeopardy with regard to their successful course completion, but also affects the progress of the entire class. Instructors may have other specific policies regarding preparation for class.

### **STUDENT ABSENCE DUE TO RELIGIOUS BELIEFS**

No person shall be refused admission as a student of the College, or expelled from or the College, for the reason that the student is unable to, because of religious beliefs, attend classes or participate in any examination, study, or work requirements on a particular day or days specified in the State Education Law. Any student of the College who is unable, because of religious beliefs, to attend classes on a particular day or days, shall be excused from any examination or any study or work requirements on that day.

It shall be the responsibility of the College's faculty and administrative officials to make available to each student who is absent from school because of religious beliefs, an equivalent opportunity to register for classes or make up any examination, study, or work requirements, which the student may have missed because of such absence on any particular day or days. No fees of any kind shall be charged for making available to the said student such equivalent opportunity.

If registration, classes, examinations, study, or work requirements are held on Friday afternoon after 4 P.M. or on Saturday, similar or makeup classes, examinations, study, or work requirements shall be made available to students who are not able to attend due to religious beliefs, on other days where it is possible and practicable to do so. No special fees shall be charged to the student for these classes, examinations, study, or work requirements held on other days.

In effectuating the provision of this section, it shall be the duty of the College's faculty and administrative officials to exercise the fullest measure of good faith. No adverse or prejudicial effects shall result to any student making use of the provisions of this section. Any student who is aggrieved by the alleged failure of any faculty or administrative officials to comply in good faith with the provisions of this section shall be entitled to maintain an action or proceeding in the Supreme Court of Ulster County for the enforcement of the student's rights under this section.

## **WITHDRAWAL FOR CAUSE**

An instructor may remove a student from class at any time when, in the judgment of the instructor, the student's absences have been excessive, or for a violation of the Student Academic Rights and Responsibilities. A student removed for cause is entitled to a hearing process described [here](#). The Vice President of Administration may also remove a student from class if all financial obligations are not satisfied. If the removal takes place before the end of the tenth week, the student receives a grade of W; beyond that time, the student receives a grade of F.

## **STUDENT ACADEMIC HONESTY**

(This section excerpts portions of the following Board of Trustees Policy: 6.6 Academic Senate Academic Honesty Policy)

Academic honesty means that students are expected to do their own work and follow the rules regarding acts such as cheating and plagiarism. It is the student's responsibility to maintain academic honesty. That is, ignorance of the standards of academic honesty is not an acceptable excuse for breaking these standards

The College takes academic dishonesty -breaking the standards of academic honesty - very seriously. Breaking the rules of academic honesty will result in immediate disciplinary consequences.

Academic dishonesty includes, but is not limited to, the following actions:

1. Cheating on examinations or quizzes. Examples include (a) referring to materials that the instructor has not allowed to be used during the test, such as textbooks or notes or websites; (b) using devices the instructor has not allowed to be used during the test, such as cell phones, text messages, or calculators; and (c) copying from another student's paper or asking another student for an answer.
2. Plagiarism. Plagiarism means the use of words or ideas that are obtained from other sources without giving credit to those sources. Not only do quotations have to be referenced, but also any use of the ideas of others, even if expressed in the student's own words, must be referenced. The College has a service to check for plagiarism. Any student paper can be submitted for this plagiarism check.

3. Submission of work that is not entirely the student's own work or having another person write a paper or parts of a paper is one example of this offense; allowing another student to copy test answers is another example.
4. Theft or sale of examinations, falsification of academic records, and similar offenses.
5. Submitting work to more than one class without the permission of the second instructor. For example, a student who submits to a class a paper previously turned in to another class is in violation of academic honesty, unless the second instructor has given permission.
6. Unauthorized duplication of computer software or print materials. For example, turning in a term paper downloaded from a website is a violation of academic honesty.
7. Influence. A student should not attempt to get an instructor to change a grade or record for any reason except achievement. For example, trying to get an instructor to change a grade because of personal hardship, or because of a bribe, is a violation of academic honesty.
8. Practice of any other form of academic dishonesty not included in this list.

## **ARTICLE I INTRODUCTION**

### **Student Code of Conduct**

Individual students and student organizations recognized by the College must abide by the Code and are subject to student conduct process contained in the Code. Further, the Code applies to guests of community members, whose hosts may be held accountable for the misconduct of their guests and to visitors to the campus. Sanctions for violations by visitors and guests may include, but not be limited to, a warning, Campus-Wide No Trespass, and referral to Public Safety and/or the Police. Visitors to and guests of the College are also protected by the Code, and may initiate grievances for violations of the Code committed against them by individual students and/or by

student organizations recognized by the College. For the purposes of this Code, students are defined as all persons taking courses at SUNY Ulster, whether full-time or part-time as undergraduate or continuing education students. Persons who are not officially enrolled for a particular term, but who have a continuing student relationship with the College are also considered students. For purposes of this Code, a student organization recognized by the College includes any group of SUNY Ulster students meeting the criteria for group registration or recognition established by the College.

SUNY Ulster is committed to providing an academic environment that will promote the educational growth and cultural enrichment of all members of the College community as well as the region that it serves.

SUNY Ulster affirms that institutions of higher education must freely seek the truth and examine values, as one of the main purposes of the College is to provide students with the ability to function analytically and creatively in a changing environment.

All members of the SUNY Ulster community (i.e. students, faculty, administration, other professional staff, and Civil Service personnel), by virtue of their individual and collective relationship with, and responsibility to, the College, through appropriate contractual agreement, accept as primary civil and criminal law, and those regulations, laws, by-laws, policies, and administrative codes as developed and adopted by the collective individual communities of the College and approved by the Board of Trustees.

Any person, either singly or in concert with others, engaging in acts disruptive of the teaching or learning process, or other acts that infringe upon the purpose of the College, or in conduct expressly prohibited by the action of the Board of Trustees of the College, the Penal Law of the State of New York, Section 75 of the Civil Service Law, Laws of the County of Ulster, or other appropriate laws of the State of New York or the County of Ulster, shall be informed of such violation and possible action by the appropriate official.

Campus crime statistics can be viewed on the [here](#), or can be requested from Campus Public Safety at 687-5023. They can also be viewed on the U.S. Department of Education's website [here](#).

### **Where and When Does the Code Apply?**

The College may address misconduct that occurs and is reported when the alleged Code violating student is enrolled at the College. Persons who are not officially enrolled for a particular term, but who have a continuing student relationship with the College are also considered students. Individuals who are aware of misconduct are encouraged to report it as soon as possible to the Assistant Dean for Student Services or Public Safety.

The Code sets a range of expectations for students in all settings. Therefore, the Code applies without regard to the physical location of where a student's studies take place (i.e. on or off campus or on the internet) or whether the alleged misconduct took place on campus, at an off-campus site or College-sponsored event. The Code also applies to off-campus conduct when the administration determines that the off campus conduct affects a substantial interest of the College. A substantial interest of the College includes any activity or activities that:

- Constitute a violation of local, state or federal law, including but not limited to repeat violations of any local, state or federal law committed where the College is located;
- Signify that the student may present a danger or threat to the health or safety of him or herself or others;
- Significantly impinge upon the rights, property or achievements of others or causes a significant breach of the peace and/or causes social disorder; and/or
- Are detrimental to the educational interests or mission of the College.

### **Who is Responsible for the Implementation of the Code?**

The Assistant Dean for Student Services or designee is responsible for overseeing the processes related to the Code. The Assistant Dean for Student Services may implement changes to the processes related to the Code, as needed.

### **What are Students' Responsibilities with Respect to the Code?**

All students and members of student organizations recognized by the College are required to read and to abide by the provisions of the Code and the authority of the student judicial conduct process. Students will be informed annually of how they can access a copy of this Code on the College's website and/or portal. Moreover, a copy of this Code will be available online at [www.sunyulster.edu](http://www.sunyulster.edu). The printed document is also available in the Enrollment and Success Center.

### **How Does the College Treat Attempted Code Violations?**

In most circumstances, the College will treat attempts to commit any of the violations listed in the Code as if those attempts had been completed.

### **Can the College ever be a Complainant?**

Yes. The College reserves the right to initiate a Complaint, to serve as Complainant, and to initiate conduct proceedings without a formal Complaint by an alleged victim of misconduct.

### **What will the College Do in the Event of False Reporting of Code Violations?**

The College does not tolerate intentional false reporting of incidents under this Code. Although good faith, but mistaken, allegations of Code violations are not subject to

discipline, it is a violation of the Code for a student to make an intentionally false report of any policy violation. Moreover, in some circumstances and depending on the nature of a false accusation, it is possible that intentional false reporting may constitute a violation of criminal statutes and/or civil laws.

### **What Happens in the Case of Group Violations?**

When members of groups, individuals acting collusively, or members of an organization act in concert in violation of the Code, the College has the discretion to hold the individuals accountable as a group, and a hearing may proceed against the group as joint accused students. In any such action in which the College chooses to commence a group proceeding, however, determinations will be made with respect to the involvement of each accused individual.

**PARENTAL NOTIFICATION:** The College recognizes each student as a responsible adult. However, parents/guardian will receive written notification from SUNY Ulster if the College feels the student's health or safety may be in jeopardy or if the sanction will disrupt the students' ability to attend classes.

### **Student Leader Status:**

A student's ability to participate in a campus leadership position may also be impacted if a student is found responsible for a serious violation of the Student Code of Conduct. Student leader positions include but are not limited to: Student Government leaders, orientation leaders, student athletes, students considering or participating in academic travel, and/or student aides.

## **ARTICLE II STUDENT'S BILL OF RIGHTS**

The State University of New York and Ulster County Community College are committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in College/University-wide and campus programs, activities, and employment. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad:

All students have the right to:

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

### Options in Brief:

Victims/survivors have many options that can be pursued simultaneously, including one or more of the following:

- Receive resources, such as counseling and medical attention;
- Confidentially or anonymously disclose a crime or violation (for detailed information on confidentiality and privacy, visit [ [http://people.sunyulster.edu/Portal/Report\\_Something/form\\_p.asp?param=public](http://people.sunyulster.edu/Portal/Report_Something/form_p.asp?param=public) ].

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- Make a report to:
  - An employee with the authority to address complaints, including the Title IX Coordinator, a Student Conduct employee, or a Human Resources employee;
  - Ulster Community College Public Safety;
  - Local law enforcement; and/or
  - Family Court or Civil Court.

Copies of this Bill of Rights shall be distributed annually to students, made available on every college's website, and posted in each campus residence hall, dining hall, and student union or campus center and shall include links or information to access the Sexual Violence Response Policy below and the Options for Confidentially Disclosing Sexual Violence.

### **ARTICLE III PROHIBITED CONDUCT**

The following actions or conduct are prohibited:

- A. **Alcohol and Drug** violations include manufacture, distribution, dispensation and/or use on the College Campus or at associated facilities.
- B. **Assault** including assault on campus, bias-related assault and sexual assault.
- C. **Bias-Hate Crimes** including violence, property damage, or threats based on bias.
- D. **Bullying** including mental, physical, verbal, written, non-verbal and cyber forms.
- E. **Cell Phone** or other electronic use that disrupts any Campus facility.
- F. **Disruption** including class, meeting, interfering with personal freedoms, inciting others to commit any prohibited acts, displaying inflammatory signs and refusing to obtain or present an I.D. Card upon request.
- G. **Domestic Violence** including sexual assault and stalking.
- H. False Reporting including personal accusations or falsifying any emergency.
- I. **Firearms or Weapons Possession**, including Fireworks
- J. **Fraud** including furnishing false identities or making false claims.
- K. **Gambling**
- L. **Hazing** including endangering mental or physical health, property damage and forced consumption.
- M. **Obstruction** including the free movement of people and vehicles.
- N. **Property Damage** including destruction or removal of campus property, including damaging or misusing fire safety equipment.



- O. **Self-Propelled Vehicles** in hallways and parking lots and on campus walkways are only permitted to assist mobility impaired individuals or after receiving approval by Public Safety.
- P. **Sexual Harassment** including unwanted sexual advances or coerced sexual activity and/or verbal attacks based on gender or gender bias.
- Q. **Smoking** violations include use of cigarettes, vaporizer cigarettes or other tobacco campus wide, inside and outside.
- R. **Social Media** as used to violate any SUNY Ulster policy.
- S. **Theft and Possession of Stolen Property**
- T. **Unauthorized Entry** including entering or remaining in a building without approval.
- U. **Any violation** that constitutes a violation of local, state or federal law but not limited to repeat violations of any local, state, federal law committed where the College is located.
- V. **Causing physical harm** intentionally or recklessly to any person or intentionally or recklessly causing fear of harm.

#### **SUNY Ulster COVID-19 Health and Safety Protocols:**

The health and safety of our students and community has been our number one focus and will continue as the top priority. All operations have been evaluated to ensure a safe learning environment for students and staff. This includes adhering to social distancing practices when vaccination status is unknown, providing effective personal protective equipment, and ensuring that proper cleaning and disinfecting protocols are implemented for all facilities and operations.

SUNY Ulster's COVID-19 protocols are subject to change due to new information, guidance, and/or direction from the Federal, State, County, and College.

- Various screening tools will be deployed, to aid in assessing current health and wellness. Students must complete a daily health screening on the Portal and check-in at Public Safety upon arrival to campus. Public Safety will provide each student a wristband to confirm check-in status.

## **COVID-19 Enforcement:**

SUNY Ulster remains committed to the continuous oversight of the College's COVID-19 Safe Operations plan for the campus community. Therefore, the College will follow the strict enforcement of the Health and Safety Protocols for all members of the College. Students must review and abide by the health and safety measures provided by SUNY Ulster through plans and email communications.

Failure to comply with the College's guidelines may result in disciplinary warning, up to and including, suspension from SUNY Ulster. Students are expected to abide by Federal, State, County, and College regulations aimed at providing a safe environment to achieve academic success.

## **ARTICLE IV DEFINITIONS OF PROHIBITED CONDUCT**

### **A. ALCOHOL AND DRUGS**

This section excerpts portions of the following Board of Trustees Policies (3.9 Alcohol and Drug Free Workplace Policy/ 3.15 Alcohol and Drug Policy (DFSCA). Also see Board of Trustees Policies: 6.3.4 Statement on Drugs, 6.3.5. Revision of Alcoholic And Drug-Free Workplace Policy and 6.3.7. Maintenance of Order)

The possession and consumption of alcohol is not permitted on campus. Possession and consumption of alcohol during off-campus College-sponsored activities may be permitted when the function is held at a facility duly licensed to serve alcoholic beverages and said facility controls the dispensation of any alcoholic beverages. Students and employees who are 21 years of age or older may consume alcohol at such events.

Any forced consumption of alcohol for the purpose of initiation into or affiliation with any organization is strictly prohibited. The College reserves the right to sanction employees and students who violate the State law and either of the following College prohibitions:

1. The consumption of alcoholic beverages or possession of alcoholic beverages in public places, including hallways, lounges, buildings, or on College grounds.  
Note: College grounds include all College parking lots and any vehicles parked on College property.
2. Driving while under the influence of alcohol.
3. Being intoxicated while on College premises or while engaging in College sponsored activities.

Students and employees found in violation of the College Alcohol Beverage Policy will be subject to disciplinary action, which could include disciplinary probation, suspension, or dismissal from the College.

When a student is placed on disciplinary probation for an alcohol offense, the College reserves the right to notify parent(s)/legal guardian(s) about the disciplinary status consistent with the provisions of the Family Educational Rights and Privacy Act.

The College reserves the right to alert civil authorities to problems on or off campus. Concerns likely to be reported are those involving physical endangerment, illegal substances, or those resulting in complaints from the local community.

The health and safety of every student at SUNY ULSTER is of utmost importance. SUNY ULSTER recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to, domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. SUNY ULSTER strongly encourages students to report incidents of domestic violence, dating violence, stalking or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith who discloses any incident of domestic violence, dating violence, stalking, or sexual assault to SUNY ULSTER officials or law enforcement will not be subject to Code of Conduct action for violations of the Alcohol Beverage and Drug Policy (DFSCA) for violations of alcohol and /or drug use policies occurring at or near the time of the commission of domestic violence, dating violence, stalking, or sexual assault. This amnesty provision does not limit the College from seeking help for a student who is struggling with drug or alcohol addiction or is otherwise in danger nor from imposing removal or restrictions for those for those using drugs or alcohol who are involved in a clinical or similar setting wherein external laws, policies or accreditation requirements require such removal or restriction. In addition this policy is not intended to grant amnesty for drug sale, distribution or for drugging another individual.

SUNY Ulster supports the New York State laws concerning drinking and accepts the responsibility to inform students and employees of their obligation to obey these laws. The College offers no protection for violators of these laws. New York law provides that it is unlawful for anyone under the age of 21 to possess, consume, purchase, attempt to purchase, or transport alcoholic beverages. State law further provides that it is unlawful to furnish alcoholic beverages to anyone under the age of 21.

The sale, production, and/or distribution of, as well as attempt and conspiracy to sell, produce, and/or distribute cocaine and its derivatives, marijuana, barbiturates, amphetamines, hallucinogens, or other addictive or illegal substances on College property will result in disciplinary action. Use or possession of cocaine and its derivatives, barbiturates, amphetamines, hallucinogens, or other addictive or illegal substances will result in disciplinary action. Use or possession of marijuana will result in disciplinary action. Second offenses may result in expulsion from the College.

Additionally, State and Federal Trafficking Penalties can result in fines and/or incarceration. A complete list of Federal penalties may be found at [www.dea.gov/agency/penalties.htm](http://www.dea.gov/agency/penalties.htm)

When a student is sanctioned for a drug-related offense, the College reserves the right to notify a parent or legal guardian about the student's disciplinary status, consistent with the provisions of the Family Education Rights and Privacy Act (FERPA).

SUNY ULSTER recognizes drug abuse not only as a safety and security problem, but as an illness and serious health problem. The College offers counseling and support services as well as referral to agencies and organizations through Student Services. Student and employee education and information are available through Health Services. Drug Free Schools and Communities Act (DFSCA) Policy.

SUNY Ulster is in compliance with the Drug Free Schools and Communities Act (DFSCA), which requires colleges and universities to adopt and enforce policies that include sanctions for illegal alcohol and other drug use and to provide students and employees with appropriate information and services to back up those policies. SUNY ULSTER maintains a written policy that sets forth standards of conduct clearly prohibiting the unlawful possession, use, or distribution of alcohol or illicit drugs on College property or as part of any College activity. This policy clearly states that sanctions apply to employee and student acts committed while under the influence, such as public disturbances, endangerment to self or others, or property damage.

An exception to these policies is the legitimate use of drugs and/or alcohol as part of the curriculum of the Police Basic Training program.

## **B. ASSAULT**

This section excerpts portions of the following Board of Trustees Policies (4.12 Harassment and Assault Policy). Also see Board of Trustees Policies: 6.3.7.

## Maintenance of Order/4.18 Sexual Misconduct/4.19 Policy on Sexual Violence Prevention and Response.

Although any act of assault constitutes a criminal act and although any act of assault is prohibited by the College's policy on Maintenance of Order, with this policy the College affirms its commitment to prevention of assault on campus, particularly sexual assault or bias-related assault, and confirms its commitment to making its students and employees aware of the legal consequences of such acts. Within this policy, sexual assault is used as a general term to encompass acts that would constitute sexual crimes, offenses, or violations under the New York State Penal Law.

Any assault or act of violence should be reported immediately to [Campus Public Safety](#). Campus Public Safety is trained and equipped to handle such situations, or may contact the appropriate law enforcement agency for assistance. They will also notify the appropriate College authorities and obtain the assistance of College Health Services and counseling services for the victim.

Assault also includes:

1. Taking any action or create or participate in the creation of any situation which recklessly or intentionally endangers mental or physical health or which involves the forced consumption of liquor or drugs for the purpose of initiation into, or affiliation with, any organization.
2. Causing physical injury to any person, or threatening to do so for the purpose of compelling or inducing such other person to refrain from any action that he or she has a lawful right to do or to do any act that he or she has a lawful act not to do.
3. Physically restraining or detaining any other person or removing such person from any place where the person is authorized to remain.

### **DEFINITION**

**Affirmative Consent:** Is a knowing, voluntary and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity.

Silence or lack of resistance, in and of itself, does not demonstrate consent. Persons who do not have the capacity to understand the act, its nature and possible consequences of the act can never give affirmative consent.

The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent or any other sexual act.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time without fear of retaliation. Retaliation is defined as any intimidating, harassing, or retributive action including but not limited to violence, threats of violence, property destruction, adverse educational or employment consequences and bullying of any person for reporting a violation or participating in any way in the investigation or conduct process.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being under a degree of intoxication, someone who is under the influence of alcohol, drugs or other intoxicants may be incapacitated and therefore unable to give consent.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

### **C. BIAS- HATE CRIMES**

In general, a hate crime is a crime of violence, property damage or threat that is motivated in whole or in part by an offender's bias on race, religion, ethnicity, national origin, gender, gender- identity disability or sexual orientation. All bias and hate crimes are condemned by SUNY Ulster.

Bias and Hate crimes include but are not limited to: physical attacks, vandalism, jokes, harassing or threatening phone calls or emails and also include the expressed or demonstrated intent to commit such a crime.

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.

If you are a victim of, or witness a hate/bias crime on the SUNY Ulster camps, report it to The Office of Public Safety and Security.

### **D. BULLYING**

This section excerpts portions of the following Board of Trustees Policy (3.20 Anti-Bullying Policy).

Bullying can foster a climate of fear and disrespect, which seriously impairs the physical and psychological health of its victims and creates conditions that negatively affect any learning and working environment. SUNY ULSTER is committed to maintaining high standards for behavior where every member of the College community conducts themselves in a manner that demonstrates proper regard for the rights and welfare of others. Therefore, this Anti-Bullying Policy seeks to educate the College community about bullying, and to promote civility and respect among all its members, including the College's trustees, administration, faculty, staff, students, contractors, consultants and vendors.

## **DEFINITION**

Bullying is defined as the aggressive and hostile acts of an individual or group of individuals that are intended to humiliate, mentally or physically injure or intimidate, and/or control another individual or group of individuals.

Such aggressive and hostile acts can occur as a single, severe incident or repeated incidents, and may manifest in the following forms:

- Physical Bullying includes pushing, shoving, kicking, poking, and/or tripping another; assaulting or threatening a physical assault; damaging a person's work area or personal property; and/or damaging or destroying a person's work
- Verbal/Written Bullying includes ridiculing, insulting or maligning a person, either verbally or in writing; addressing abusive, threatening, derogatory or offensive remarks to a person; and/or attempting to exploit an individual's known intellectual or physical vulnerabilities.
- Nonverbal Bullying includes directing threatening gestures toward a person or invading personal space after being asked to move or step away.
- Cyber bullying, defined as bullying an individual using any electronic form, including, but not limited to the Internet, interactive and digital technologies, Social Media platforms (Facebook, Instagram, Twitter, Tumblr) or mobile phones.

## **BULLYING PROHIBITED**

1. Bullying is strictly prohibited on any College property; at any College function, event or activity; or through the use of any electronic or digital technology, whether or not such use occurs on College property.

2. This policy shall apply to all College trustees, administration, faculty, staff, students, contractors, consultants and vendors.

3. Any case of bullying suspected to be of a criminal nature would be referred to local law enforcement authorities:

### **REPRIMAND OR CRITICISM**

Bullying shall not include circumstances wherein:

1. A supervisor or any person with supervisory authority reports and/or documents an employee's unsatisfactory job performance and the potential consequences for such performance;

2. A faculty member or academic program personnel advise a student of unsatisfactory academic work and the potential for course failure or dismissal from the program; or

3. A faculty member or academic program personnel advise a student of inappropriate behavior that may result in disciplinary proceedings.

### **PROCEDURES FOR REPORTING BULLYING**

1. Reporting bullying by students:

a. Complaints alleging students bullying other students, employees, contractors, consultants or vendors should be reported immediately to the Office of Safety and Security.

b. Any such complaints will be forwarded to the College's Associate Dean of Student Services for investigation, in accordance with the procedures set forth in the Student Code of Conduct and Student Conduct Process.

2. Reporting bullying by employees:

a. Complaints alleging College employees bullying other employees, students, contractors, consultants or vendors, should be reported immediately to the Office of Safety and Security, which will then refer the report to the Vice President of Administrative Services.

b. In accordance with College policy, the Vice President of Administrative Services will review the complaint, conduct an investigation and recommend any appropriate disciplinary action.

c. Complaints concerning the Office of Safety and Security, the Vice President of Administrative Services or employees within the reporting line of the Vice President of Administrative Services should be directed to the President of the College. In accordance with the College policy, the President will review the complaint, conduct an



investigation and recommend any appropriate disciplinary action.

3. Complaints involving bullying by persons not identified in subparagraphs (1) and (2), herein, should be reported to the College Attorney.

4. Any inquiries regarding reporting alleged violations of this policy should be directed to the College Attorney.

### **DISCIPLINARY ACTION**

Violations of this policy shall be considered misconduct, and violators will be subject to disciplinary action in accordance with College policy, the applicable collective bargaining agreements, and the Student Code of Conduct and Student Conduct Process.

### **EDUCATION/PREVENTION**

This policy shall be disseminated through inclusion in the Faculty Handbook and in other employee materials, the Student Handbook, College Catalog, on the College's website and through periodic training sessions to the campus community.

## **E. CELL PHONES**

The misuse of cell phones or other electronic devices in a manner that disrupts the classroom, library, or any Campus facility is prohibited. This includes but is not limited to storing information for exams, searching for information to cheat on exams, and photographing individuals on campus without their consent. Please also see any course guidelines for cell phone usage as outlined in the course syllabus.

## **F. DISRUPTION**

Disruption is to deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures, and meetings or deliberately interfere with the freedom of any person to express his or her views, including invited speakers. Disruption includes abusive language and harassing expressions.

Violations of this policy include:

1. Willfully inciting others to commit any of the acts herein prohibited with specific intent to procure them to do so.
2. Refusing to obtain an I.D card or failing to present an I.D card upon request to any security officer or faculty or staff member.

3. Displaying any inflammatory signs, posters, banners, literature, material or clothing that encourages or promotes actions prohibited under campus regulations.

## **G. DOMESTIC VIOLENCE**

Also see Board of Trustees Policies: 4.18 Sexual Misconduct/4.19 Policy on Sexual Violence Prevention and Response.

Domestic violence is violence or abuse by a person in an intimate relationship with another and includes felony and misdemeanor crimes committed against a current or former spouse; by a person whom the victim shares a child with or by a person the victim has or is living with.

Dating violence relates to an act committed by a person who is or has been in a relationship of a romantic or intimate nature the victim and considers the length of relationship, type of relationship and frequency of interaction. Both Domestic and Dating violence include but is not limited too physical, mental, emotional, verbal, non-verbal and written.

Amendments to the New York State Education law requiring all colleges to provide information and guidance to incoming students became effective in April 2009. Amendment 6431 requires the establishment of an advisory committee on campus security. Amendment 6432 requires colleges to inform incoming students about sexual assault, domestic violence and stalking prevention measures on campus. SUNY Ulster is in full compliance with these requirements.

## **H. FALSE REPORTING**

No individual shall willfully make any false accusation regarding a policy violation or any federal, state or local law violation. **Individuals who make reports in good faith will not be penalized.** With this, no individual shall falsify information related to the reporting of fire alarms, bomb scares, threat of fire, explosion or any other emergency. False reporting of any incident on Campus premises is prohibited. Individuals may not tamper with or use without authorization any fire safety equipment such as extinguishers, smoke detectors, alarm pull stations or emergency exits including activating a false alarm, failing to evacuate at the instruction of a College official or attempting to re-enter a building without the permission of the proper authorities.

## **I. FIREARMS OR WEAPONS POSSESSION**

Also see Board of Trustees Policy: 6.3.7. Maintenance of Order.

Possession by anyone upon any premises to which the College's rules apply, of any rifle, shotgun, pistol, revolver, or any other weapon, device, or knife, as defined in New York State Penal Law Section 265.00, as it may be amended from time to time, or any successor statute, any air-gun, spring-gun, or other instrument or weapon in which the propelling force is a spring, air, piston, or carbon dioxide cartridge without the written authorization of the Chief Administrative Officer, or his or her designee, whether or not a license to possess the same has been issued to such person, is strictly prohibited. Nothing herein shall prohibit such possession within the course of employment of employees of the Ulster County Sheriff's Department, New York State Police, or a federal, State, or local law enforcement agency nor any peace officer as defined in New York State Criminal Procedure Law.

## **J. FRAUD**

This section excerpts portions of the following Board of Trustees Policy (6.3.9 Fraud). Also see 6.3.7. Maintenance of Order)

Fraud or other criminal misconduct, such as the use of false identities, claiming false information through materials, documents, accounts or records, omitting relevant or necessary information to gain a benefit, using or possessing a false or altered identification card, forgery of signatures or certifications, and false claims of income, citizenship, or independent student status in applying for financial aid, will result in disciplinary actions being applied and, in the case of fraud involving financial aid, a demand for repayment of funds dispensed.

## **K. GAMBLING**

Gambling, which consists of a person staking or risking something of value upon the outcome of a contest is expressly forbidden at the College. Any gambling, either actual or apparent, will not be permitted.

## **L. HAZING**

Also see Board of Trustees Policy: 6.3.7. Maintenance of Order.

Hazing is defined as any act that endangers the mental, emotional or physical health or safety of a student, or that destroys or removes public or private property, including the forced consumption of alcohol or drugs, for the purpose of initiation, admission into,

affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene or prevent, failing to discourage and failing to report any act of hazing also violates the Anti- Hazing Policy.

Violation of the Anti- Hazing Policy will result in judicial hearings and the sanctions may include expulsion or suspension. Please see the full judicial process for more information on sanctions. Any violator may also be subject to New York State Penal Law in addition to the college disciplinary proceedings.

### **M. OBSTRUCTION**

Obstructing the free movement of persons and vehicles in any place to which these rules apply is strictly prohibited.

### **N. PROPERTY DAMAGE**

Property damage violations include willfully damaging, destroying, defacing or tampering with property of the College or any property under the jurisdiction of the college. Damage also includes removal or use of property without authorization and littering.

### **O. SELF- PROPELLED VEHICLES**

Self- propelled vehicles including skateboards, roller blades, roller skates, drones, hover boards, bicycles, scooters and other wheeled devices are not permitted inside any college building or on athletic courts. Additionally, these devices should not be used on railings, curbs, benches, stairs, or any fixed feature that may be damaged by these devices. Any individual who causes damage to college property will be liable. The college reserves the right to determine appropriate use of self-propelled vehicles and can use its discretion. Self-propelled does not include manual or motorized wheel chairs or other medical devices used by mobility impaired individuals.

### **P. SEXUAL HARASSMENT**

This section excerpts portions of the following Board of Trustees Policies (4.12 Harassment and Assault Policy/4.13 Sexual Harassment Policy and Procedures).

An essential part of SUNY Ulster's Equal Opportunity policy is to maintain an

environment in which employees and students are able to work and learn without physical or verbal harassment of any kind because of sex, sexual preference, race, color, national origin, religion, age, or physical challenge, and free from any violent assault, particularly sexual assault or bias-related assault.

It is the policy of SUNY Ulster to promote a cooperative work and academic environment in which there exists mutual respect for all College students, faculty, and staff. Harassment of employees or students based upon sex is inconsistent with this objective and contrary to the College policy of equal employment and academic opportunity. Sexual harassment is illegal under federal, State, and local laws, and will not be tolerated within the College.

It is a violation of College policy for any member of the College community to engage in sexual harassment or to retaliate against any member of the College community acting in good faith for raising an allegation of sexual harassment, for filing a complaint alleging sexual harassment, or for participating in any proceeding to determine if sexual harassment has occurred.

Sexual harassment can occur between individuals of different sexes or of the same sex. Although sexual harassment most often exploits a relationship between individuals of unequal power (such as between faculty/staff member and student, supervisor and employee, or tenured and untenured faculty members), it may also occur between individuals of equal power (such as between students or co-workers), or in some circumstances even where it appears that the harasser has less power than the individual harassed (for example, a student sexually harassing a faculty member). It may also occur between the College's faculty, staff, or students and third-party vendors. A lack of intent to harass may be relevant to, but will not be determinative of, whether sexual harassment has occurred.

Sexual harassment may take different forms. Using a person's response to a request for sexual favors as a basis for an academic or employment decision is one form of sexual harassment. Examples of this type of sexual harassment (known as quid pro quo harassment) include, but are not limited to, the following:

- Requesting or demanding sexual favors in exchange for employment or academic opportunities (such as hiring, promotions, grades, or recommendations);
- Submitting unfair or inaccurate job or academic evaluations or grades, or denying training, promotion, or access to any other employment or academic opportunity because sexual advances have been rejected.

Other types of unwelcome conduct of a sexual nature can also constitute sexual harassment, if sufficiently severe or pervasive that the recipient does find, and a reasonable person would find, that an intimidating, hostile, or abusive work or academic environment has been created. Examples of this kind of sexual harassment (known as hostile environment harassment) include, but are not limited to, the following:

- Sexual comments, teasing, or jokes;
- Sexual slurs, demeaning epithets, derogatory statements, or other verbal abuse;
- Graphic or sexually suggestive comments about an individual's attire or body;
- Inquiries or discussions about sexual activities;
- Pressure to accept social invitations, to meet privately, to date, or to have sexual relations;
- Sexually suggestive letters or other written materials;
- Sexual touching, brushing up against another in a sexual manner, graphic or sexually suggestive gestures, cornering, pinching, grabbing, kissing or fondling;
- Sexual violence, which refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion. While acts of sexual violence and sexual misconduct are violations of this policy such acts are subject to the procedure contained in Board Policies 4.18 and 4.19; and
- Gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

Isolated instances, e.g., a sexual overture, comment, or joke, ordinarily will not constitute sexual harassment unless the circumstances are egregious, nor does such sexual behavior constitute harassment if it is welcomed (i.e. voluntary and consensual).

Because of the sensitive nature of situations involving sexual harassment, the College will follow a flexible system for complaints to ensure the protection of the right to privacy of the complainant. Employees or students who believe they are being sexually harassed, and College officials, who receive reports of sexual harassment, should contact the Affirmative Action Officer. Detailed reporting procedures and methods of complaint resolution may be found on the College Portal. Nothing in the policy should be construed as in any way limiting students' or employees' rights to file a complaint with the New York State Division of Human Rights, the U.S. Department of Education Office for Civil Rights, or the U. S. Equal Employment Opportunity Commission, or to take any legal action which they may deem advisable.

## **Q. SMOKING**

This section excerpts portions of the following Board of Trustees Policy (3.8 No Smoking Policy).

Smoking of cigarettes and other tobacco products including the use of chewing tobacco and personal vaporizers is prohibited campus wide, both inside and outside in accordance with Ulster County Local Law #9. The sale or distribution of smoking products on the campus is also prohibited. Students and College employees who fail to comply with this policy will be subject to appropriate disciplinary action.

## **R. SOCIAL MEDIA**

This section excerpts portions of the following Board of Trustees Policy (3.24 Social Media Policy).

SUNY Ulster recognizes the importance of social media to communicate ideas and share stories and encourages the appropriate use of social media in both personal and educational settings.

This social media policy governs all members of the SUNY Ulster community.

**Social Media Defined:** For the purposes of this policy, Social Media is defined as a collective of digital communications channels that enable people or institutions to communicate via the Internet to share information, dialog and resources. Social media can include text, audio, video, images, podcasts, emails, blogs and other multimedia communications. This includes but is not limited to websites, and applications such as Facebook, Twitter, Instagram, Tumblr, Snapchat, and YouTube. (See Board Policy 3.24 for a full listing of all examples of social media.)

Any activity through social media that violates a SUNY Ulster Policy will be subject to judicial procedures. Examples of violations include but is not limited to sending verbal threats which harm or cause reasonable apprehension of harm, sending messages that are malicious or that a reasonable person would find to be malicious; sending photos or videos of staff members or students without their expressed permission, distribution of inappropriate information and/or confidential correspondence, posting offensive/incriminating photos, blogs, websites or videos.

## **S. THEFT AND POSSESSION OF STOLEN PROPERTY**

Taking and/or stealing property other than one's own (student, faculty, staff, community member, college), or failing to return another's property is prohibited. This includes theft

of College services and use of another student's identification number.

#### **T. UNAUTHORIZED ENTRY**

Unauthorized entry includes but is not limited to:

1. To enter and remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others.
2. To without authorization, remain in any building or facility after it is normally closed.

Students must further recognize that failure to display orderly and lawful conduct may result in disciplinary action which could include dismissal from the College.

Possible disciplinary actions are outlined in the College's Maintenance of Order Statement. If disciplinary action is contemplated by the College, for any offense other than failure to meet required academic standards, the student shall be notified in advance of the specific charges in the case. The student shall then be entitled to a full and fair hearing, before an impartial college body. The hearing body shall then recommend action to the President or the President's designee.

Students are subject to the foregoing college policies at off-campus, college-sponsored functions, as well as on-campus, unless said function is held at a facility duly licensed to serve alcoholic beverages and said facility controls the dispensation of any alcoholic beverages.

If a student, as a private citizen, is accused of violating a public law, off campus, the student has the rights and responsibilities of a citizen and must accept the consequences of unlawful or disorderly actions. However, status as a student shall not in any way be jeopardized. If the accusation is so grave that, in the College's view, the student's presence on the campus might seriously endanger the college community, the College will conduct its own investigation and hearing, giving full recognition to the concept of due process.

The College will not be used as a sanctuary for those involved in illegal activities, and will cooperate with appropriate health and law enforcement agencies as they carry out their duties, to the extent permitted by law.

#### **U. ANY VIOLATION**

Any violation that constitutes a violation of local, state or federal law but not limited to repeat violations of any local, state, federal law committed where the College is located.



## **V. CAUSING PHYSICAL HARM**

Intentionally or recklessly causing harm to any person or intentionally or recklessly causing fear of such harm.

### **OTHER STUDENT RIGHTS AND RESPONSIBILITIES AMERICANS WITH DISABILITIES ACT (ADA) POLICY**

This section excerpts portions of the following Board of Trustees Policy (3.13 Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 as Applied to Policies at Ulster County Community College).

It is the policy of SUNY Ulster to provide equal opportunity, free of discrimination, for its students and employees. Accordingly, the College will apply the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 to all of its operations.

ADA extends comprehensive federal civil rights protection to persons with disabilities. Protection is provided in the areas of employment, public accommodations, government services, and telecommunications.

SUNY Ulster, as a recipient of federal funding, has been prohibited from discriminating on the basis of disability since 1973, under Section 504 of the Rehabilitation Act. The Act provides that "...no otherwise handicapped individual shall, solely by reason of his/her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." Compliance with this act requires SUNY Ulster to assure that the same educational programs and services offered to other students are available to students with disabilities.

ADA reinforces nondiscriminatory policies for students by requiring that the College make appropriate academic adjustments, provide auxiliary assistance, and remove architectural barriers. It further extends the policies to nondiscrimination in employment and promotion.

ADA defines a qualified person with a disability as an individual with a physical or mental impairment which substantially limits one or more major life activities who can, with or without appropriate adjustments, perform the essential functions of a job, or meet the essential eligibility requirements of a program.

ADA requires that modifications to campus programs must be made to accommodate

the disabled unless the campus can demonstrate that a proposed modification would fundamentally alter the nature of the program or create an undue burden. The regulations do not require the College to make each of its existing facilities, or every part of any facility, accessible to persons with disabilities, provided that each program, when viewed as a whole, is accessible.

Reasonable accommodations for employees according to ADA are any modifications or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to have an equal employment opportunity. The College may avoid making such accommodations only if it can demonstrate that to do so would create undue hardships for the institution.

At Ulster County Community College:

\* The College's Affirmative Action Officer will oversee the administration of these policies of non-discrimination for the disabled and appropriate adjustments.

\* Every effort will be made to ensure that communications with persons with disabilities are as effective as communications with others. This is particularly true for the communication of these non-discriminatory policies.

\* The College, through its Affirmative Action Officer, will consider requests for appropriate adjustments from any applicant, student, or employee who is a qualified person with a disability and who believes that he or she may need such an adjustment to participate in the application process, to participate in an academic program, to receive auxiliary assistance, to perform essential job functions, and/or to receive equal benefits and privileges as a student or employee.

\* Applicants, students, or employees who consider themselves to be victims of discrimination based on a disability may file a complaint with the Affirmative Action Officer following the procedures as outlined in the College's Complaint Procedure Policy. Complaints can also be filed with the federal Equal Employment Opportunity Commission and/or the New York State Human Rights Division.

## **CAMPUS NOTIFICATION REGARDING REGISTERED SEX OFFENDERS**

Also see Board of Trustees Policy: 3.22 Child Protection Policy.

In the interest of safety and security for all campus community members, SUNY Ulster is required to notify students and the campus community about any registered sex offenders who register or intend to attend classes here. This requirement is covered under the following legislation: the federal Campus Sex Crimes Prevention Act, the

## Campus Security Act of 1990, and the Sex Offender Registration Act

The NYS Division of Criminal Justice Services notifies SUNY Ulster's Department of Public Safety when such individuals are enrolled or employed by the campus. Other agencies may also notify the College regarding sex offender issues. Once such notification is received, a committee of senior administrators is convened to assess the specific circumstances of the notification, review the matter with the College Attorney, and communicate information to the campus community or administrative personnel as appropriate.

If you have questions on this matter, please contact the Director of [Public Safety](#). Please be aware that SUNY Ulster does not release names of sex offenders except to appropriate administrative personnel. Other information, including determining whether a specific person is registered, can be obtained from the following:

- [Ulster County Sheriff's Department](#)
- [NYS Division of Criminal Justice Services](#)
- Sex Offender Registry Information Line (\$.50 fee), 1-900-288-3838

Please be aware that to determine whether an individual is on the list, you will need to have his or her name and at least one of the following identifiers: street address, driver's license number, social security number, or birth date.

### **EMAIL POLICY**

Also see Board of Trustees Policy: 3.11.5. Computer and Network Security and Acceptable Use Policy.

SUNY Ulster assigns an email address to each registered student. Students are responsible for receiving, reading, and responding to and complying with official email communications sent by the College and College Representatives. The College will send routine announcements, administrative and academic dates and deadlines, and information of a general nature to the students email. The college will use their discretion to determine which messages are related via email.

Some information may be time sensitive and students are encouraged to check their email regularly. Students who decide to re-direct their Ulster email to a personal email account do so at their own risk. The College is not responsible for email that is not delivered or marked as spam. The student's failure to receive or read email communications does not excuse the student for missing information, meetings, or deadlines.

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

This section excerpts portions of the following Board of Trustees Policy (6.3.8 Student Records Policies and Procedures).

Federal law prohibits release of a transcript to a third party. FERPA is designed to protect the privacy of education records, to establish the rights of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate or misleading data through informal and formal hearings. Students also have the right to file complaints with the Family Protection and Regulations Office in Washington, D.C., concerning alleged failures by the College to comply with the act.

Copies of SUNY Ulster's complete policy statement regarding FERPA are available on the College Portal and in the Registrar's Office. Questions concerning FERPA may be referred to the Registrar or the Assistant Dean of Student Services.

The College is allowed to provide directory information to outside parties unless the student requests this information be restricted from disclosure. Directory information is as follows: name, address, telephone number, e-mail address, major field of study, dates of attendance, enrollment status, degrees and awards received, date and place of birth, most recent previous school attended, photographs, participation in officially recognized activities and sports, and height and weight of athletes.

Institutions are forbidden to provide student ID number, Social Security number, race, ethnicity, nationality, or gender as directory information.

FERPA applies to students who have reached the age of 18 or attend a post-secondary institution. If a student wishes a parent, guardian, or other individual to have access to educational records, the student must complete a release form at the Registrar's Office, indicating to whom the permission is being granted, and for how long.

## **FREEDOM OF SPEECH**

See Board of Trustees Policy (3.14 Limited Public Forum).

SUNY Ulster recognizes and affirms that individuals have the right of freedom of speech, peaceful assembly, picketing, and demonstration. Those involved may not, however, engage in any conduct that violates the SUNY Ulster code of conduct.

## **LIMITED PUBLIC FORUM**

This section excerpts portions of the following Board of Trustees Policy (3.14 Limited Public Forum).

***Through Board Policy 3.14 SUNY Ulster makes available a designated area for use as a limited public forum. The purpose of this designation is to permit non-college groups and non-students to exercise their rights of speech and assembly.***

The designated area shall be made available to members of the general public between the hours of 9:00 A.M. and 4:30 P.M., Monday through Friday, so long as such use does not interfere with its use by the college or with college related activities. Loudspeakers, bullhorns, which increase the sound level of speech so that it can be heard inside any buildings on campus, will not be permitted. Additionally, pickets, demonstrations or other acts of protest must not obstruct foot or vehicle traffic, interfere with others accessing the campus or with public safety operations. In addition, protests must not disturb teaching and learning or administrative functions of the college.

Any member of the general public wishing to use the designated area as a limited public forum shall make a written request to the Vice President for Administrative Services or his or her designee at least five (5) business days prior to the time for which the area is requested for use. Said written request shall include the name and address of the party seeking to use the designated area and the proposed date and time for use of the designated area. Any applicant denied use of the designated area 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. The notice of appeal must be filed with the office of the College President within ten (10) business days after the mailing of the notification of the denial.

In the event a request conflicts with a previously scheduled use of the designated area the applicant will be provided with notice of the unavailability of the designated area for the proposed date and/or time, at least one (1) business day prior to the date of the proposed use and will be permitted to request alternative dates and/or times. In the event two or more requests for use of the designated area are made for the same time, preference will be given to the request first received.

Use of the designated area is at all times subject to all applicable provisions of College policies while on campus and while using the designated area.

## **NONDISCRIMINATION NOTICE**

In concert with State University of New York policy, SUNY Ulster is committed to fostering a diverse community of outstanding faculty, staff, and students, as well as ensuring equal educational opportunity, employment, and access to services, programs, and activities, without regard to an individual's race, color, national origin, religion, creed, age, disability, sex, gender identity, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction. Employees, students, applicants or other members of the SUNY Ulster community (including but not limited to vendors, visitors, and guests) may not be subjected to harassment that is prohibited by law, or treated adversely or retaliated against based upon a protected characteristic.

SUNY Ulster's policy is in accordance with federal and state laws and regulations prohibiting discrimination and harassment. These laws include the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 as Amended by the Equal Employment Opportunity Act of 1972, and the New York State Human Rights Law. These laws prohibit discrimination and harassment, including sexual harassment and sexual violence.

## **SERVICE ANIMALS**

This section excerpts portions of the following Board of Trustees Policy (3.25 Animals on Campus Policy).

**SERVICE ANIMALS** A "Service Animal" means any dog that is individually trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, or psychiatric disability. The work or tasks performed by a Service Animal must be directly related to the person's disability. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition. Service Animals must be dogs or in some cases miniature horses.

A Service Animal must be housebroken (i.e., trained so that it controls its waste elimination, absent illness or accident), must be kept under control by a harness, leash, or other tether, must be groomed and without offensive odor. SUNY Ulster will assess requests for the use of miniature horses by people with disabilities on a case-by-case basis. Requests should be submitted to the Office of Disability Services (Vanderlyn 101) and, consistent with applicable laws, SUNY Ulster may make modifications in its policies to permit their use if they meet certain criteria and have been individually trained to do work or perform tasks for the benefit of people with disabilities.

SUNY Ulster cannot ask about the nature or extent of a person's disability to determine whether a person's animal qualifies as a Service Animal. However, when it is not readily apparent that a dog is a Service Animal, staff may make two inquiries to determine whether the dog qualifies as a Service Animal, which are:

- (1) Is the dog required because of a disability?
- (2) What work or task has the dog been trained to perform?

- Only dogs and, in limited circumstances, miniature horses are recognized as Service Animals under titles II and III of the ADA.

- A Service Animal is a dog that is individually trained to do work or perform tasks for a person with a disability. SUNY Ulster Board Policy Manual [94]

- Generally, title II and title III entities must permit Service Animals to accompany people with disabilities in all areas where members of the public are allowed to go.

- The use of miniature horses as Service Animals will be assessed according to the following additional factors: (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size and weight; and (4) whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

## EMOTIONAL SUPPORT ANIMALS

An "Emotional Support Animal" (or comfort animal) is an animal that provides emotional or other support that ameliorates one or more identified symptoms or effects of a person's disability. Unlike Service Animals, support animals are not required to be trained to perform work or tasks, and they include species other than dogs and miniature horses.

Emotional Support Animal are generally not allowed to accompany persons with disabilities in all public areas of SUNY Ulster as a Service Animal is allowed to do, but an Emotional Support Animal may accompany such individual in all public or common use areas of the Campus, when it may be necessary to afford the person with a disability an equal opportunity to use and enjoy facilities at SUNY Ulster. Before an Emotional Support Animal can enter the Campus with a person with a disability, a request must be submitted to SUNY Ulster's Office of Disability Services (Vanderlyn 101) and approval must be granted (preferably at least 30 days prior to the start of the semester). The Disabilities Coordinator will require documentation from a licensed physician or mental health provider, including without limitation a qualified psychiatrist, social worker, or other mental health professional, to provide sufficient information for SUNY Ulster to determine:

- that the individual qualifies as a person with a disability (i.e., has a physical or mental impairment that substantially limits one or more major life activities); and
- that the Emotional Support Animal may be necessary to afford the person with a disability an equal opportunity to use and enjoy the Campus (i.e. that the animal would provide emotional support that ameliorates one or more symptoms or effects of the disability).

Such requests will be considered on a case-by-case basis consistent with applicable laws.

#### RESPONSIBILITIES OF PEOPLE WITH DISABILITIES USING SERVICE OR EMOTIONAL SUPPORT ANIMALS

SUNY Ulster is not responsible for the care or supervision of service or emotional support animals. People with disabilities are responsible for the cost, care, and supervision of their animals, including:

- compliance with any laws pertaining to animal licensing, vaccination, and owner identification;
- keeping the animal under control and taking effective action when it is out of control; SUNY Ulster Board Policy Manual [95]
- feeding and walking the animal, and disposing of its waste. (SUNY Ulster will provide designated areas).Waste removal must be immediate and deposited into a proper receptacle. Individuals unable to clean up after their animals or who need assistance should notify Office of Disability Services staff so that alternative arrangements may be agreed upon; and
- The animal must be well groomed, and effective measures taken at all times for flea, ticks and odor control.
- The owner of a Service or Support Animal at any College facility or event is expected to maintain appropriate behavior of the animal as follows:
  1. Animal must not be allowed to initiate contact/approach/sniff people, tables in eating areas, or personal belongings of others.
  2. Animal must not display behaviors or noises that are disruptive to others, such as



barking, growling, or other behavior not a part of the task the animals is trained to conduct.

3. Animal must not block an aisle or passageway; impede access to ingress/egress of a facility.

4. Animal must be trained not to be attracted to food that may be in common areas.

For specific campus areas designated by SUNY Ulster for toileting Service Animals contact the Public Safety Office (Hasbrouck 134) or the Office of Disability Services (Vanderlyn 101).

SUNY Ulster will not require any surcharges or fees for Service Animals or Emotional Support Animal. However, a person with a disability may be charged for damage caused by an animal to the same extent that SUNY Ulster would normally charge a person for the damage they cause.

People with disabilities who are accompanied by animals must comply with the same campus rules regarding noise, safety, disruption, and cleanliness as people without disabilities.

#### EXCEPTIONS AND EXCLUSIONS

SUNY Ulster may pose some restrictions on, and may even exclude, an Emotional Support Animal in certain instances. Persons with disabilities may request approval from the ODS to have the Emotional Support Animal accompany them to other campus areas as a reasonable accommodation. Such requests will be considered on a case-by-case basis consistent with applicable laws. Any animal may be excluded from an area in which it was previously authorized to be if:

- it is out of control and effective action is not taken to control it;
- it is not housebroken (or in the case of a support animal that deposits waste in a designated cage or litter box, the owner fails to clean such cage or box such that the cleanliness of the room is not maintained); or
- it is not groomed, has fleas or other pests, or has an offensive odor;
- there is an allergy/medical condition/animal conflict within classroom, office, or elsewhere, that cannot be initially resolved between the two parties. Students Services and Office of Disability

Services will collaborate on a long term solution. Human Resources may also collaborate if one of the parties is an employee;

- it is left alone, unsupervised by the person with a disability;
- it causes damage to college property;
- it poses a direct threat to the health or safety of others that cannot be mitigated by reasonable modifications of policies, practices, or procedures, or the provision of auxiliary aids or services.

In considering whether a Service Animal or Emotional Support Animal poses a direct threat to the health or safety of others, SUNY Ulster will make an individualized assessment, based on reasonable judgment, current medical knowledge, or the best available objective evidence, to determine: (1) the nature, duration, and severity of the risk; (2) the probability that the potential injury will actually occur; and (3) whether reasonable modifications of policies, practices, procedures, or the provision of auxiliary aids or services, will mitigate the risk. The College President shall name a designee who shall provide a written statement of explanation to any person with a disability if a determination is made that the presence of that person's Service or Emotional Support Animal would fundamentally alter the nature of a program, service, or activity.

The College reserves the right to place other reasonable conditions or restrictions on the animal depending upon the nature and characteristics of the animal.

In the event that restriction or removal of an animal is determined to be necessary, the person with a disability will still be given the opportunity to participate in the service, program, or activity without having the assistance animal present.

The above provisions on restrictions and exclusions is not intended to cover modifications to reasonable accommodations. The reasonable accommodation process and modifications to reasonable accommodations are covered under SUNY Ulster's policy on Accessing Services.

## GUIDELINES FOR MEMBERS OF THE SUNY ULSTER COMMUNITY

To ensure equal access and nondiscrimination of people with disabilities, members of the SUNY Ulster community must abide by the following practices:

- Allow service and Emotional Support Animals to accompany people with disabilities on campus; • Do not ask for details about a person's disabilities;
- Do not pet service or Emotional Support Animal without the handler's consent, as it distracts the animal from its work;
- Do not feed a service or Emotional Support Animal;
- Do not deliberately startle, tease, or taunt a service or Emotional Support Animal; and
- Do not separate or attempt to separate a person from his/her service or Emotional Support Animal.

If you have a disability that may be affected by the presence of animals, please contact the Office of Disability Services (Vanderlyn 101). SUNY Ulster is committed to ensuring that the needs of all people with disabilities are met and will determine how to resolve any conflicts or problems as expeditiously as possible.

Steps to Register Service Animals or Emotional Support Animals:

Step 1- Meet with the Office of Disability Services

Step 2- Provide the necessary documentation that will support the need of a Service Animal or Emotional Support Animal

Step 3- Office of Disability Services Coordinator will review documentation to determine the validity of the request. Coordinator will then approve or disapprove the request.

Step 4- If request is approved, the individual will register the animal (Emotional Support Animal Only) with the Public Safety Office (Hasbrouck 134). Individual will be required to submit all necessary documentation of Emotional Support Animal training for the animal.

Animals referenced in categories 1, 2 and 3 of this policy are permitted in campus buildings provided:

- The animal is current on rabies vaccination as required by law
- The animal must be free of any known infection or illness
- The animal is on a leash or in a carrier/cage at all times
- The animal is attended to at all times

- The animal is under the control of its owner or a Veterinary Technology faculty member at all times

#### PROCEDURES & REGULATIONS:

Persons violating these procedures will be asked to remove the animal from campus.

#### ADDITIONAL RESOURCES

United States Department of Justice  
Civil Rights Division  
Disability Rights Section  
P.O. Box 66738  
Washington, D.C. 20035-6738  
Telephone (800) 514-0301 (voice) or (800) 514-0383 (TDD)  
web: <http://www.justice.gov/crt/about/drs/>

For guidance on complaints contact:  
Coordination and Review Section  
Civil Rights Division  
United States Department of Justice  
P.O. Box 66118  
Washington, D.C. 20035-6118

NEW YORK STATE:  
New York State Office of Advocate for Persons with Disabilities  
One Empire State Plaza Suite 1001  
Albany, New York 12223-1150  
State Advocate  
telephone (518) 473-4129  
(800) 522 4369  
fax (518) 473 6005

Office of the New York State Attorney General  
New York State Department of Law Civil Rights Bureau  
120 Broadway 23rd Floor  
New York, New York 10271

Assistant Attorney General in Charge  
Telephone (212) 416-8250(voice) or (800) 788-9898 (TDD)  
web: <http://www.oag.state.ny.us>

#### Applicable Laws

Federal: Americans with Disabilities Act of 1990 (ADA) 42 U.S.C. § 12101, et. seq. and its implementing regulations 28 C.F. R. Title I

Title II Part 35 (state and local entities and public transportation); and Title III (public accommodations), Part 36, especially §§36.104 and 36.302 (c) (1).

New York State:

NY Civil Rights Law §40c and §40d & §§ 47 to 47-c  
NY Executive (Human Rights) Law §§ 292 and 296  
NY Transportation Law § 147

#### **SOLOMON AMENDMENT**

The Solomon Amendment requires institutions to cooperate with the recruiting efforts of United States armed forces. SUNY Ulster is required by the federal government to provide the following information to the armed forces at the beginning of every fall and spring semester: name, address, telephone number, age or date of birth, class level, academic major, place of birth, degrees received, and most recent educational institution attended.

#### **TITLE IX**

Please see the College's website for additional information on Title IX.

Title IX states: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Title IX of the Education Amendments of 1972 is a comprehensive federal law that protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. The law prohibits discrimination on the basis of sex in any federally funded education program or activity. Title IX applies to traditional educational institutions such as colleges, universities, including SUNY campuses. Under Title IX of the Educational Amendments Act of 1972, colleges and

universities are required to develop procedures to respond to claims of sexual harassment.

This protection applies to all employees, students, guests and vendors. This protection applies to decisions involving admissions; course requirements and activities; course selection; financial aid; participation in campus activities, clubs and organizations; educational services and counseling, athletics and employment.

Title IX also prohibits other forms of sex discrimination such as harassment or sexual violence.

### **SEXUAL MISCONDUCT & SEXUAL VIOLENCE PREVENTION AND RESPONSE**

This section contains excerpts of Board of Trustees Policies: 4.18 Sexual Misconduct and 4.19 Policy on Sexual Violence Prevention and Response.

The Violence Against Women Act (VAWA) is a landmark piece of federal legislation that sought to improve the criminal justice and community-based responses to domestic violence, dating violence, sexual assault and stalking in the United States. The passage of VAWA in 1994, and its reauthorization in 2000, 2005, and again in 2013 has changed the landscape for victims of domestic violence, dating violence, sexual assault and stalking.

SUNY Ulster is committed to creating and maintaining an educational environment free from all forms of sex discrimination, including sexual misconduct. Any act involving sexual harassment, violence, coercion, and intimidation will not be tolerated. Specifically, SUNY strictly prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking. These acts have a real impact on the lives of victims. They not only violate a person's feelings of trust and safety, but they can also substantially interfere with a student's education. It is the policy of SUNY Ulster that, upon learning that an act of sexual misconduct has taken place, immediate action will be taken to address the situation and punish the perpetrator. This includes working with State and local law enforcement to bring possible criminal charges, seeking disciplinary action through the College, and enforcing mandatory transcript notifications so other institutions are on notice of the offense committed.

SUNY Ulster encourages the reporting of sexual misconduct that is prompt and accurate. This allows the College community to quickly respond to allegations and offer immediate support to the victim. SUNY Ulster is committed to protecting the confidentiality of victims and will work closely with students who wish to obtain

confidential assistance regarding an incident of sexual misconduct. All allegations will be investigated promptly and thoroughly, and both the victim and the accused will be afforded equitable rights during the investigative process.

Adopted March 26, 1968  
Amended November 23, 1976 (76-11-123)  
Revised June 21, 1994 (94-06-086)  
Revised August 22, 1995 (95-08-110)  
Amended October 16, 2007 (07-10-125)  
Amended June 20, 2017 (17-6-240)  
Amended July 13, 2017 (17-7-249)  
Ratified August 15, 2017 (17-8-251)  
Amended May 15, 2018 (18-5-106)  
Amended August 21, 2018 (18-8-175)  
Amended September 18, 2018 (18-9-182)  
Amended September 28, 2020 (20-09-78)  
Amended August 23, 2021 (21-08-98)

<b>Policy Section</b>	
<b>6.3.3.</b>	<b>STUDENT PARTICIPATION IN PRE-ELECTION ACTIVITIES</b>

Approval Date: September 22, 1970

WHEREAS much concern has been expressed throughout the nation concerning campus disorders and the interruptions of the academic process, and

WHEREAS nationwide plans have been developed to permit college students to take an active part in political campaigns this fall, and

WHEREAS the New York State Education Department expects that requirements established for academic credit at the time of registration will remain in effect until officially changed, and

WHEREAS the State University of New York Board of Trustees established guidelines stating that "In order to fulfill the University's educational obligations and meet calendar commitments, the State University of New York will during 1970-71 hold to its regular academic schedule and remain open during the pre-election period," and

WHEREAS our academic calendar has already been established and approved, now, therefore, be it

RESOLVED that the Board of Trustees of Ulster County Community College accept the guidelines of the State University of New York Board of Trustees and further, encourage student participation in pre-election activities but without suspension of classes for such purposes.

Adopted September 22, 1970



<b>Policy Section</b>	
<b>6.3.4.</b>	<b>STATEMENT ON DRUGS</b>

Approval Date: September 3, 1970

BE IT RESOLVED that the Statement on Drugs, as it appears in The Filibuster, the student handbook, is hereby adopted by the Board of Trustees.

**STATEMENT ON DRUGS**

Students, faculty members, alumni, parents, and law enforcement agencies continue to be concerned about the drug use and abuse problem. UCCC is primarily concerned about how this complex question may affect each student as an individual, and as a student.

One concern relates to the possibility of lasting detrimental physical and psychological effects from the use of drugs. The number and variety of drugs appears to outstrip the scientific research necessary to adequately determine a drug's effect on body and mind.

A second concern relates to the enforcement of Federal and State drug laws. Students, unaware of the severity of penalties, may be subjected to the stigma of a drug conviction for the mere possession of one marijuana cigarette. A conviction and sometimes even an arrest for a drug offense may be a lifetime impediment to some employment possibilities and professional schools.

The New York State Law uses the broad term "dangerous drugs" to cover narcotics, depressants, stimulants, and hallucinogens. Marijuana is classified as a narcotic by New York State.

Penalties for violation of the drug laws differ, depending on the amount of

drug possessed or sold, and not on the nature of the drug. Therefore, a possessor of marijuana may be subject to the same punishment as a possessor of heroin. There is no penalty for the use of dangerous drugs, but possession, possession with intent to sell, sale, and sale to a person under 21 are the offenses for which penalties may range up to life imprisonment.

Because of these concerns, the College has adopted the following guidelines (policies) to help the student understand the College's stance on drugs:

#### DRUG ABUSE:

The presence within the College community of certain categories of drugs involves direct or potential damage to the College's educational interests as described in policies pertaining to the health, protection and safety of members of the community. Therefore, the College does not permit student use, possession, distribution or trafficking in drugs.

The following points will be considered in any instances related to drug abuse:

1. UCCC will endeavor to deal with student use of any drug on an individual counseling and medical-care basis.
2. Any information that comes to the attention of the college concerning the sale, exchange or transfer of drugs from one individual to another will be communicated to public officials.
3. UCCC will initiate action against any student who through the use of drugs, becomes destructive, disorderly or disruptive.
4. The college will not and cannot prevent Federal, State or local officials of law enforcement agencies from the investigation and prosecution of drug law violators.

While proponents for an easing of penalties relating to marijuana seek legislative changes, the law still stands, extending exceptions to none.

Conflicting medical and scientific views continue to be argued over the long-term effects of marijuana, but medical authorities tend to agree on the dangers of uncontrolled use of LSD. Reports show LSD may cause overwhelming fear and panic, violent behavior and long-term effects.

Each student is responsible for his individual behavior and must make his own decision if the question of drug use comes his way. Students should be aware of the legal and health consequences of any act relating to drugs and, if drug consumption is contemplated, be alert to possible reaction to the drug, its long-term effects and its addictive potential.

Nothing contained herein shall limit or prohibit the legitimate use of drugs and/or alcohol as part of the curriculum of the Police Basic Training educational program Hegis Code: 5505, NYSED Code: 29497.

Adopted September 3, 1970  
Amended October 16, 2007 (07-10-125)

<b>Policy Section</b>	
<b>6.3.5.</b>	<b>REVISION OF ALCOHOLIC AND DRUG-FREE WORKPLACE POLICY</b>

Approval Date: November 6, 1963

WHEREAS, the Policy on Alcohol and Drug-Free Workplace has been reviewed; and

WHEREAS, due to the recent changes in the Student Conduct and Maintenance of Order policies, it has become mandatory that the Board Policy 3.9- Alcohol and Drug-Free Workplace be revised; and

WHEREAS, the President recommends that the policy adopted, December 1989, and revised April 17, 1990, be further revised and

WHEREAS, the College Attorney and the committees of the Board have reviewed and concur; now, therefore, be it

RESOLVED, that the Board of Trustees hereby approves the revisions to the Policy on Alcohol and Drug-Free Workplace, a copy of which is attached.

Adopted November 6, 1963  
 Superseded February 24, 1970 (Tabled)  
 Superseded March 24, 1970 (70-3-16)  
 Superseded August 24, 1982 (82-7-85)  
 Reaffirmed September 20, 1983 (83-9-71)  
 Amended October 17, 1995 (95-10-130)

<b>Policy Section</b>	
<b>6.3.6.</b>	<b>REVISION OF POLICY ON MAINTENANCE OF ORDER</b>

Approval Date: June 24, 1969

WHEREAS, it is the responsibility of the Board of Trustees to develop and approve a policy regarding conduct on campus, and

WHEREAS, the Board of Trustees and the College Attorney have reviewed and recommended an expansion of the Ulster County Community College's revised statement on the Maintenance of Order, now, therefore, be it

RESOLVED, that the Board of Trustees and Ulster County Community College hereby approve the attached revised statement on the Maintenance of Order on campus.

Attachment

Adopted June 24, 1969  
 Updated November 18, 1980 (80-10-92)  
 Rescinded September, 1994 (94-09-140)  
 Amended August 22, 1995 (95-08-112)

<b>Policy Section</b>	
<b>6.3.7.</b>	<b>MAINTENANCE OF ORDER</b>

Approval Date: June 24, 1969

WHEREAS it is the responsibility of the Board of Trustees to develop and approve a policy regarding conduct on campus, and

WHEREAS the Board of Trustees and the College Attorney have reviewed and recommended an expansion of Ulster County Community College's revised statement on the Maintenance of Order, now, therefore, be it

RESOLVED that the Board of Trustees and Ulster County Community College hereby approved this revised statement on the Maintenance of Order on campus

**STATEMENT ON THE MAINTENANCE OF ORDER ON THE CAMPUS OF ULSTER COUNTY COMMUNITY COLLEGE, STONE RIDGE, NY**

Ulster County Community College, Stone Ridge, NY, established by authority of the State University of New York and legally sponsored by the County of Ulster, is committed to providing an academic environment which will promote the educational growth and cultural enrichment of all members of the community as well as the region which it serves.

Ulster County Community College affirms that institutions of higher education must freely seek the truth and examine values, as one of the main purposes of the College is to provide students with the ability to function analytically and creatively in a changing environment.

All members of the community comprising Ulster County Community College (i.e. students, faculty, administration, other professional staff, and Civil Service personnel) by virtue of their individual and collective relationship with, and responsibility to, the College through appropriate contractual agreement accept as primary civil and criminal law and those regulations, laws, by-laws, policies, and administrative codes as developed and adopted by the collective individual communities of the College and approved by the Board of Trustees.

The Board of Trustees of Ulster County Community College affirms and accepts its responsibilities according to the various education, civil, and criminal laws of the State of New York and the County of Ulster and by virtue of its approval of the regulations, laws and by-laws, policies, and administrative codes contained within the College Catalog, Handbook for Professional Staff, Student Handbook, Board of Trustees Policies, and collective bargaining contracts agrees to take those steps as appropriate and necessary through its designee, the President of the College, to ensure the maintenance of order on the campus and to ensure that the ongoing purpose of the institution of teaching, research, service to the community, the services incident thereto, and the necessary administrative work, is not violated or interfered with in any way.

The rules and policies contained within those documents previously cited govern the conduct of students, faculty, and other authorized personnel on the premises of the College and are also applicable upon or with respect to any other premises or property under the control of the College used in its teaching, research, administrative, service, cultural, recreational, athletic, and other programs and activities.

Licensees, invitees, and all other persons, whether or not their presence is authorized upon the campus or other premises or property of the College, who interfere in any way with the prescribed duties and purpose of the College, shall be notified by the President of the College or the President's designee that they are acting in violation of the regulations established and approved by the Board of Trustees.

Any person, either singly or in concert with others, engaging in acts disruptive of the teaching or learning process or other acts that infringe upon the purpose of the College, or in conduct expressly prohibited by the action of the Board of Trustees of the College, the Penal Law of the State of New York, Section 75 of the Civil Service Law, Laws of the County of Ulster, or other appropriate laws of the State of New York or the County of Ulster shall be informed of such violation and possible action by the appropriate official.

Some areas of particular concern in the maintenance of order include, but are not limited to:

**Harassment and Assault**

Physical or verbal harassment of any kind because of sex, sexual orientation,

race, color, national origin, religion, age, or physical challenge, as well as violent assault, particularly sexual assault or bias-related assault, is strictly prohibited. Under this policy, any hazing of students is also strictly prohibited.

### **Firearms or Weapons Possession**

Possession by anyone upon any premises to which the College's rules apply, of any rifle, shotgun, pistol, revolver, or any weapon, device or knife as defined in New York State Penal Law Section 265.00 as it may be amended from time to time, or any successor statute, any air-gun, spring-gun or other instrument or weapon in which the propelling force is a spring, air, piston or carbon dioxide cartridge without the written authorization of the Chief Administrative Officer, or his designee, whether or not a license to possess the same has been issued to such person, is strictly prohibited. Nothing herein shall prohibit such possession, within the course of employment of employees of the Ulster County Sheriff's Department, New York State Police or a federal, state or local law enforcement agency nor any peace officer as defined in New York State Criminal Procedure Law.

### **Alcohol and Drugs**

The manufacture, distribution, dispensation, or use of alcohol and/or a controlled substance on the campus or in any other learning facility, in vehicles, or while engaged in -sponsored student activities, is strictly prohibited, unless the function is held at a facility duly licensed to serve alcoholic beverages and said facility controls the dispensation of any alcoholic beverages. Any forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization is strictly prohibited.

Nothing in this policy shall prohibit or limit the distribution, dispensation, or use of alcohol as part of the Standardized Field Sobriety Class given in conjunction with the Ulster County Police Academy.

Nothing contained herein shall limit or prohibit the legitimate use of drugs and/or alcohol as part of the curriculum of the Police Basic Training educational program Hegis Code: 5505, NYSED Code: 29497.

### **Fraud**

Fraud or other criminal misconduct, such as the use of false identities, forgery of signatures or certifications, and false claims of income, citizenship, or independent student status in applying for financial aid, will result in disciplinary actions being applied and, in the case of fraud involving financial aid, a demand for repayment of funds dispensed.



In any case where violation of any of the College's rules does not cease after such warning, or in cases of willful violations of these rules, the Chief Administrative Officer of the College or the Chief Administrative Officer's designee shall take action to cause the removal of the violator from any premises which are occupied in such violation, and shall initiate disciplinary action as provided in those documents or statutes previously cited. Disciplinary action, excluding those penalties determined in a legally constituted court of law, may be any of the following:

Individuals or organizations violating the provisions of this policy shall be subject to one or more of the following penalties:

**Admonition** - An oral statement to the offender that the offender has violated regulations.

**Warning** - Notice to the offender, orally or in writing, that continuation or repetition of the conduct found wrongful within a period of time stated in the warning may be cause for more severe disciplinary action.

**Censure** - Written reprimand for violation of specified regulation, including the possibility of more severe disciplinary sanction in the event of conviction for the violation of any regulation within a period of time stated in the letter of reprimand.

**Disciplinary Probation** - Exclusion from participation in privileges or extra-curricular activities as set forth in the notice of disciplinary probation for a specified period of time.

**Restitution** - Reimbursement for damage to, or misappropriation of, property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages. Such restitution will also take into account the rights of any victims of the actions of the offender.

**Suspension** - Exclusion from the College and other privileges or activities as set forth in the notice of suspension for a definite period of time.

**Expulsion** - Termination of the status of the offender for an indefinite period of time. The conditions of readmission, or reemployment, if any is permitted, shall be stated in the order of expulsion.

The Chief Administrative Officer, or the Chief Administrative Officer's designee, may apply to public law enforcement authorities for any aid deemed necessary in causing the ejection of any violator of these rules and may include a request that the legal counsel of the College apply to any court of appropriate jurisdiction for an injunction or other legal action as may be deemed appropriate or necessary to restrain the violation or threatened violation of this statement or those rules and regulations referred to herein.

The Board of Trustees affirms and upholds the right of freedom of speech and peaceful assembly and nothing stated herein is intended, nor shall be construed, to limit or restrict these rights, and hereby affirms the right of each and every individual referred to herein to be afforded the due process of law as set forth in the Constitution of the United States, New York State, and all statutory law.

#### ADVISORY COMMITTEE ON CAMPUS SECURITY

The President shall appoint a reconstituted advisory committee on campus security. Such committee shall consist of a minimum of six members, at least half of which shall be female; one-third of the committee shall be appointed from a list of students that contains at least twice the number to be appointed which is provided by the largest student governance organization on campus; one-third thereof shall be appointed from a list of faculty members that contains twice the number to be appointed which is provided by the largest faculty organization on campus; and one-third of whom shall be selected by the President or the President's designee.

The committee shall review current campus security policies and procedures and make recommendations for their improvement. It shall specifically review current policies and procedures for (1) educating the campus community, including security personnel and those persons who advise or supervise students, about sexual assault, (2) educating the campus community about personal safety and crime prevention, (3) reporting sexual assaults and dealing with victims during investigations, (4) referring complaints to appropriate authorities, (5) counseling victims, and (6) responding to inquiries from concerned persons.

The committee shall report, in writing, to the President, or the President's designee, on its findings and recommendations at least once each academic year, and such report shall be available upon request.

Nothing in this subdivision shall be construed to alter, amend, modify, or affect existing standards for civil liability.

#### SEXUAL ASSAULT PREVENTION INFORMATION

The Trustees, through their designees, shall inform incoming students about sexual assault prevention measures through programs which may include workshops, seminars, discussion groups, and film presentations, in order to disseminate information about sexual assault, promote discussion, encourage reporting of incidents of assault and facilitate prevention of such incidents. Such information shall include, but not be limited to, (1) the applicable laws, ordinances, and regulations on sex offenses, (2) the penalties for commission of sex offenses, (3) the procedures in effect at the College for dealing with sex offenses, (4) the availability of counseling and other support services for the victims of sex offenses, (5) the nature of, and common circumstances relating to, sex offenses on campuses, and (6) the methods the College employs to advise and to update students about security procedures.

#### CONCLUSION

It is understood by the Board of Trustees of Ulster County Community College that this statement in its entirety or in part may be amended or revised at any time that fuller consideration and experience may dictate and require, and that the filing of any such amendments to this statement in its entirety or in part must be filed within ten days after the adoption of such changes.

Adopted June 24, 1969  
Revised August 23, 1994 (94-06-085)  
Revised August 22, 1995 (95-08-112)  
Amended October 2004 (04-10-126)  
Amended October 16, 2007 (07-10-124)  
Amended October 16, 2007 (07-10-125)

<b>Policy Section</b>	
<b>6.3.8.</b>	<b>STUDENT RECORDS POLICIES AND PROCEDURES</b>

Approval Date: June 19, 1990

WHEREAS there is a need to adopt a policy to protect the privacy rights of the students of Ulster County Community College, and

WHEREAS the Registrar's Office has prepared the attached policies and procedures for consideration by the Board of Trustees, and

WHEREAS the President recommends adoption of these policies and procedures, and

WHEREAS the Personnel/Curriculum Committee has met, reviewed, and concurs with the adoption of these policies and procedures, now therefore, be it

RESOLVED that the Board of Trustees hereby approves the attached Student Records Policies and Procedures for Ulster County Community College.

**STUDENT RECORDS POLICIES AND PROCEDURES  
 FOR ULSTER COUNTY COMMUNITY COLLEGE**

In accordance with the provisions of the Family Educational Rights and Privacy Act (FERPA) of 1974, U.C.C.C. has adopted the regulations given below to protect the privacy rights of its students.

Copies of this statement are available upon request in the Office of the Registrar.

**Annual Notification:** Students will be notified of their FERPA rights annually by publication in the Student Handbook.

**Definitions:** For purposes of this policy, U.C.C.C. has used the following definitions:

**Student** - any person who attends, or has attended U.C.C.C.

**Education records** - any record (in handwriting, print, tapes, film, or other medium) maintained by U.C.C.C. or an agent of U.C.C.C., which is directly related to a student except:

- Desk notes by faculty
- Campus law enforcement records which have nothing to do with academia
- Medical or psychological records maintained for treatment
- Parents' financial statements
- Information coming into the school after the student leaves

**Procedure to Inspect Education Records:** Students may inspect and review their education records upon request to the appropriate record custodian.

Students should submit to the record custodian, or an appropriate college staff person, a written request which identifies, as precisely as possible, the record or records to be inspected.

The record custodian, or an appropriate college staff person, will make the needed arrangements for access as promptly as possible, and will notify the student of the time and place where the records may be inspected. Access must be given in 45 days or less, from the receipt of the request. When a record contains information about more than one student, the student may inspect and review only the pertinent portion of the record requested.

**Right of College to Refuse Access:** Ulster County Community College reserves the right to refuse to permit a student to inspect the following records:

1. The financial statement of the student's parents
2. Letters and statements of recommendation for which the student has waived the right of access, or which were placed in file before January 1, 1975
3. Records connected with an application to attend Ulster County Community College or another unit of the State University if that application was denied
4. Those records which are excluded from the FERPA definition of education records (See the section on Definition of Education Records, page IV-.)

**Refusal to Provide Copies:** Ulster County Community College reserves the right to deny transcripts or copies of records not required to be made available by the FERPA in any of the following situations:

1. The student has an unpaid financial obligation to the College
2. There is an unresolved disciplinary action against the student

**Fees for Copies of Records:** The fee for copies is included in the current Tuition and Fee Schedule, as approved by the Board of Trustees.

**Types, Locations, and Custodians of Education Records:** The following is a list of types of records that the College maintains, their locations, and their custodians.

<b><u>Types</u></b>	<b><u>Location</u></b>	<b><u>Custodian</u></b>
<b><u>Admissions Records</u></b>	Admissions Office VAN101	Assoc. Dean for Student Development
<b><u>Cumulative Academic Records</u></b> (current and former students)	Registrar's Office VAN206	Assoc. Dean for Student Development
<b><u>Financial Aid Records</u></b>	Financial Aid Office VAN105	Director of Financial Aid
<b><u>Health Records</u></b>	Health Services SEN139	Director of College Health Services
<b><u>Financial Records</u></b>	Bursar's Office VAN204	Bursar
<b><u>Placement Records</u></b>	Career Services VAN128F	Coordinator of Career Services
<b><u>Transfer Records</u></b>	Transfer Office VAN128C	Coordinator of Transfer

**Types, Locations, and Custodians of Education Records (continued)**

<b><u>Types</u></b>	<b><u>Location</u></b>	<b><u>Custodian</u></b>
<b><u>Progress Records</u></b>	Faculty Offices at each Department	Instructor/Adviser
	Student Support Services VAN119F	Coordinator of Student Support Services
<b><u>Disciplinary Records</u></b>	Student Development Center VAN128	Dean for Student Development

<b><u>Types</u></b>	<b><u>Location</u></b>	<b><u>Custodian</u></b>
Occasional Records (Student education records not included in the types listed above, such as minutes of faculty committee meetings, student clubs or activities files, copies of correspondence in office not listed, etc.)	The appropriate official will collect such records, direct the student to their location, or otherwise make them available for inspection and review.	Appropriate College officials

**Disclosure of Education Records:** The College will disclose information from a student's education records only with the written consent of the student, except:

1. To school officials who have a legitimate educational interest in the records.

A school official is a person employed by the College in an administrative, supervisory, academic, or support staff position. A person employed by, or under contract to, the College to perform a special task, such as the attorney or auditor, is also considered a school official.

A school official has a legitimate educational interest if the official is

- performing a task related to a student's education, a task related to the discipline of a student, or providing a service or benefit relating to the student or student's family such as health care, counseling, job placement, or financial aid.
2. Upon request, to officials of another school, in which a student seeks or intends to enroll.
  3. To certain officials of the U.S. Department of Education, the Comptroller General, and state and local education authorities, in connection with certain state or federally supported education programs.
  4. In connection with a student's request for, or receipt of, financial aid, as necessary to determine the eligibility, amount, or conditions of the aid.
  5. If required by a state law requiring disclosure that was adopted before November 19, 1974.
  6. To organizations conducting certain studies for, or on behalf of, the College.
  7. To accrediting organizations to carry out their functions.
  8. To parents of an eligible student who claim the student as a dependent for income tax purposes.
  9. To comply with a judicial order or a lawfully issued subpoena.
  10. To appropriate parties in a health or safety emergency.

**Record of Requests for Disclosure:** Ulster County Community College will maintain a record of all requests for, and/or disclosure of, information from a student's educational records. The record will indicate the name of the party making the request, any additional party to whom it may be redisclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the parents or eligible student.

**Directory Information:** Ulster County Community College designates the following items as Directory Information: student name, home and local addresses and telephone numbers, date and place of birth, major field of study, participation in officially recognized activities and sports including weight and height of members of athletic



teams, dates of attendance, degrees and awards received, previous educational institutions attended by the student and distinguished academic performance. The College may disclose any of those items without prior written consent, unless notified in writing to the contrary within 14 days after the start of the semester. Such notification must be given in writing each semester in which a student seeks non-disclosure of directory information. Non-disclosure forms are available in the Office of the Registrar.

**Correction of Education Records:** Students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

1. A student must ask an appropriate official of Ulster County Community College to amend a record. In so doing, the student should identify the part of the record to be changed, and specify in what ways it is believed to be inaccurate, misleading, or in violation of privacy or other rights.
2. Ulster County Community College may comply with the request or it may decide not to comply. If it decides not to comply, Ulster County Community College will notify the student of the decision and advise the student of the right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
3. Upon request, Ulster County Community College will arrange for a hearing, and notify the student, reasonably in advance, of the date, place, and time of the hearing.
4. The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the institution. The student shall be afforded a full and fair opportunity to present evidence, relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by one or more individuals, including an attorney.
5. Ulster County Community College will prepare a written decision, based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
6. If Ulster County Community College decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the student that a statement commenting on

the challenged information and/or a statement setting forth reasons for disagreeing with the decision may be appended to the record.

The full text of the Family Educational Rights and Privacy Act as amended, and the full text of the final regulations of the U.S. Department of Education for the implementation of the Act, are available for inspection in the Office of the Registrar.

**ULSTER COUNTY COMMUNITY COLLEGE  
OFFICE OF THE REGISTRAR, STONE RIDGE, NY 12484**

**REQUEST TO PREVENT DISCLOSURE OF DIRECTORY INFORMATION**

To All Students:

The Family Educational Rights and Privacy Act designates certain information related to a student as "Directory Information" and gives the College the right to disclose such information to anyone inquiring, without having to ask the student for permission, unless the student specifically requests in writing that any or all such information not be made public without the student's written consent. The categories of directory information at this institution are:

The student's name, home and local addresses and telephone numbers, date and place of birth, major field of study, participation in officially recognized activities and sports, including weight and height of members of athletic teams, dates of attendance, degrees and awards received, previous educational institutions attended by the student, and distinguished academic performance.

If you wish to withhold the disclosure of any or all of the "Directory Information" items, fill out the form below within 14 days of the first day of classes each semester and return it to the Office of the Registrar. If it is not received in the Office of the Registrar by that date, it will be assumed that all "Directory Information" may be disclosed for the remainder of the semester. A new form for non-disclosure must be completed and filed with the Office of the Registrar each semester or summer session.

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I have carefully read the above and request that the following specific items of "Directory Information" not be disclosed by the College without my prior written permission:

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Term (circle one): Fall Spring Summer 20\_\_

Soc. No. \_\_\_\_\_ Typed or Printed Name \_\_\_\_\_

Date \_\_\_\_\_ Student's Signature \_\_\_\_\_

Form 001 (Revised 5/94)

Adopted June 19, 1990 (90-06-85)  
Revised August 23, 1994 (94-08-119)

<b>Policy Section</b>	
<b>6.3.9.</b>	<b>POLICY ON FRAUD</b>

Approval Date: May 13, 1991

WHEREAS the President and the College Administration feel there is a need to adopt a policy on fraud, and

WHEREAS the President is recommending that the following policy on fraud be adopted by the Board of Trustees, and

WHEREAS the Board of Trustees has met as a Committee-of-the-Whole and discussed this problem, now, therefore, be it

RESOLVED that the Board of Trustees hereby approves the adoption of the following policy on Fraud:

**BOARD OF TRUSTEES POLICY ON FRAUD**

If in the course of reviewing a student's information, the school has reasonable grounds to believe that in applying for aid, the student has engaged in fraud or other criminal misconduct such as: the use of false identities, forgery of signatures or certifications, claiming false information through materials, documents, accounts or records, omitting relevant or necessary information to gain a benefit, using or possessing a false or altered identification card, and false claims of income, citizenship, or independent student status, in applying for financial aid, will result in disciplinary actions being applied and, in the case of fraud involving financial aid, a demand for repayment of funds dispensed. The Assistant Dean for Student Services will be notified immediately to contact the student, and may take action, up to and including permanent suspension and notification to the U.S. Department of Health and Human Services, the Education Office of the Inspector General, and the State or local law enforcement agency that has jurisdiction to investigate the matter.

Adopted May 13, 1991 (#91-5-69)  
Revised June 20, 2017 (17-6-243)

<b>Policy Section</b>	
<b>6.3.10</b>	<b>JUDICIAL PROCESS</b>

Approval Date: June 18, 2007

WHEREAS, the Board of Trustees last approved amendments to the policy on Student Conduct – 6.3.10. via Resolution # 17-8-251, and

WHEREAS, additional revisions have been recommended to ensure compliance with Title IX requirements and those in New York State Education Law 129-B, and

WHEREAS, the Senior Vice President for Enrollment Management and Student Services and College Attorney have reviewed and the President concurs, and

WHEREAS, the Personnel, Educational Programs and Services Committee has met and concurs,  
 now, therefore be it

RESOLVED that the Board of Trustees hereby approves the amendments and additional revisions to the policy on Student Conduct – 6.3.10., as attached.

**I. JUDICIAL PROCESS (NON ACADEMIC DISHONESTY)**

**A. SANCTIONS**

SUNY Chancellor Malatras has issued a new SUNY Policy effective October 1, 2020, regarding Uniform Sanctioning in Response to COVID-19 Student Violations at all SUNY campuses, including community colleges.

The emergency directive to implement the [Uniform Sanctioning in Response to COVID-19 Student Violations SUNY Policy](#) is effective based on the authority of the

Chancellor.

Disciplinary action, excluding those penalties determined in a legally constituted court of law, may be any of the following:

1. **Disciplinary Reprimand:** An oral statement or written statement to the offender that the offender has violated College regulations.
2. **Apology Letter:** A formal apology letter in writing.
3. **Censure:** Written reprimand for violation of specified regulation, including the possibility of more severe disciplinary sanction in the event of conviction for the violation of any College regulation, within a period of time stated in the letter of reprimand.
4. **Community Service:** An unpaid service for the benefit of the College or the community as a consequence of violation of the code. May include work assignments on campus up to twenty-five hours.
5. **Disciplinary Probation:** Exclusion from participation in privileges or extra-curricular College activities, as set forth in the notice of disciplinary probation for a specified period of time.
6. **Expulsion-Termination:** of the status of the offender for an indefinite period of time. The conditions of readmission, or reemployment, if any is permitted, shall be stated in the order of expulsion.
7. **Mandatory Counseling:** Referral to counseling services for substance abuse, psychiatric or psychological assessment.
8. **Restitution-Reimbursement:** for damage to, or misappropriation of, property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages. Such restitution will also take into account the rights of any victims of the actions of the offender.

9. **Interim Suspension:** An interim suspension may be imposed pending an investigation and/or the resolution of an alleged Code Violation. An interim suspension is not disciplinary in nature.
10. **No Trespass/No Contact:** A No Trespass/No Contact order may be imposed pending an investigation and/or as part of the outcome of the disciplinary process.
11. **Suspension-Exclusion:** from the College and other privileges or activities as set forth in the notice of suspension for a definite period of time.
12. **Other:** Additional or alternate sanctions may be created and designed as deemed appropriate to the offense, with the approval of the Assistant Dean or designee.
13. **Warning:** Notice to the offender, orally or in writing, that continuation or repetition of the conduct found wrongful, within a period of time stated in the warning, may be cause for more severe disciplinary action.

## **B. PROTECTION AND ACCOMMODATIONS**

1. Protections and accommodations shall be afforded to reporting individuals, the accused and respondents.
2. Upon the request of a protected person the College shall issue a "No Contact Order", a No Contact Order shall advise an accused student that continuing to contact the protected individual is a violation of College policy subject to additional conduct charges; if the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person. Both the accused/respondent and reporting individual may request a prompt review of the need for and terms of a No Contact Order, consistent with Ulster County Community College policy. The parties may submit evidence in support of their request.



3. To have assistance from Campus Public Safety or other appropriate College officials in obtaining an Order of Protection or, if outside New York State, an equivalent protective or restraining order.
4. To receive a copy of the Order of Protection or equivalent when received by the College and to have an opportunity to meet or speak with a College official, or other appropriate individual, who can explain the Order and answer questions about it, including information from the Order about the accused's responsibility to stay away from the protected person or persons.
5. To an explanation of the consequences for violating these Orders, including but not limited to arrest, additional conduct charges and interim suspension.
6. To receive assistance from Campus Public Safety in effecting an arrest when an individual violates an Order of Protection or equivalent and have an opportunity to meet or speak with a College official who can explain the Order and answer questions about it, including information from the Order about the accused's responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).
7. To an explanation of the consequences of violating these orders, including but not limited to arrest, additional conduct charges and interim suspension.
8. To have assistance from Campus Public Safety in effecting an arrest when an individual violates an Order of Protection or, if outside New York State, an equivalent protective or restraining order within the jurisdiction of Campus Public Safety or, if outside the jurisdiction, to call on and assist local law enforcement is effecting an arrest for violating such an Order.
9. When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to interim suspension pending the outcome of a conduct process. Both the accused or respondent and the reporting individual shall, upon request,

be afforded a prompt review, reasonable under the circumstances, of the need for and terms of an interim suspension, including potential modification, and shall be allowed to submit evidence in support of his or her request.

10. When the accused is not a student but is a member of the College community and presents a continuing threat to the health and safety of the community, to subject the accused to interim measures in accordance with applicable collective bargaining agreements, employee handbooks and Ulster County Community College policies and rules.
11. When the accused is not a member of the College community, to have assistance from Campus Public Safety or other College officials in obtaining a barring notice; subject to legal requirements and College policy.
12. To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation or other applicable arrangements in order to help ensure safety, prevent retaliation and avoid an ongoing hostile environment. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them. While reporting individuals may request accommodations through any of the offices referenced in this policy, the following office can serve as a point to assist with these measures:

Here insert link to Assistant Dean of Student Services, Matthew Brennie, (845) 688-6068, VAN 240.

The Chief Administrative Officer or the Chief Administrative Officer's designee may apply to public law enforcement authorities for any aid deemed necessary in causing the ejection of any violator of these rules, and may include a request that the legal counsel of the College apply to any court of appropriate jurisdiction for an injunction or other legal action as may be deemed appropriate or necessary to restrain the violation or threatened violation of this statement or those rules and regulations referred to herein.

The Board of Trustees affirms and upholds the right of freedom of speech and peaceful assembly, and hereby affirms the right of each and every individual referred to herein to be afforded the due process of law as set forth in the Constitution of the United States, New York State, and all statutory law.

### **C. OFF-CAMPUS JURISDICTION**

1. Violations of local, State, or federal laws, if committed off campus, shall be the subject of College disciplinary action when, in the judgment of the Assistant Dean, it represents a danger to life, welfare, or property of members of the College community. The Assistant Dean may choose to impose an interim suspension and a declaration of No Trespass/No Contact pending the outcome of criminal process. However, every student shall have the right to have the College's judicial process run concurrently with a criminal justice investigation and proceedings, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than ten (10) days except when law enforcement specifically requests and justifies a longer delay.

### **D. COMPLAINTS AND INVESTIGATION OF CODE VIOLATIONS**

#### **1. How May Allegations of a Code Violation be Reported?**

- (a) A Complaint against a student for violations of the Code may be made in writing by anyone who feels the Code has been violated. A Complaint should be made as soon as possible following the incident. A Complaint Form is available in the Public Safety Office, with the Assistant Dean for Student Services and online on the portal at [my.SUNYUlster.edu](http://my.SUNYUlster.edu).
- (b) An incident report will be generated and sent to The Assistant Dean for Student Services. The Complaint should include as much detail of the alleged violation as possible and, to the degree possible, include specific references to that part of the Code that the

complainant believes pertains to the Complaint. The Complaint must include the complainant's name, address, and telephone number and as much information as is known about the person accused. If there are any witnesses, their names and addresses should also be provided if known. As much detail as possible should be provided. In exceptional circumstances, provisions may be made to protect the identity of reporters and witnesses upon request.

**2. Are All Complaints of Code Violations Subject to the Judicial Code?**

- (a) Yes.

**3. What Happens When an Incident Report is Received? How is an Investigation Conducted?**

- (a) When a Complaint is received by the College, The Assistant Dean for Student Services will assign an investigator and conduct an investigation as to the circumstances surrounding the event in question to determine whether there are sufficient grounds to believe a violation of the Code occurred. Unless the nature of the allegation already has a prescribed investigatory procedure (e.g. a Complaint of a violation of the College's sexual harassment policy) the following investigatory procedure will be followed:
  - i. The Assistant Dean for Student Services and/or the Office of Public Safety will schedule a conference and obtain a written statement from the Complainant and gather facts from the Complainant with respect to the allegation(s). At this time, or any time in the investigative process, The Assistant Dean for Student Services may determine that an interim suspension (see next question below) or other immediate College action is appropriate given the nature of the Complaint or the facts.

- ii. Based upon the sufficiency of the Complaint or report filed, The Assistant Dean for Student Services and/or The Office of Public Safety may order an investigation of the circumstances surrounding the incident in question or make a determination that further investigation is not warranted. The latter option is appropriate only where the conduct under scrutiny is not a Code violation, even if true. A determination to dismiss the Complaint should be made by the investigator after consultation with and approval from The Assistant Dean for Student Services.
- iii. If an investigation is warranted, The Assistant Dean for Student Services and/or The Office of Public Safety may schedule a meeting with the accused student, witnesses and/or other persons involved in the incident. The meetings do not necessarily need to be in this order and, if necessary, more than one meeting can be held with any one person for fact gathering.
- iv. The Assistant Dean for Student Services and/or The Office of Public Safety will determine, after investigation, if a Student Conduct Hearing is warranted.
- v. If the Assistant Dean for Student Services believes the Complaint does not warrant further action after investigation, the matter will be closed. Such determinations are appropriate where the conduct under scrutiny does not violate the Code even if true and/or when there is insufficient evidence to support a reasonable belief that the Code has been violated. A determination to dismiss the Complaint after investigation should be made by the investigator after consultation and approval from The Assistant Dean for Student Services.

#### 4. When Can an Interim Suspension or No Trespass Order Be Implemented?

- (a) At any time after a Complaint is filed, through the completion of an investigation and the subsequent hearing process, The Assistant Dean for Student Services or designee is authorized to place an Accused student on interim suspension and/or issue a no trespass order for all or part of campus. The reasons for such interim action may be to protect any potential threat to the physical or emotional safety and well-being of the Accused student(s) or the Complainant, to protect the integrity of the investigation process, pending the outcome of a psychological or medical assessment and/or for reasons relating to the safety and well-being of students, faculty, staff, or College property. In some cases, the accused student may be permitted to attend classes but suspended from all other campus activities.

#### 5. Voluntary Withdrawals:

- (a) Should the accused voluntarily withdraw from the College during the judicial process and/or the subsequent sanctioning period, The Assistant Dean for Student Services is authorized to place a “Dean of Students Hold” on the accused student’s registration account. Re-enrollment will be subject to the approval of The Assistant Dean for Student Services or his or her designee. In cases involving crimes of violence, including sexual violence, should the accused withdraw from the College during the judicial process and/or the subsequent sanctioning period. The College shall make a notation on the accused student’s transcript that the student **Withdrew with Conduct Charges Pending**. The notation shall remain on the transcript until appropriate disposition of the violation has been made. If a finding of responsibility is vacated for any reason any such transcript notation shall be removed.

## **6. In What Circumstances Can a No Contact Order Be Implemented?**

- (a) The Assistant Dean for Student Services or designee may impose a limited or campus-wide No Contact Order between parties or witnesses to a Complaint when the fear of retaliation and/or harassment may be present and/or for reasons relating to the safety and well-being of students, faculty, and staff.
- (b) Specific instructions will accompany the No Contact Order outlining to all parties the expected behavior including any prohibitions on face-to-face contact, correspondence, email, instant message, telephone, or other communications. Friends and relatives may also be prohibited from contact on behalf of either party.

## **7. What Kind of Notice Will the Accused Receive Regarding a Complaint?**

- (a) If The Assistant Dean for Student Services determines there is reasonable cause to believe that a violation of the Code has occurred, the Accused student will normally be notified in writing within ten (10) business days of receipt of the Complaint. The notification time may be longer if necessary to complete the investigation. This written Notice will include:
  - i. The Complaint, including the date, the approximate time, and the location of the alleged incident, along with the identifying sections of the Code at issue and sanctions that may result;
  - ii. The right to written or electronic notice about the sanction(s) that may be imposed on the accused based upon the outcome of the conduct proceeding. For students found responsible for sexual assault, the available sanction(s) are suspension with additional requirements and expulsion/dismissal;

- iii. A copy of the Code and procedures applicable to the Complaint; and
- iv. A statement that a Student Conduct Conference or Student Conduct Hearing has been scheduled.

#### **E. STUDENT CONDUCT CONFERENCE\***

\*Due to COVID-19, Student Conduct Conferences may be offered in person or remotely based on Federal, State, County & Institutional Protocols. This applies to all of section

E. Remote conferences will be conducted using Zoom/Google video conferencing as determined.

##### **1. What Happens at a Student Conduct Conference?**

- (a) In instances where the investigator and or The Assistant Dean for Student Services or designee determine that there is sufficient evidence to support a reasonable, good-faith belief that the Accused violated the Code of Conduct, The Assistant Dean for Student Services or designee may conduct a Student Conduct Conference with the Accused student. A hearing officer will be designated by The Assistant Dean for Student Services. At the Student Conduct Conference, the Accused student will:
  - i. Be informed of the information provided to date by the complainant and other persons;
  - ii. Be given an opportunity to raise questions and discuss the information;
  - iii. Be given the opportunity to admit the allegations and accept responsibility for the violation(s);



- iv. Be given the opportunity to deny the allegations; and
  - v. Be informed of the Student Conduct Conference and Student Conduct Hearing Process and possible remedies and sanctions that may result.
- (b) As a result of the Student Conduct Conference, The Assistant Dean for Student Services or designee may:
- i. Dismiss the Complaint;
  - ii. Refer the Complaint to the appropriate administrative process within the College;
  - iii. Resolve the Complaint informally or impose a sanction that does not warrant a Disciplinary Suspension or permanent Dismissal/Expulsion;
  - iv. Require further investigation of the Complaint; or
  - v. Determine that a Student Conduct Hearing is appropriate.
- (c) If further investigation of a Complaint is determined to be necessary after a Student Conduct Conference, the Accused student will be afforded another Student Conduct Conference at the conclusion of the investigation. Decisions as outlined above shall be made in writing to the Accused student and shall be sent to the Accused student within three (3) business days of the Student Conduct Conference.

**2. How May A Student Appeal a Decision Made at the Student Conduct Conference?**

- (a) A party has the right to appeal the decision to The Assistant Dean for Student Services, within (3) three business days of receipt of the decision letter, who will convene a Student Conduct Hearing Panel. The decision of the Student Conduct Hearing Panel is final. Notice of the Student Conduct Conference Appeal process will be given in writing at the time of the decision imposing a sanction.

## **F. THE STUDENT CONDUCT HEARING\***

\*Due to COVID-19, Student Conduct Hearings may be offered in person or remotely based on Federal, State, County & Institutional Protocols. This applies to all of section F Remote conferences will be conducted using Zoom/Google video conferencing as determined.

### **1. What Kind of Notice of the Student Conduct Hearing Does an Accused Receive?**

- (a) If it is determined that a Student Conduct Hearing is warranted notification will be provided by The Assistant Dean for Student Services to the Complainant and to the Accused student. Notice will be made by hand delivery, email, and/or certified mail. Notices delivered to students of the College are considered presumptively delivered if delivered to the student's email address that The Assistant Dean for Student Services has on record for the student. The notice will include:
- i. The name of the Complainant; or that the College will serve as the complainant;
  - ii. The nature of the Complaint, including the specific code sections alleged to have been violated, applicable conduct procedures and the sanctions that may result;
  - iii. The time and place of the hearing. All Student Conduct Hearings will be scheduled during the College's regular business hours. (9 am – 4 pm);

- iv. Notice of the right to have relevant witnesses;
- v. Notice of the right to present relevant information;
- vi. The names of others who will be present at the hearing (if known), including the names of the hearing officers on the Hearing Panel; and
- vii. Notice that a Document File compiled by The Assistant Dean for Student Services with statements from the Complainant, Accused student and Witnesses and any other documentary information will be available to the Accused student, the Complainant and their campus advisor for review at least three (3) days prior to the Student Conduct Hearing. An appointment is required to review the Document File.

## **2. What Happens at a Student Conduct Hearing?**

- (a) Student Conduct Hearings for violations of the Code are conducted by a three (3) person panel made up of trained faculty, students and staff from the College that are designated by The Assistant Dean for Student Services or designee. In most cases, the chair of the panel is a staff member or faculty member who has not had involvement in the taking of the Complaint or the investigative process. Every panel shall be fair and impartial and shall not include individuals with a conflict of interest. Student Conduct hearings are closed to all members of the campus and outside community except those directly involved with the Complaint. The Complainant and the Accused student each have the right to be assisted by a SUNY ULSTER campus advisor who is not a witness in the Complaint. The campus advisor must be a full-time SUNY ULSTER employee, who is acting in his or her role as a SUNY ULSTER

employee. In cases of sexual misconduct, all students (the accused, the complainant(s), and the witnesses) have the right to be accompanied by an advisor of choice throughout the entire judicial process. All advisors who enter a hearing may be present to advise only; they may not participate directly in the hearing. Advisors who interfere with the proceedings can be excused by the hearing panel. An audio recording or a transcript of the hearing shall be made and kept by The Assistant Dean for Student Services for a period of seven (7) years from the date of the conclusion of the proceeding.

- (b) Only persons involved in the hearing process will be permitted in the vicinity of the hearing. It is expected that participants and advisors will respect the dignity and privacy of College community members and keep private that which transpires during the hearing, in accordance with federal and state law. Student witnesses, when called by the College on behalf of the Complainant, the accused student, or the College, are required to participate in the hearing process. Generally, the hearing process will be conducted in the following manner:
- i. All participants and advisors will be introduced to the Hearing Panel;
  - ii. The Chair of the Panel shall initiate the audio recording or transcription of the hearing;
  - iii. The Hearing Panel will recite the Complaint against the student and all code sections alleged to have been violated;
  - iv. The Accused student will state whether he or she is responsible, not responsible, or responsible with an explanation for the alleged misconduct. Responsible with an explanation means the student admits to the actions, but believes there were circumstances that should be taken into consideration by the Hearing Panel in the determination of the Complaint;

- v. Statements regarding their respective positions may be given by the Complainant and the Accused student. The Hearing Panel, through its Chair, may place reasonable time limitations on the statements;
- vi. The College reserves the right to assign a representative of The Assistant Dean for Student Services and/ or a representative from The Office of Public Safety to present the Complaint against the accused student;
- vii. Relevant records, documents, and written statements may be accepted and considered by the Hearing Panel; in cases of sexual misconduct, all parties have the right to exclude their own prior sexual history with persons other than the party in the judicial process or their own mental health diagnosis and/or treatment from admittance in the College disciplinary stage that determines responsibility;
- viii. The Complainant and the Accused student may be present throughout the entirety of the proceeding, except for the deliberation phase;
- ix. The Complainant, the Accused student and the representative from The Assistant Dean for Student Services or The Office of Public Safety will be able to present witnesses, who will be subject to cross examination;
- x. Witnesses will be asked to remain until the end of the hearing in the event they must be called back for clarification of their testimony;
- xi. In the event that a witness is not available, a signed statement from the witness may be admitted. Any such statements will be shared with the parties prior to the hearing, and the

accused student will be given full opportunity to respond to the written statement at the hearing;

- xii. Witnesses will appear separately and will leave the hearing room after their testimony is completed. Witnesses are not permitted to leave the vicinity of the hearing room until permission has been granted by the Hearing Panel, and are instructed not to communicate with other witnesses outside the hearing during the proceedings.
- xiii. All parties may question each other and the witnesses, and the Hearing Panel may direct questions as appropriate to any participant. All parties shall have the right to have the Panel Chair request responses to questions from other parties and witnesses during testimony;
- xiv. All witnesses and parties shall have the right to a range of options for providing testimony via alternative arrangements including telephone/video conferencing or testifying with a room partition;
- xv. The Complainant and the Accused student may present concluding remarks. The Hearing Panel may place reasonable time limitations on the statements;
- xvi. At the conclusion of the hearing the Hearing Panel will advise the Complainant and the Accused student that their determination will be given, in writing, to The Assistant Dean for Student Services;
- xvii. The Accused student's prior student conduct record will be a factor in determining the appropriate sanction(s) if a violation of the Code is found to have occurred. In cases of sexual misconduct, past findings of Domestic Violence, Dating Violence, Stalking, or Sexual Assault, are admissible in the sanctioning stage. The complainant

will also have the opportunity to make a victim impact statement to the board when they are deliberating an appropriate sanction (s). The rules of evidence applicable to Federal, State and Local courts do not apply to Code proceedings at the College. Fair process applicable to this process is as defined in these procedures. The decision of the Panel will be based upon an evaluation of the information presented and a determination as to whether the Code was more likely than not to have been violated, otherwise known as a "fair preponderance of the evidence". For each violation, the Hearing Panel will impose an appropriate remedy and/or sanction. Each alleged violation and each remedy and/or sanction shall be decided by an affirmative vote of at least two (2) members of the Hearing Panel.

### **3. How Will the Accused be Notified of the Outcome of the Student Conduct Hearing?**

- (a) Generally, the Accused student will be notified of the outcome of the hearing within ten (10) business days of the conclusion of the Student Conduct Hearing. For each separate offense, the Hearing Panel will determine whether the accused student is responsible or not responsible. The decision will be based upon an evaluation of the information presented and a determination as to whether the Code was more likely than not to have been violated. For each violation, the Assistant Dean for Student Services will impose an appropriate remedy and/or sanction.

### **4. How Will Students Who Alleged Code Violations be Notified of Outcomes?**

- (a) The outcome of a campus hearing is part of the educational record of the accused student, and is protected from release under a federal law, FERPA. The Complainant will generally not be notified of the outcome of the hearing except in cases of violence or sexual misconduct involving the Complainant, once the decision of the Hearing Panel has been issued.

- (b) The legal exceptions are as follows:
- i. With respect to proceedings involving an accusation of sexual assault, domestic violence, dating violence, stalking, or sexual activity the parties shall have the right to simultaneous written or electronic notification of the outcome of a conduct proceedings, including the decision, any sanction(s) and the rationale for the decision and any sanction(s).
  - ii. The College may also release publicly the name, nature of the violation and the sanction for any student who is found in violation of a College policy that is a “crime of violence,” including: arson, burglary, robbery, criminal homicide, sex offenses, assault; destruction, damage, or vandalism of property; and kidnapping and/or abduction. The College will also release this information to the complainant in any of these offenses, regardless of the outcome.
  - iii. In cases of sexual misconduct, all the information obtained during the course of the judicial process will be protected from public release until the appeal process concludes, unless otherwise required by law. For all crimes of violence, including, but not limited to forcible and nonforcible sex offenses, a notation will be placed on the transcript of the student found responsible after a conduct process.
  - iv. The respondent and the reporting individual shall have the right to choose whether to disclose or discuss the outcome of a conduct hearing. However this does not allow students to unreasonably share private information in a manner intended to harm or embarrass another individual, or in a manner that would recklessly do so regardless of intention. Such sharing may be retaliation which can result in separate charges under the Code of Conduct.
  - v. The transcript shall read: “SUSPENDED AFTER A FINDING OF RESPONSIBILITY FOR A CODE OF CONDUCT VIOLATION” OR “EXPELLED AFTER A FINDING OF RESPONSIBILITY FOR A CODE



OF CONDUCT VIOLATION.” Notations will not be removed prior to one year after the conclusion of the suspension, while notations for expulsion shall not be removed.

- vi. To request that a transcript notation be removed after a suspension ends, a student must submit a written request to The Assistant Dean of Student Services; this request will be considered one year from the date of the suspension’s end. It is the student’s responsibility to provide compelling evidence that supports request for removal of a transcript notation and to provide documentation probative of their activities (work, education, etc.), since the suspension.
- vii. If a finding of responsibility is vacated for any reason any transcript notation shall be removed.

**G. STUDENT CONDUCT HEARING APPEAL PROCEDURES**

**1. Can an Accused Student Appeal a Student Conduct Hearing Decision?**

- (a) Yes. If an Accused student is found responsible for a Code violation, the individual can appeal in writing to the President of the College, or his or her designee, within three (3) business days of receipt of the determination.
- (b) In cases of Sexual Misconduct, the complainant, as well as the accused, is entitled to an appeal, the process for which is set forth in the College’s Sexual Misconduct Policy.
- (c) The student has the right to request a final review based on any of the following grounds:
  - i. The student was not accorded, in a significant way, due process as outlined in this Student Judicial Code;

- ii. The student has new evidence that was unknown or not available at the time of the original hearing that could be decisive to the outcome of the hearing;
- iii. The Hearing Board imposed a penalty that exceeds the maximum stated penalty.

## **2. How Can a Student File an Appeal of a Student Conduct Hearing Decision?**

- (a) The President of the College or designee will review the written request for an appeal to determine whether there is sufficient basis to grant an appeal. If so, he or she will proceed to hear the appeal, or return the Complaint to the original hearing body for reconsideration or rehearing in light of the basis for the appeal. If the President of the College or his or her designee determines that there is not a sufficient basis to change the decision of the Hearing Panel, the student will be notified in writing. Appeals are deferential to the original hearing decision, and are not intended as a rehearing. If the President of the College or designee hears the appeal, he or she may determine that there is a sufficient basis to change the decision of the Hearing Panel only if there is clear error or compelling justification. If so, he or she may reverse, sustain or modify the decision, or change the sanction. Normally, appeals involve a review of the hearing record and appeal request. At the discretion of the President of the College or his or her designee, the parties to the Complaint and witnesses may be interviewed and documentation may be reviewed as necessary to assure fairness. The decision of the President of the College or designee will be final within the College Student Judicial Code Structure

## **II. ACADEMIC DISHONESTY – JUDICIAL PROCESS**

### **A. JUDICIAL PROCEDURES FOR ACADEMIC DISHONESTY AND DISAGREEMENTS (Please see Board of Trustees Policy 6.6)**

In all cases, the objective is to provide fundamental fairness to the student. It is the responsibility of the instructor to present adequate evidence in support of charges of academic dishonesty.

Disagreements between students and instructors are usually resolved on an informal basis. However, the College provides formal avenues to address **instances** where informal resolution of a disagreement is not possible. These formal procedures are not intended to replace informal channels, and every attempt should be made to explore the informal avenues before escalation to more formalized procedures.

These procedures in no way reduce the traditional responsibility and authority of faculty members in establishing academic standards and procedures for their courses.

## DUE PROCESS HEARING

1. Informal Level

- (a) An instructor who suspects that academically dishonest behavior has transpired is expected to discuss his or her concerns with the student(s) in question within seven business days of becoming aware of the issue. The student and the instructor will attempt to resolve the issue in a mutually acceptable manner.
- (b) If the student and teacher are unable to resolve the issue in a mutually acceptable manner, the student may contact the appropriate Department Chairperson within seven business days. A meeting will be set up between the student, instructor, and the appropriate Department Chairperson to discuss the perceived incident of academic dishonesty in an attempt to resolve the issue in a mutually acceptable manner. If the faculty member who suspects that academically dishonest behavior has transpired is the Department Chairperson, then step A2 at the informal level will be bypassed and the process will move directly to the formal level.

2. Formal Level

- (a) If the issue remains unresolved after the student meets with the instructor and appropriate Department Chair (see A2 above), the student will contact the Chairperson of the Academic Standards Committee and express his or her concerns within three business days of the meeting with the Department Chair. The instructor will then be asked to prepare a written statement detailing the perceived case of academic dishonesty within three business days. The Academic Standards Committee Chairperson will immediately forward copies of the instructor's written statement to the student, who will be required to respond in writing. The student must respond to the instructor's statement within three business days of receipt. Failure to do so will result in the forfeiture of the student's right to contest the penalty imposed by the instructor.
- (b) Upon receiving the students' response the Chairperson of the Academic Standards Committee will forward all documents to members of the

Academic Honesty Review Committee. The Academic Honesty Review Committee will meet within three business days of receiving all written letters and review the documents. Only faculty who has no prior involvement with the student concerning this appeal may sit on the Academic Honesty Review Committee to review the evidence of this particular case.

- (c) The Academic Honesty Review Committee will be a standing committee consisting of three members, and an alternate, in addition to the chairperson. The Chairperson of the Academic Standards Committee will act as the Chairperson of Academic Honesty Review Committee and is a nonvoting member whose role is to facilitate the meeting. The three voting members of the committee will be drawn from the library and/or teaching faculty.
- (d) After reviewing the documents, the Academic Honesty Review Committee will invite the student and instructor to be present at a meeting, which will be held within five business days of receipt of the documents to consider the issue addressed in the written documents.
- (e) The student and the faculty member may elect to have an advocate of his or her choice present at the meeting. Advocates will be limited to SUNY Ulster faculty, staff, and students. The advocates are present to witness the meeting and provide moral support; they are expected to neither speak for, nor coach, the parties involved in the dispute.
- (f) The Academic Honesty Review Committee's written recommendation, along with all pertinent supporting material, will be forwarded immediately to the Vice President of Academic Affairs. A member of the Academic Honesty Review Committee will be designated to deliver these documents and to be available to answer any questions that the Vice President of Academic Affairs may raise concerning the Committee's recommendation. All members of the Academic Honesty Review Committee will receive a copy of the recommendation sent to the Vice President of Academic Affairs.
- (g) The Vice President of Academic Affairs will review the Academic Honesty

Review Committee's recommendation along with the documents of the student and the faculty member. Within three business days of receipt, the Vice President of Academic Affairs will render a decision and report his or her findings in writing to the student, the faculty member, and the Department Chairperson. The Vice President of Academic Affairs will send copies of his or her final decision to the Academic Honesty Review Committee, the student, the faculty member, and the Department Chairperson. The rendering of the decision by the Vice President of Academic Affairs is the final step in the Academic Honesty Review Process of the College.

A list of all reported acts of academic dishonesty which proceed to the formal level of resolution will be archived in the Vice President of Academic Affairs office. If the issue has been resolved informally the instructor may, at his or her discretion, report the act of academic dishonesty to the Vice President of Academic Affairs office for inclusion in the archived list of reported acts of academic dishonesty.

- (h) Sanctions for a first offense Academic Dishonesty Violation include:
- i. Repetition of assignment or examination
  - ii. A failing grade for the assignment or examination
  - iii. A failing grade for the course, or
  - iv. Suspension or dismissal from the program

Any second instance will result in dismissal from the College for a period of time not less than one calendar year.

SUNY Ulster's Academic Honesty Policy may also be viewed in the SUNY Ulster Board of Trustees Policy manual (Board Policy 6.6).

### **C. APPEALS PROCEDURE (Please see Board of Trustees Policy 6.7)**

Disagreements between students and instructors are usually resolved on an informal basis. However, the College provides formal avenues for **appeals** against an instructor. These formal procedures are not intended to replace informal channels, and every attempt should be made to explore the informal avenues before escalation to more formalized procedures.

Reasonable efforts will be made to expedite the process. Time frames are specified to accommodate this procedure.

These procedures in no way reduce the traditional responsibility and authority of faculty members in establishing academic standards and procedures for their courses.

#### **1. Informal Level**

- (a) The student who wishes to appeal a classroom situation or grade must take his or her appeal to the instructor within seven business days of the occurrence of the incident, or receipt of the disputed grade. The student and the instructor will attempt to resolve the issue in a mutually acceptable manner.
- (b) If the student and teacher are unable to resolve the issue, the student will contact the appropriate Department Chairperson within seven business days. A meeting will be set up between the student, instructor, and the appropriate Department Chairperson to discuss the appeal and attempt to resolve the issue in a mutually acceptable manner. If the faculty member who is involved directly with the classroom situation or grade is the Department Chairperson, then step A2 at the informal level will be bypassed and the process will move directly to the formal level.

#### **2. Formal Level**

- (a) If the appeal remains unresolved after the student meets with the appropriate Department Chair (see A2 above), the student will contact the

Academic Appeals Committee Chairperson concerning his or her appeal within three business days of meeting with the Department Chair. The student will then be asked to prepare a written appeal within three business days. The Academic Appeals Committee Chairperson will immediately forward copies of the student's written appeal to the faculty member, who will respond in writing to the appeal. The faculty member must respond to the student's appeal within three business days of receipt.

- (b) The Academic Appeals Committee will meet within three business days of receiving all written letters and review the documents. The Academic Appeals Committee will be a subcommittee of the Academic Standards Committee and consist of three members in addition to the chairperson. Two members will be tenured faculty and one may be non-tenured with a minimum of three years full- time teaching experience.
- (c) After reviewing the documents, the Committee will invite the student, instructor, and Department Chairperson to be present at a meeting, which will be held within five business days of receipt of the documents to consider the appeal addressed in the written documents. The student and the faculty member may elect to have an advocate of his or her choice present at the meeting.
- (d) Advocates will be limited to SUNY Ulster faculty, staff, and students. The advocates are present to witness the meeting and provide moral support; they are expected to neither speak for, nor coach, the parties involved in the dispute. Only faculty who has no prior involvement with the student or instructor concerning this appeal may sit on the Committee to review this particular appeal. The Chairperson of the Academic Appeals Committee is a nonvoting member who will facilitate the meeting.
- (e) The Committee's written recommendation, along with all pertinent material, will be forwarded immediately to the Vice President for Academic Affairs and Dean of Faculty. A member of the Committee will be designated to deliver these documents and to be available to answer any questions that the Vice President may raise concerning the Committee's



recommendation. All members of the Academic Appeals Committee will receive a copy of the recommendation sent to the Dean.

The Vice President of Academic Affairs and Dean of Faculty will review the Committee's recommendation along with the documents of the student and the faculty member. Within three business days of receipt, the Vice President will render a decision and report his or her findings in writing to the student, the faculty member, and the Department Chairperson. The Vice President will send copies of his or her final decision to the Academic Appeals Committee, the student, the faculty member, and the Department Chairperson. The rendering of the decision by the Vice President for Academic Affairs and Dean of Faculty is the final step in the Academic Appeals Process of the College.

Adopted June 18, 2007 (07-6-72)

Revised July 13, 2017 (17-7-248)

Revised May 15, 2018 (18-5-107)

<b>Policy Section</b>	
<b>6.3.11.</b>	<b>PROHIBITION ON MARKETING OF CREDIT CARDS</b>

Approval Date: June 24, 2008

WHEREAS New York State Education Law § 6437 requires that the College have a policy in place prohibiting the marketing of credit cards on college campuses to students unless certain restrictions are placed on said marketing, and

WHEREAS the President of the College is required to certify to the New York State Education Department the College's compliance with the Education Law prohibition by July 1<sup>st</sup>, 2008, and

WHEREAS the College has no current plan to allow a credit card marketing program directed toward students on campus, now, therefore, be it

RESOLVED that the Board of Trustees Board Policy is hereby supplemented to include the following: Board Policy Prohibiting the Marketing of Credit Cards On Campus- The advertising, marketing, or merchandising of credit cards on the College Campus to students is hereby prohibited.

Adopted June 24, 2008 (08-6-93)

<b>Policy Section</b>	
<b>6.3.12.</b>	<b>STUDENT ATHLETE CONDUCT POLICY</b>

Approval Date: September 15, 2009

WHEREAS, the Athletic Department at SUNY Ulster adheres to the same vision and mission statements of the College, and

WHEREAS, the Athletic Department strives to produce athletes who rise to the challenges of both the physical competition and academic expectation given them, and

WHEREAS, the Athletic Department demands a high level of conduct for all student-athletes during the off season as well as in season, and

WHEREAS, William Ryan Jr., College Attorney has reviewed this proposed policy, now, therefore, be it

RESOLVED, that the Board of Trustees adopts the attached as SUNY Ulster's Student-Athlete Conduct Policy, and be it

FURTHER RESOLVED, that the Student-Athlete Conduct Policy be periodically reviewed and updated with respect to any future changes to SUNY Ulster's Code of Conduct or NJCAA's rules and regulations.

**STUDENT-ATHLETE CONDUCT POLICY**

As a representative of SUNY-Ulster and the intercollegiate Athletics Department, the following are basic expectations required for your participation. Failure to uphold these expectations and standards may jeopardize your participation.

- Conduct yourself in a mature and responsible manner at all times. You will be expected to display respectful behavior towards all members of the college and extended community. This includes faculty, staff, coaches, teammates, officials, and opposing teams.
- Attend classes in accordance with the instructor’s attendance policy, complete and submit assignments on time and achieve passing grades on all required tests, projects, and papers. Always be attentive in class and put forth the effort required to succeed. Realize that academics take priority over all athletic related activities.
- Be truthful and honest in all your communications with faculty and staff. This includes information compiled on the NJCAA Eligibility Affidavit. Failure to truthfully report information on the NJCAA Eligibility Form, by rule, renders you ineligible for competition.
- Be aware of the time requirements for practices and games and plan accordingly. Be proactive in managing your class schedule to avoid game and class conflicts.
- Take advantage of the services and facilities available to you. Discuss your goals with your coach and your academic advisor. Become familiar with the Library, the Learning Center, the Computer Labs, and Student Services.
- Avoid situations and circumstances that could result in legal disciplinary proceedings.

**I have read the Student-Athlete Conduct Policy. I understand the expectations and assume personal responsibility for my actions.**

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

Head Coach Signature \_\_\_\_\_ Date \_\_\_\_\_

Athletic Director Signature \_\_\_\_\_ Date \_\_\_\_\_



Adopted September 15, 2009 (09-9-143)

<b>Policy Section</b>	
<b>6.3.13.</b>	<b>TRANSCRIPT NOTATIONS POLICY</b>

Approval Date: May 15, 2018

**Academic Transcript Notation Policy**

New York State Education Law Article 129-B, section 6444(6) requires that the College have in place a Transcript Notation Policy as follows:

“For crimes of violence, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act established in 20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII), institutions shall make a notation on the transcript of students found responsible after a conduct process that they were ***Suspended after a finding of responsibility for a code of conduct violation*** or ***Expelled after a finding of responsibility for a code of conduct violation***. For the respondent who withdraws from the institution while such conduct charges are pending, and declines to complete the disciplinary process, institutions shall make a notation on the transcript of such students that they ***Withdrew with conduct charges pending***.

A student who has been expelled from the College for serious violations of campus regulations, such as crimes of rape, sexual assault, the sale and/or distribution of illicit drugs and/or controlled substances, will have their judicial sanction permanently noted on their academic transcript. Notations for expulsion shall not be removed.

A student who has been suspended for serious violations of campus regulations, including but not limited to sexual assault or physical abuse may petition the President’s designee to have the transcript documentation removed. A suspension notation may not be removed prior to one year after the conclusion of the suspension. It is the student’s responsibility to provide compelling evidence that supports the petition, as well as to provide documentation of their activities (work, education, etc.) since the suspension.



Students who withdraw from SUNY Ulster prior to the disposition of an alleged conduct violation will have ***Withdrew with conduct charges pending*** noted on their transcript. The notation will remain on the transcript until appropriate disposition of the violation has been made. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

Adopted May 15, 2018 (18-5-101)

<b>Policy Section</b>	
<b>6.3.14.</b>	<b>LEAVE OF ABSENCE POLICY</b>

Approval Date: May 15, 2018

**Leave of absence** is permission to be away from the college temporarily, whether it is for medical, financial or personal reasons. Its purpose is to maintain continuous matriculation up to one year, to preserve registration privileges, and to return to the curriculum under which the student is last enrolled. Students may be on leave for up to two consecutive semesters and may not receive more than two consecutive leaves of absence.

Students must file a Leave of Absence form with the Registrar, which will process the request. Students who do not return in the semester they indicated will be automatically withdrawn from the college and will need to apply for readmission if they wish to return. Students who plan to take courses elsewhere during their leave must have their selections approved prior to leaving by their SUNY Ulster academic advisor. Students applying for a leave of absence must contact the financial aid office to determine possible impacts of a leave of absence on financial aid.

Adopted May 15, 2018 (18-5-100)



<b>Policy Section</b>	
<b>6.4</b>	<b>ALUMNI ASSOCIATION</b>

Approval Date: November 27, 1973

WHEREAS an Alumni Association has been formed at Ulster County Community College, and

WHEREAS the Association has as its objectives (a) to establish and strengthen the bond between the College and the Alumni; (b) to advance the ideals of the College; (c) to act as a clearing house for Alumni sentiment and an interchange of Alumni ideas; and (d) to serve the College by ways and means to be mutually determined by the Alumni, the College Administration and the Student Association, and

WHEREAS the Board of Trustees of Ulster County Community College strongly encouraged the establishment of an Alumni Association and desires to support its growth, now, therefore, be it

RESOLVED that the Board of Trustees of Ulster County Community College hereby formally recognizes the Ulster County Community College Alumni Association and lends support to its endeavors in reaching its objectives, and be it further

RESOLVED that a copy of this resolution be transmitted to the Alumni Association.

Adopted November 27, 1973 (73-11-107)

<b>Policy Section</b>	
<b>6.5</b>	<b>RECOGNITION OF ACADEMIC SENATE</b>

Approval Date: September 6, 2000

WHEREAS, it is appropriate and good for the College to involve teaching faculty directly in assisting the administration and the Board of Trustees in the formulation of academic policies, and

WHEREAS, a committee representing the full-time teaching faculty spent the past spring and summer developing a Constitution of the Academic Senate of Ulster County Community College, and

WHEREAS, the full-time teaching faculty as a whole voted in favor of this Academic Senate Constitution, and

WHEREAS, the Acting Vice President and Dean of Faculty recommends, and the Interim President concurs, and

WHEREAS, the Personnel, Educational Programs and Services Committee has met and concurs, now, therefore, be it

RESOLVED, that the Board of Trustees accept this document and lend their support to the belief that professional involvement in the governance of an institution of higher education is desirable and will prove beneficial to Ulster County Community College.

Adopted September 6, 2000 (00-9-135)

Revised May 21, 2002 (02-5-187)

Amended (02-12-247)

Revised May 2004 (04-5-56)

Revised July 2007 (07-10-122)

Revised (10-12-132)

Revised (14-5-79)

Revised (14-12-163)

<b>Policy Section</b>	
<b>6.6</b>	<b>ACADEMIC SENATE – ACADEMIC HONESTY POLICY</b>

Approval Date: May 17, 2016

WHEREAS, the Faculty approved the attached Academic Honesty Policy as drafted by the Academic Standards Committee of the Academic Senate on March 9, 2016, and

WHEREAS, the Vice President for Academic Affairs and the President concur, and

WHEREAS, the Personnel, Educational Programs and Services Committees have met and concur, now, therefore, be it

RESOLVED, that the Board of Trustees hereby approves the attached Academic Honesty Policy.

### **Student Academic Honesty**

#### **Student Responsibilities**

Academic honesty means that students are expected to do their own work and follow the rules regarding acts such as cheating and plagiarism. It is the student's responsibility to maintain academic honesty. That is, ignorance of the standards of academic honesty is not an acceptable excuse for breaking these standards

Academic dishonesty - breaking the standards of academic honesty - is taken very seriously by the College. Breaking the rules of academic honesty will result in immediate disciplinary consequences.

Academic dishonesty includes, but is not limited to, the following actions:

1. Cheating on examinations or quizzes. Examples include (a) referring to materials that the instructor has not allowed to be used during the test, such as textbooks or notes or websites; (b) using devices the instructor has not allowed to be used during the test, such as cell phones, text messages, or calculators; and (c) copying from another student's paper or asking another student for an answer.
2. Plagiarism. Plagiarism means the use of words or ideas that are obtained from other sources without giving credit to those sources. Not only do quotations have to be referenced, but also any use of the ideas of others, even if expressed in the student's own words, must be referenced. The College has a service to check for plagiarism. Any student paper can be submitted for this plagiarism check.
3. Submission of work that is not entirely the student's own work. Having another person write a paper or parts of a paper is one example of this offense; allowing another student to copy test answers is another example.
4. Theft or sale of examinations, falsification of academic records, and similar offenses.
5. Submitting work to more than one class without the permission of the second instructor. For example, a student who submits to a class a paper previously turned in to another class is in violation of academic honesty, unless the second instructor has given permission.
6. Unauthorized duplication of computer software or print materials. For example, turning in a term paper downloaded from a website is a violation of academic honesty.
7. Influence. A student should not attempt to get an instructor to change a grade or record for any reason except achievement. For example, trying to get an instructor to change a grade because of personal hardship, or because of a bribe, is a violation of academic honesty.
8. Practice of any other form of academic dishonesty not included in this list.

## **Judicial Procedures**

In all cases, the objective is to provide fundamental fairness to the student. It is the responsibility of the instructor to present adequate evidence in support of charges of academic dishonesty.

Disagreements between students and instructors are usually resolved on an informal basis. However, the College provides formal avenues to address instances where informal resolution of a disagreement is not possible. These formal procedures are not

intended to replace informal channels, and every attempt should be made to explore the informal avenues before escalation to more formalized procedures.

These procedures in no way reduce the traditional responsibility and authority of faculty members in establishing academic standards and procedures for their courses.

#### A. Informal Level

1. An instructor who suspects that academically dishonest behavior has transpired is expected to discuss his or her concerns with the student(s) in question within seven business days of becoming aware of the issue. The student and the instructor will attempt to resolve the issue in a mutually acceptable manner.
2. If the student and teacher are unable to resolve the issue in a mutually acceptable manner, the student may contact the appropriate Department Chairperson within seven business days. A meeting will be set up between the student, instructor, and the appropriate Department Chairperson to discuss the perceived incident of academic dishonesty in an attempt to resolve the issue in a mutually acceptable manner. If the faculty member who suspects that academically dishonest behavior has transpired is the Department Chairperson, then step A2 at the informal level will be bypassed and the process will move directly to the formal level.

#### B. Formal Level

1. If the issue remains unresolved after the student meets with the instructor and appropriate Department Chair (see A2 above), the student will contact the Chairperson of the Academic Standards Committee and express his or her concerns within three business days of the meeting with the Department Chair. The instructor will then be asked to prepare a written statement detailing the perceived case of academic dishonesty within three business days. The Academic Standards Committee Chairperson will immediately forward copies of the instructor's written statement to the student, who will be required to respond in writing. The student must respond to the instructor's statement within three business days of receipt. Failure to do so will result in the forfeiture of the student's right to contest the penalty imposed by the instructor.

2. Upon receiving the students' response the Chairperson of the Academic Standards Committee will forward all documents to members of the Academic Honesty Review Committee. The Academic Honesty Review Committee will meet within three business days of receiving all written letters and review the documents. Only faculty who have no prior involvement with the student concerning this appeal may sit on the Academic Honesty Review Committee to review the evidence of this particular case.
3. The Academic Honesty Review Committee will be a standing committee consisting of three members, and an alternate, in addition to the chairperson. The Chairperson of the Academic Standards Committee will act as the Chairperson of Academic Honesty Review Committee and is a nonvoting member whose role is to facilitate the meeting. The three voting members of the committee will be drawn from the library and/or teaching faculty.
4. After reviewing the documents, the Academic Honesty Review Committee will invite the student and instructor to be present at a meeting, which will be held within five business days of receipt of the documents to consider the issue addressed in the written documents.

The student and the faculty member may elect to have an advocate of his or her choice present at the meeting. Advocates will be limited to SUNY Ulster faculty, staff, and students. The advocates are present to witness the meeting and provide moral support; they are expected to neither speak for, nor coach, the parties involved in the dispute.

The Academic Honesty Review Committee's written recommendation, along with all pertinent supporting material, will be forwarded immediately to the Vice President of Academic Affairs. A member of the Academic Honesty Review Committee will be designated to deliver these documents and to be available to answer any questions that the Vice President of Academic Affairs may raise concerning the Committee's recommendation. All members of the Academic Honesty Review Committee will receive a copy of the recommendation sent to the Vice President of Academic Affairs.

The Vice President of Academic Affairs will review the Academic Honesty Review Committee's recommendation along with the documents of the student and the faculty member. Within three business days of receipt, the Vice President of Academic Affairs will render a decision and report his or her findings in writing to the student, the faculty

member, and the Department Chairperson. The Vice President of Academic Affairs will send copies of his or her final decision to the Academic Honesty Review Committee, the student, the faculty member, and the Department Chairperson. The rendering of the decision by the Vice President of Academic Affairs is the final step in the Academic Honesty Review Process of the College.

A list of all reported acts of academic dishonesty which proceed to the formal level of resolution will be archived in the Vice President of Academic Affairs office. If the issue has been resolved informally the instructor may, at his or her discretion, report the act of academic dishonesty to the Vice President of Academic Affairs office for inclusion in the archived list of reported acts of academic dishonesty.

Sanctions for a first offense Academic Dishonesty Violation include:

- Repetition of assignment or examination,
- A failing grade for the assignment or examination,
- A failing grade for the course, or
- Suspension or dismissal from the program.

Any second offense may result in dismissal from the College for a period of time not less than one calendar year.

Adopted May 17, 2016 (16-5-64)

Amended February 27, 2018, (18-2-54) (Board Policy 6.6 supersedes 6.3.1. (Rescind 6.3.1.)



<b>Policy Section</b>	
<b>6.7</b>	<b>ACADEMIC APPEALS POLICY FROM THE ACADEMIC STANDARDS COMMITTEE</b>

Passed by Academic Senate on 4/15/15 and Updated/Passed by Academic Senate on 11/29/17

Disagreements between students and instructors are usually resolved on an informal basis. However, the College provides formal avenues for appeals against an instructor. These formal procedures are not intended to replace informal channels, and every attempt should be made to explore the informal avenues before escalation to more formalized procedures.

Reasonable efforts will be made to expedite the process. Time frames are specified to accommodate this procedure.

These procedures in no way reduce the traditional responsibility and authority of faculty members in establishing academic standards and procedures for their courses.

**A. Informal Level**

1. The student who wishes to appeal a classroom situation or grade must take his or her appeal to the instructor within seven business days of the occurrence of the incident, or receipt of the disputed grade. The student and the instructor will attempt to resolve the issue in a mutually acceptable manner.
2. If the student and teacher are unable to resolve the issue, the student will contact the appropriate Department Chairperson within seven business days. A meeting will be set up between the student, instructor, and the appropriate Department Chairperson to discuss the appeal and attempt to resolve the issue in a mutually acceptable manner. If the faculty member who is involved directly with the classroom situation or grade is the Department Chairperson, then step A2 at the informal level will be bypassed and the process will move directly to the formal level.

## **B. Formal Level**

1. If the appeal remains unresolved after the student meets with the appropriate Department Chair (see A2 above), the student will contact the Academic Appeals Committee Chairperson concerning his or her appeal within three business days of the meeting with the Department Chair. The student will then be asked to prepare a written appeal within three business days. The Academic Appeals Committee Chairperson will immediately forward copies of the student's written appeal to the faculty member, who will respond in writing to the appeal. The faculty member must respond to the student's appeal within three business days of receipt.
2. The Academic Appeals Committee will meet within three business days of receiving all written letters and review the documents. The Academic Appeals Committee will be a subcommittee of the Academic Standards Committee and consist of three members in addition to the chairperson. Two members will be tenured faculty and one may be non-tenured with a minimum of three years full-time teaching experience.
3. After reviewing the documents, the Committee will invite the student, instructor, and Department Chairperson to be present at a meeting, which will be held within five business days of receipt of the documents to consider the appeal addressed in the written documents. The student and the faculty member may elect to have an advocate of his or her choice present at the meeting.

Advocates will be limited to SUNY Ulster faculty, staff, and students. The advocates are present to witness the meeting and provide moral support; they are expected to neither speak for, nor coach, the parties involved in the dispute. Only faculty who have no prior involvement with the student or instructor concerning this appeal may sit on the Committee to review this particular appeal. The Chairperson of the Academic Appeals Committee is a nonvoting member who will facilitate the meeting.

The Committee's written recommendation, along with all pertinent material, will be forwarded immediately to the Vice President for Academic Affairs and Dean of Faculty. A member of the Committee will be designated to deliver these documents and to be available to answer any questions that the Vice President may raise concerning the Committee's recommendation. All members of the Academic Appeals Committee will



receive a copy of the recommendation sent to the Vice President.

The Vice President for Academic Affairs and Dean of Faculty will review the Committee's recommendation along with the documents of the student and the faculty member. Within three business days of receipt, the Vice President will render a decision and report his or her findings in writing to the student, the faculty member, and the Department Chairperson. The Vice President will send copies of his or her final decision to the Academic Appeals Committee, the student, the faculty member, and the Department Chairperson. The rendering of the decision by the Vice President for Academic Affairs and Dean of Faculty is the final step in the Academic Appeals Process of the College.

Adopted February 27, 2018 (18-2-53)

<b>Policy Section</b>	
<b>6.8</b>	<b>AWARDING OF POSTHUMOUS DEGREES AND CERTIFICATES</b>

Approval Date: May 15, 2018

The SUNY Ulster Board of Trustees approves the awarding of posthumous degrees and the giving of posthumous certificates of recognition at the College. Posthumous degrees and certificates of recognition will typically be bestowed at the college’s May commencement exercises.

A posthumous degree is awarded when a deceased student was nearing completion of degree requirements and meets the criteria outlined in the procedure.

If a deceased student does not qualify for the award of a posthumous degree, the student may be given formal recognition for studying at the college. A posthumous certificate of recognition may be given if the criteria also outlined in the procedure, are met.

Candidates for posthumous degrees and posthumous certificates of recognition will be given to the board of trustees as part of the proposed candidates for graduation list submitted prior to commencement.

**Posthumous Recognition of a Student**

Definition and criteria:

When a currently enrolled student dies prior to completing requirements for a degree or meeting an academic goal at SUNY Ulster, that student may be recognized posthumously for the work completed at the college and as a gesture of compassion to the student’s family. There are two types of posthumous recognition, the posthumous degree and the posthumous certificate of recognition.

A posthumous degree is given when the deceased student was nearing completion of degree or certificate requirements. Criteria for the posthumous degree are:

- The student has completed 75 percent or more of the required courses for an academic program or would have met 75% of the required courses upon completion of the enrolled semester.
- The student was enrolled in classes at SUNY Ulster at the time of death. Requests should be made within two years.
- The student was meeting at least acceptable achievement standards as defined by the College's *Academic Standards and Progress* policy in the College catalog and in good financial standing with the College.

If a deceased student does not qualify for the award of a posthumous degree, the student may be given formal recognition for studying at the college. A posthumous certificate of recognition may be given when the following criteria are met:

- The student has attempted at least 12 credits at the college.
- The student was enrolled in classes at SUNY Ulster at the time of death. Requests should be made within two years.
- The student was meeting at least acceptable achievement standards as defined by the College's *Academic Standards and Progress* policy in the College catalog and in good financial standing with the College.

Exceptions to above listed criteria may include, but are not limited to:

- 1. An interruption by injury, illness, deployment, etc., in the student's continuous enrollment.
- 2. Serving in the armed forces.

Process for posthumous recognition:

A member of the college's faculty or staff or a family member of the deceased may request consideration for a posthumous degree or posthumous certificate of recognition. This request should be made to the Registrar, where it will be evaluated to confirm that the request meets the criteria. After evaluation by the Registrar, the request will be presented to the Vice President of Academic Affairs for consideration. A request approved by the Vice President of Academic Affairs will be presented to the college's board of trustees for approval.

The Registrar, or designee:

1. Posts the notice of the award of the posthumous degree or certificate to the student's transcript and orders a diploma. The statement "awarded posthumously" will be printed on the student's transcript, but not on the diploma.



2. May confer a degree or certificate with no posthumous designation on the transcript if the student who is deceased had applied for graduation and had completed all program requirements.

Adopted May 15, 2018 (18-5-88)

Policy Section	
<b>6.9</b>	<b>SUNY COVID-19 Vaccination Policy for Students</b>

WHEREAS, as of May 10, 2021, New York's governor announced that all SUNY campuses will mandate the COVID-19 vaccine for all on-campus students once the vaccinations receive full FDA approval, and

WHEREAS, SUNY System Administration formally released their [COVID-19 Vaccination Policy for students](#) at state-operated campuses and community colleges on August 21 effective August 21, 2021,

WHEREAS, and the President concurs, and

WHEREAS, the Personnel, Educational Programs and Services Committees have met and concur, now, therefore, be it

RESOLVED, that the Board of Trustees approves the [SUNY COVID-19 Vaccination Policy](#) as SUNY Ulster Board of Trustees Policy 6.9 for students at SUNY Ulster.

Approval Date: August 23, 2021 (21-08-97)  
 Effective August 21, 2021 per SUNY System Administration

[SUNY COVID-19 Vaccination Policy](#)