



SUNY Ulster Board Policy Manual

Policy Section 3 General Policy Matters Relating to the Overall Operation of Ulster County
Community College

Policy Number 3.1 Recommendation Regarding the American Flag and Anthem

Approval Date: November 26, 1968

WHEREAS we as a nation are proud to recognize our American flag and our national anthem,
and

WHEREAS there is much tradition, patriotism and symbolism associated with our American flag
and our national anthem, and

WHEREAS the American flag and the National anthem should continue to be a part of our
present heritage,

THEREFORE, BE IT RESOLVED that the Board of Trustees of Ulster County Community
College strongly recommend and suggest that the salute to the flag and/or the singing of the
national anthem or other appropriate patriotic musical selection be an integral part of all formal
convocations such as dedications, graduations, inaugurations, and any other special ceremonies
which the Board may designate.

Adopted November 26, 1968

Policy Number 3.1.1 POW/MIA Flag

Approval Date: November 18, 2003

WHEREAS, the Student Government Organization was approached by a gentleman wishing to fly the POW/MIA flag under the American flag, and

WHEREAS, the Associate Dean of Administration has researched the legality of this request through William Darwak, County Administrator, and has found while there is no written policy regarding the POW/MIA flag, the County uses the flag rules and regulation as described in Title 4, Chapter 1 entitled, "The Flag", and

WHEREAS, this policy would require approval of the governing body responsible for the facilities where the flag would fly, and

WHEREAS, the Dean of Community Relations and Enrollment Management and the President concur, now, therefore, be it

RESOLVED, that the Board of Trustees does hereby approve having the POW/MIA flag displayed under the American Flag on the main college flag pole.

Adopted November 18, 2003

Policy Section 3.2 Collective Bargaining Matters

Policy Number 3.2.1 Continuation of Existing Terms and Conditions of Employment

Approval Date: February 23, 1971

WHEREAS the Ulster County Community College Faculty Association and the Ulster County Legislature have signed a collective bargaining contract, and

WHEREAS Article VI, Section 1. of this/her signed contract states "This/her agreement shall constitute the full and complete commitments between both parties and may be altered, changed, added to, deleted from or modified only through the voluntary, mutual consent of the parties in a written and signed amendment to this/her Agreement," and

WHEREAS there are specific Board policies and administrative practices which are now and have been in effect, now, therefore, be it

RESOLVED that existing Board policies and administrative practices will remain in effect until such time as recommended changes have been officially adopted by the Board of Trustees, or by the President, whichever is appropriate.

Adopted February 23, 1971

Policy Section 3.3 Ulster County Community College Association, Inc.

Policy Number 3.3.1 Guidelines for the Association

Approval Date: April 27, 1976

WHEREAS upon the recommendation of the Board of Trustees of the State University of New York, the following guidelines for Ulster Community College Association, Inc., have been prepared for review by the College's Board of Trustees, and

WHEREAS the President recommends the adoption of the guidelines, now, therefore, be it

RESOLVED that the Board of Trustees hereby approve the following guidelines for Ulster Community College Association, Inc., dated April 27, 1976.

COLLEGE ASSOCIATION

ORGANIZATION

Purpose: The Association shall be a not-for-profit corporation having a general-purpose clause which shall read as follows: The general purposes of this/her Association, within the meaning of 501 (c) (3) of the Internal Revenue Code and its regulations, are to establish, operate, manage, and promote educationally related services for the benefit of the campus community, including faculty, staff, and students in harmony with the educational mission and goals of the college.

Compensation: None of the Association officers, employees, or members shall receive any part of the net earnings or profits of this/her corporation.

Use of Funds: Any income, monies, gifts, devises or bequests received by the Association must be used to advance and promote the purposes of the Association and the college. The Association shall not actively solicit gifts, devices or bequests.

Surpluses: Any surplus shall be used for the benefit of the college in accordance with the purposes of the Association as expressed in its general-purpose clause. Priority shall be given to using surplus for the purposes of reducing Association debts, the building of reserves to amortize college loaned capital assets and the reduction of costs of services, and such other purposes as may be established by the President of the college.

General Membership: Association general membership shall be open to faculty, students, and administration. Such membership shall be defined by the Certificate of Incorporation or the

by-laws of the Association. Provision will be made for the membership of Alumni and/or the members of the Board of Trustees.

Board of Directors

The Board of Directors shall consist of representatives of the General Membership. No single constituency shall have more than 50 percent of the Board membership nor shall the student constituency have less than one-third the membership on the Board. Provision will be made for the inclusion of a representative of alumni and/or members of the Board of Trustees.

The President of the college shall not be an officer of the Association, but shall be an ex-officio, nonvoting member of the Board of Directors.

The Chief Fiscal Officer (Dean of Administration) of the college shall be the Association Treasurer and shall serve by virtue of his/her position.

Supervision and Approvals- The management of the Association is vested in the Board of Directors as provided by law. However, the continuance of contractual relations between the Association and the college depend upon a close harmony of practice and purpose between the parties. Accordingly, the President of the College shall be invited to attend Board meetings. Minutes shall be provided to the President. All Association books and papers of whatever kind shall be made available upon request to the President. The directors and officers of the Association shall inform the President upon significant matters of Association business affecting the interests of the college.

Staffing: The Association shall engage full and/or part-time employees to the extent necessary to conduct its business. College employees may be employed by the Association on a part-time basis providing time worked is outside the employee's normal work hours and appropriate approval from the immediate supervisor is received. When during normal work hours appropriate arrangements must be made with the proper College official.

Charter or By-Law Changes: If the charter or by-laws of the Association are to be changed in any respect during the term of the agreement, sixty (60) days' prior written notice of such proposed change(s) shall be reported to the President of the college.

SERVICES

Services specified in the contract between the Association and the college may be provided directly by the Association or through subcontracts which have been reviewed by the college.

Services which may be provided to the college by or through the corporation may include, but are not necessarily limited to, the following:

Cafeteria Services: The cafeteria services may consist of conducting and operating the kitchen, cooking facilities, cafeteria, snack bar, service areas and all other operations related to or connected with the preparation and sale of food, legal beverages and other items which serve the needs and convenience of the college.

Vending Services: The campus vending services may include cigarettes, tobacco, confectionery, candy, food, beverage, amusement, recreation, and other coin or token operated mechanical or electrical service devices.

Campus Store: The campus store may sell books, stationery and merchandise or supplies appropriate to the needs and convenience of the college.

Laundry Services: The college association may provide towel and linen exchange for members of the college community.

Other Auxiliary Services: The President of the college may request a modification of the contract to provide for additional services.

Consultants: The college shall be provided with a copy of any report, or study produced by any consultant retained or otherwise employed by the Association and may require the Board of Directors of the Association to provide appropriate comments and recommendations on such report or study.

Program Financing: College programs, if any, will be budgeted and financed only with net earnings from the Association as approved by the President of the college providing there is an appropriate written justification of the need for the proposed program, and a certification by the Association that its financial condition is sound and that it has a planned and funded program established for reserves as mandated elsewhere in these guidelines.

FINANCIAL

General Budget: The Association shall prepare each year a general budget as well as budgets for each auxiliary service under its control or supervision.

Budget Approval: The budget shall be submitted to the President of the college for review and approval.

Availability and Expenditures of Income: No income shall be available to the Association for any purpose until the budget shall have been approved as herein provided, nor shall any part of any such approved income be expended for any purpose not set forth in such proposed plan of expenditure without approval in advance by the President of the college.

Certification: The Association shall, within ninety (90) days after the end of each quarter of the fiscal year, certify in writing along with financial statements to the college President that the results of operations for that quarter of the year have been reviewed and that reasonable estimates of the results of operations for the remainder of the year have been made and are consistent with the approved budget.

Charges: The amount of any charge for goods or services provided by the Association shall be based upon the budget of the activity or service concerned and shall be subject to the approval of the President of the college.

Accounting Records: The Association shall keep books of account and records of all its operations. It shall maintain systems of bookkeeping and accounting acceptable to the President of the college and to the State Comptroller and shall permit inspection of said books and records by the college and the State Comptroller. At the end of each fiscal year the Association shall submit full accounting information. The accounting information submitted shall be in conformance with general accepted accounting principles.

Audit: The Association shall make provisions for independent certified audit of its accounts annually by a Certified Public Accountant and shall promptly forward the audit to the President of the college.

Fiscal Guidelines: Guidelines may be established by the Board of Trustees within which the fiscal operation of the Association must be conducted. The guidelines may include, but are not limited to, provisions regarding the level of retained earnings.

PUBLIC INFORMATION

The Association shall make available to the college community copies of the following:

All minutes
Annual certified financial statements
Annual budgets and subsequent revisions

AFFIRMATIVE ACTION

The Association shall take affirmative action to assure equal opportunity in employment.

APPROPRIATE ACTIVITIES

The College Association shall not engage in any of the following activities or practices:

Those contrary to the policies of the college.

The awarding of athletic scholarships or grants in aid.

The purchase of land for the purpose of investment or speculation.

The employment of persons to be a faculty member or other employees of the college.

The provision of an Association automobile solely for college business, in order to benefit the Association.

The operation and/or management of parking facilities on county or college property.

Association services shall not be advertised outside the college community.

COLLEGE ACTIVITY FEES

The College Association shall manage the receipt, custody and disbursement of monies for student organizations of the college subject to regulations of the college on student activity fees.

Management Fee: The Association may collect a reasonable management fee for providing such services.

Fiduciary Relationship: The Association may combine college activity funds and Association funds, for the purposes of increasing efficiency in handling such funds, and improving income produced by the funds. In the event funds are combined, detailed accounting must be maintained, indicating debits and credits to each fund, for all funds so combined.

Interest: Interest earned on the investment of college activity funds shall be credited to the appropriate account by the Association.

STUDENT COMMUNICATIONS

Principles: Student communications, which includes the student-sponsored speakers, films, lectures, radio, closed circuit television programs, student newspaper and literary magazine, etc., are valuable aids in establishing and maintaining an atmosphere of free, responsible, and intellectual discussion and exploration on the campus. They are a means of bringing student concerns to the attention of the faculty and the college authorities and of formulating student opinion on various issues on the campus and in the world at large.

Communications Council: There shall be a communications council created under the authority and auspices of the College Association.

The communications council shall be responsible for the adjudication of any problem arising as a result of a student communication-oriented organization which is referred to, as provided for by the statement on Student Communications, in advance of publication.

The Chairman of the Council will be appointed by the President of the College. The Chairman will ensure that the Council meets its responsibility to establish the climate and appropriate controls to prevent abuses of student communications.

Faculty Advisors: Advisors to student communications shall be selected by the respective student staffs upon the approval of the President of the college. The advisor's primary purpose is to advise students concerning the total scope of any publication or communication. While pointing out possible violations of good taste, libel or college principles, the advisor will not serve as a censor.

Any communication the advisor (with substantial evidence) feels will place the school in the position of being legally culpable; or which is beyond the community's taste or norms; or which may substantially disrupt or materially interfere with school activities, will be brought before the communications council.

Adopted April 27, 1976 (76-4-52)

Policy Number 3.3.2 New Constitution and By-Laws of the Association

Approval Date: May 25, 1976

WHEREAS the Board of Directors of the Ulster Community College Association, Inc. adopted a new Constitution and By-laws on April 22, 1976, and

WHEREAS it is also necessary for the Board of Trustees of the College to approve them, now, therefore, be it

RESOLVED that the Board of Trustees of Ulster County Community College hereby approve the Constitution and By-laws of the Ulster Community College Association, Inc., effective September 1, 1976.

Adopted May 25, 1976 (76-5-60)

Policy Number 3.3.3 Bookstore Reserve and Future Bookstore Operations

Approval Date: May 1999

WHEREAS, the Ulster Community College Association, Inc. Board of Directors did on November 15, 1990 transfer a \$150,000 bookstore reserve and the responsibility for future bookstore operations to the Ulster Community College Foundation, Inc., and

WHEREAS, the Ulster Community College Association, Inc. has released the Ulster Community College Foundation, Inc. from maintaining the bookstore reserve fund and responsibility for future bookstore operations (association resolution attached) and

WHEREAS, the Ulster Community College Foundation, Inc. Board of Directors wishes to be relieved of maintaining the bookstore reserve and responsibility for future bookstore operations at the College, now, therefore, be it

RESOLVED, that the Board of Trustees does hereby relinquish any claim to the bookstore reserve held by the College Foundation, Inc. and for any future responsibility for bookstore operations.

Adopted May 1999 (Resolution #99-5-89)

Policy Number 3.4 Record Retention and Disposition

Approval Date: March 15, 1976

WHEREAS, the SUNY Ulster Board of Trustees adopted Board Policy 3.4 Record Retention and Disposition (Schedule CC-1 for Use By Public Community Colleges in New York State) for the legal disposition of official records in March 1976 (Resolution #76-2-27), approved a revised policy in March 1989 (Resolution #89-3-57), and approved an update to the policy in November 2014 (Resolution #14-11-155), and

WHEREAS, the New York State Archives and the State Education Department has issued *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, and

WHEREAS, the Personnel, Educational Programs and Services Committees have met and concur, and

WHEREAS, the President recommends that Board Policy 3.4 be amended in order to adopt the current *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, now, therefore be it,

RESOLVED, that the Board of Trustees hereby amends Board Policy 3.4 Record Retention and Disposition and adopts the current Retention and Disposition Schedule for New York Local Government Records (LGS-1) (<http://www.archives.nysed.gov/records/local-government-record-schedule/lgs-1-title-page>) issued pursuant to Article 57.05 of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein, and, be it

FURTHER RESOLVED, that in accordance with Article 57-A:

a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein, and

b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Adopted March 15, 1976 (76-2-27)
Revised March 21, 1989 (89-3-57)
Amended November 18, 2014 (14-11-155)
Amended February 16, 2021 (21-02-12)

Policy Number 3.5 Freedom of Information Guidelines

Approval Date: January 28, 1975

WHEREAS the Freedom of Information Law (Chapter 933, Laws of 1977; Public Officers Law, Section 84, et seq.) was amended during the 1977 State Legislative session, and

WHEREAS, in order to comply with the revisions, the College has compiled revised guidelines which have been reviewed and approved by the College Attorney, and

WHEREAS these revised guidelines were previously submitted to the Trustees for their review, now, therefore, be it

RESOLVED that the Board of Trustees of Ulster County Community College hereby approve the following revised Guidelines for Public Access to Records under the Freedom of Information Law, and be it further

RESOLVED that the following subject matter list be revised as soon as possible and presented to the Trustees for approval.

GUIDELINES FOR PUBLIC ACCESS TO RECORDS UNDER THE
FREEDOM OF INFORMATION LAW

I. Designation of Records Access Officer

The Records Access Officer shall be appointed by the President of the College.

II. Duties of Records Access Officer

- A. Maintain an UpToDate subject matter list.
- B. Assist the requester in identifying requested records if necessary.
- C. Locate requested records. Review records and delete information which would constitute unwarranted invasion of personal privacy. Then take one of the following actions: (1) make records available for inspection, or (2) deny access to the records in whole or in part and explain in writing the reasons.
- D. Upon request for copies of records, make a copy available upon payment of established fee.
- E. Upon request, certify that a record is a true copy.
- F. Upon failure to locate records, certify that (1) the agency is not the custodian for such records, or (2) the records of which the agency is a custodian cannot be found after diligent search.

III. Location for Submission of Requests for Inspection or Copies of Records

Requests for inspection or copies of records will be received at:

Office of the President
Ulster County Community College
Stone Ridge, NY 12484

IV. Hours for Public Inspection and/or Copies of Records

Requests to inspect or copy records of Ulster County Community College may be made at the office set forth in III. above on any business day between the hours of 8:30 A.M. and 12:00 Noon, and between 1:00 P.M. and 4:30 P.M.

- V. Requests for Public Access to Public Records
- A. All requests for access to records must be made in writing on forms provided by U.C.C.C., copies of which are available in the Office of the Records Access Officer.
- B. The Records Access Officer shall respond to any request reasonably describing the record or records sought within five (5) business days of receipt of the request.
- C. A request shall reasonably describe the record or records sought. Whenever possible, a person requesting records should supply information regarding dates, file designations or other information that may help to describe the records sought.
- D. If the Records Access Officer should not provide or deny access to the record sought within five (5) business days of receipt of a request, the Officer shall furnish a written acknowledgment of receipt of the request and a statement of the approximate date when the request will be granted or denied. If circumstances prevent disclosure to the person requesting the record or records within twenty business days from the date of the acknowledgment of the receipt of the request, the records access officer shall state, in writing, both the reason for the inability to grant the request within twenty business days and a date certain within a reasonable period, depending on the circumstances, when the request shall be granted in whole or in part.
- VI. Subject Matter List
- A. The attached subject matter list is a reasonable detailed current list by subject matter of all records, whether or not the records are available pursuant to subdivision two (2) of section eighty-seven (87) of the Public Officers Law.
- B. The subject matter list shall be updated not less than twice per year. The most recent update shall appear on the first page of the subject matter list.

- VII. Denial of Access to Records
- A. The Dean of Administration shall hear appeals regarding denial of access to records under the Freedom of Information Law.
- B. Denial of access shall be in writing stating the reason and advising the person denied access of his or her right to appeal to the Dean of Administration, identifying that person by name, title, address of the College and telephone number.
- C. If the Records Access Officer fails to respond to a request within five (5) business days of receipt of a request as previously described, such failure shall be deemed a denial of access of records.
- D. Any person denied access to records may appeal within thirty (30) days of a denial.
- E. The time for deciding an appeal by the Dean of Administration shall commence upon receipt of written appeal identifying: (1) the date and location of a request for records, (2) the records that were denied, and (3) the name and return address of the appellant.
- F. The Dean of Administration shall transmit to the NYS Committee on Open Government copies of all appeals. Such copies shall be addressed to:
- NYS Committee on Open Government
Department of State
One Commerce Plaza
99 Washington Avenue, Suite 650
Albany, NY 12231
- G. The person or body designated to hear appeals shall inform the appellant and the NYS Committee on Open Government of its determination in writing within ten (10) business days of receipt of an appeal. The determination shall also be transmitted to the NYS Committee on Open Government.

H. A final denial of access to a requested record shall be subject to court review, as provided for in Article 78 of the Civil Practice Law and Rules.

VII. Fees

A. There shall be no fee charged for the following: (1) inspection of records, (2) search for records, and (3) any necessary certification.

B. The fee for copying records which shall not exceed twenty-five cents per photocopy not in excess of nine inches by fourteen inches, or the actual cost of reproducing any other record, except when a different fee is otherwise prescribed by statute.

VIII. Public Notice

A copy of these guidelines shall be posted in the Main Administrative Office of Ulster County Community College.

Subject Matter List

A. GENERAL

1. Minutes of the Regular and Special meetings of the Board of Trustees
2. Minutes of the Meetings of College Committees
3. Campus Master Plan
4. Reports, Plans, and Certification of Accreditation Group
5. Board of Trustees Policies
6. College Administrative Policies
7. Final votes, including concurring and dissenting opinions, as well as decisions made in the adjudication of cases and grievances.

B. FINANCIAL AND PERSONNEL

1. Names, titles, grades, and salaries of full and part-time employees
2. Budgets

3. Faculty teaching Loads
4. Faculty schedules
5. Negotiated contracts
6. Internal or external audits and statistical or factual tabulations made by or for Ulster County Community College

Adopted January 28, 1975 (7517)

Superseded April 22, 1975 (75436)

Superseded August 22, 1978 (78896)

Revised December 17, 1987 (8712155)

Revised August 23, 1994 (9408118)

Revised April 21, 2015 (15-4-53)

Policy Number 3.6 Ethics and Conflict of Interest

Approval Date: January 19, 1988

WHEREAS, the Ulster County Community College Board of Trustees established Board Policy 3.6 – Ethics and Conflict of Interest, in order to provide a standard to which all officers, employees and trustees of the College should be held with respect to Ethics and Conflict of Interest, and

WHEREAS, thereafter, the County of Ulster by Resolution 12-10-2008, including subsequent amendments, created Ulster County Code Chapter 44: Ethics and Disclosure which provides a standard of conduct with respect to Ethics and Conflict of Interest for all County employees and officers, paid or unpaid, which County Law is applicable to all College officers, employees and trustees, including those individuals sought to be covered by Board Policy 3.6, and

WHEREAS, the Board of Trustees wishes to avoid conflicts, inconsistencies and uncertainties between the County Code and the Board of Trustees Board Policy, as it applies to College officers and employees, and

WHEREAS, certain County officials and employees are required to file financial disclosure statements annually, per the Ulster County Ethics and Disclosure Law, including employees of SUNY Ulster (the President, Senior Vice President, Vice President for Administrative Services, Vice President of Academic Affairs, Associate Vice President for Economic and Workforce Development and Community Partnerships and College Attorney), and

WHEREAS, while there is no requirement in the County Law that the members of the College Board of Trustees file any annual certification with respect to the conflicts of interest the Board believes that its Trustees should demonstrate the highest standards of personal integrity, truthfulness and honesty in all College activities now, therefore, be it hereby

RESOLVED, that Board Policy 3.6 – Ethics and Conflict of Interest be and hereby is amended to read as follows:

WHEREAS, the Board believes that it should demonstrate the highest standards of personal integrity, truthfulness, and honesty in all College activities; and

WHEREAS, the proper performance of official duties sets an example to the students and inspires public trust and confidence in the College and its administration; and

WHEREAS, the avoidance of actions which could conflict with the proper conduct of duties and responsibilities is highly advisable;

BE IT RESOLVED, that no Trustee of the College shall receive a direct or indirect pecuniary or material benefit as the result of a contract with the College, or perform any act which is in substantial conflict with the proper discharge of the Trustee's duties and responsibilities; and

BE IT ALSO RESOLVED, that it shall be the obligation of each Trustee of the College to inform the Full Board of Trustees of any personal interest which he or she may have in any business transaction of the College which is in conflict with the proper discharge of duties in the public interest; and

BE IT ALSO RESOLVED, that no Trustee of the College shall use his or her position to get privileges for himself or herself or others, or to give the impression that he or she could be influenced to do so; and

BE IT ALSO RESOLVED, that nothing herein shall be deemed to preclude conduct authorized by Section 802 of the General Municipal Law, and

BE IT ALSO RESOLVED, that each Trustee of the College shall annually file with the Office of the Chair a written acknowledgment of receipt, review and understanding of this policy and a statement that the undersigned has no knowledge of any conflicts required to be reported pursuant to this Board policy; and

BE IT ALSO RESOLVED, that the failure of any Trustee to conform with the above policy, subjects him or her to sanctions under the policies of the Board of Trustees and/or the laws of the State of New York.

Adopted January 19, 1988 (88-1-14)
Amended June 18, 2007 (07-6-73)
Amended October 19, 2010 (10-10-111)
Amended January 23, 2018 (18-1-35)

Policy Number 3.7 Policy on AIDS

Approval Date: December 19, 1989

WHEREAS much public concern has been expressed nationally and in Ulster county about Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) and it is appropriate for the Board of Trustees to respond to this/her concern, and

WHEREAS PERSONS INFECTED WITH HIV/AIDS are recognized by the U.S. Department of Justice as handicapped under Section 504 of the Federal Rehabilitation Act of 1973 and thus protected against discrimination, and

WHEREAS HIV/AIDS is also defined as a disability by the New York State Human Rights Law 292.21 as amended August 8, 1983, and

WHEREAS the State University of New York Guidelines encourage the dissemination of broadly-based health information to all member of the College Community,

THEREFORE BE IT RESOLVED that the Board of Trustees of Ulster county Community College hereby declare that discrimination based on HIV/AIDS is strictly prohibited at the College, and

BE IT ALSO RESOLVED that a campus committee be created by the President to develop and implement an action plan to:
Provide educational programs with valid and reliable information regarding HIV/Aids to students and staff
Inform all employees of the proper handling of this/her matter and all related issues on campus
Promote the development of appropriate procedures for handling HIV/AIDS problems as they may arise.

BE IT FURTHER RESOLVED that the committee will assure the following information is communicated to the College Community.

Testing of either students or staff cannot be required.

Infected person, whether they be students or employees, cannot be discriminated against.

Under Chapter 584 of the Laws of 1988 (New York State Testing and Confidentiality Act), any information acquired must be kept strictly confidential. No one can disclose HIV/AIDS related information, except physicians.

The primary response of colleges and universities to the epidemic of the HIV infection must be education.

Guidelines dealing with HIV/Aids issues need to be flexible to deal with individual cases. HIV/AIDS patients are exempt from immunization.

Special precautions to protect the health of HIV/AIDS persons should be applied during periods of prevalence of certain casually contagious diseases, such as measles and chicken pox.

Adopted December 19, 1989 (89-12-176)

Policy Number 3.8 No Smoking Policy

Approval Date: December 19, 1989

RESOLVED, that smoking as defined below is hereby prohibited on real property owned, leased or controlled by Ulster County Community College and in or upon any vehicle or motor vehicle owned, registered to, leased or rented by Ulster County Community College except within a moving motor vehicle which is in the process of exiting or entering real property owned, leased or controlled by Ulster County Community College but only to the extent said moving motor vehicle is not a “place of employment” as defined in New York State Public Health Law Section 1399-n.5, and be it further

RESOLVED, that “smoking” shall mean inhaling of, exhaling of burning of, or carrying of any lighted cigar, cigarette, pipe, weed or other plant in any manner or form, and shall also include the inhaling or exhaling of smoke/vapor from an electronic smoking device, including the use of chewing tobacco, and be it further

RESOLVED, that the sale or distribution of smoking products on real property owned, leased or controlled by Ulster County Community College is hereby prohibited, and be it further

RESOLVED, that the Dean of Administration will be responsible for the implementation of this policy, and be it further

RESOLVED, that students and College employees who fail to comply with this policy shall be subject to the appropriate disciplinary action consistent with the Board of Trustees Policy and collective bargaining agreements.

Adopted December 19, 1989 (8912177)

Revised May 18, 1993 (9305050)

Revised August 16, 2011 (11-8-133)

Amended April 21, 2015 (15-4-60)

Amended June 20, 2017 (17-6-243)

Policy Number 3.9 Alcohol and Drug-Free Workplace Policy

Approval Date: December 18, 1989

The unlawful manufacture, distribution, dispensation, or use of alcohol or a controlled substance or both on the campus or in any other learning facility, in college vehicles, or while engaged in college-sponsored student activities is strictly prohibited. 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.

The College endeavors to deal with the use of alcohol or controlled substances or both on an individual counseling and medical-care basis. However, it will initiate action against any individual who, because of the consumption of alcoholic beverages or the use of controlled substances, becomes destructive, disorderly, or disruptive.

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. Ulster will not and cannot prevent Federal, State, or local officials of law enforcement agencies from their investigation and prosecution of drug law violators.

College employees must notify the Coordinator of Personnel Services of any criminal drug statute conviction for a violation occurring within the workplace within five (5) days of the conviction. Within ten (10) days of notification or other actual notice the College will advise the contracting agency of such conviction.

All college employees are advised that full compliance with this policy is a condition of their employment at the College. Any employee who violates the policy is subject to discipline up to, and including, immediate discharge in accordance with procedures established by the Collective Bargaining Agreements and the College's Board of Trustees policy.

At the discretion of the College, any employee who violates this policy may be required, in connection with, or in lieu of, disciplinary sanctions, to participate in an approved alcohol and/or drug assistance or rehabilitation program.

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.

WHEREAS the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226) requires us to amend the Drug-Free Workplace Policy to include alcohol, now, therefore, be it

RESOLVED that the Board of Trustees hereby amends the Drug-Free Workplace Policy, effective immediately, as follows:

ALCOHOL AND DRUG-FREE WORK PLACE POLICY

1. Prohibition Against Unlawful Presence of Alcohol and Controlled Substances in the Work place.

The unlawful manufacture, distribution, dispensation, or use of alcohol and/or a controlled substance on College premises, in College vehicles, or while engaged in College activities, is strictly prohibited.

2. Notification of Work Place Drug Conviction.

College employees must notify the Employee Benefits Administrator of any criminal drug statute conviction for a violation occurring within the work place within five (5) days of such conviction. Within ten (10) days of such notification or other actual notice, the College will advise the contracting agency of such conviction.

3. Compliance as a Condition of Employment

All College employees have been hereby advised that full compliance with the foregoing policies shall be a condition of their employment at the College.

4. Sanctions for Violation of Drug-free Work Place Policy

Any employee of the College who violates the foregoing Alcohol and Drug-Free Workplace Policy described above shall be subject to discipline up to and including immediate discharge in accordance with procedures established by the Collective Bargaining Agreements and College Board of Trustees Policy.

5. Required Participation in Drug Rehabilitation

At the discretion of the College, any employee who violates the College's Alcohol and Drug-Free Workplace Policy may be required, in connection with or in lieu of disciplinary sanctions, to participate in an approved alcohol and/or drug assistance or rehabilitation program.

and be it further

RESOLVED that in order to maintain an alcohol and drug-free workplace, the College will establish an awareness program to educate its employees on the dangers of alcohol and drug abuse in the workplace; the College's Alcohol and Drug-Free Workplace Policy; the availability of any substance abuse counseling, rehabilitation and employee assistance programs; and the penalties that may be imposed for violations of the Alcohol and Drug-Free Workplace Policy. (Such education may include: {1} distribution of the College's Alcohol and Drug-Free Workplace Policy at the employment interview; {2} a discussion of the College policy at the new employee orientation session; {3} distribution of a list of approved alcohol and drug- assistance agencies, organizations, and clinics; {4} distribution of published educational materials regarding the dangers of substance abuse; {5} reorientation of all involved College employees in cases in which an alcohol and/or drug-related accident or incident occurs; {6} inclusion of the policy in employee handbooks and any other personnel policy publications at the College; {7} lectures or training by local substance abuse assistance experts; {8} discussion by College safety experts on the hazards associated with substance abuse; and {9} video tape presentations on the hazards of substance abuse.)

Adopted December 19, 1989 (89-12-178)

Revised April 17, 1990 (90-04-044)

Revised October 17, 1995 (95-10-130)

Amended October 16, 2007 (07-10-125)

Amended June 20, 2017 (17-6-243)

Policy Number 3.10 Bloodborne Pathogens Exposure Control Plan for Ulster County
Community College

Approval Date: October 20, 1992

WHEREAS recent action by the Federal Occupational Safety and Health Administration (OSHA), through the Code of Federal Regulations, Title 29, Part 1910, Section 1030, imposes new safety measures concerning exposure to bloodborne pathogens on all employers, including community colleges, and

WHEREAS mandated safety measures also have implications for students admitted to study in health science, research, and other academic programs, therefore, be it

RESOLVED that the Board of Trustees hereby adopts the following Bloodborne Pathogens Exposure Control Plan for Ulster County Community College:

PURPOSE: To limit occupational exposure to blood and other potentially infectious materials, and to give all members of the college community every possible health consideration in the prevention of exposure, since any exposure could result in transmission of bloodborne pathogens which could lead to disease or death.

SCOPE: Covers all employees who could be "reasonably anticipated" to face contact with blood and/or other potentially infectious materials as the result of performing their job duties. "Good Samaritan" acts such as assisting a coworker with a nosebleed would not be considered occupational exposure.

Infectious materials include blood, semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid visibly contaminated with blood and all body fluids in situations where it is difficult or impossible to differentiate between body fluids. They also include any unfixed tissue or organ other than intact skin from a human (living or dead) and human immunodeficiency virus (HIV) containing cell or tissue cultures, organ cultures, and HIV or Hepatitis B (HBV) containing culture medium or other solutions as well as blood, organs, or other tissues from experimental animals infected with HIV or HBV.

Jobs where occupational exposure to blood and other potentially infectious materials occurs, without regard to personal protective clothing and equipment, include:

- Faculty in health or science programs with chemical or laboratory responsibilities

- Security
 - health services
 - athletic coaches
 - maintenance workers and cleaners

This policy also applies to any student aides or work study students filling these positions.

UNIVERSAL PRECAUTIONS: Each department with high-risk personnel shall have a written universal precautions policy, which treats all body fluids/materials as if infectious. It shall set forth procedures to minimize needlesticks, minimize splashing and spraying of blood, ensure appropriate packaging of specimens and regulated wastes, and decontaminate equipment or label it as contaminated before shipping to servicing facilities.

Appropriate personal protective equipment such as gloves, gowns, masks, mouthpieces, and resuscitation bags shall be provided, and cleaned, repaired, and replaced when necessary.

HEPATITIS B VACCINATION: The College shall make Hepatitis B vaccinations available to all employees who are identified as having occupational exposure, at no cost to the employee. The vaccination must be made available, at no cost, within ten (10) days of assignment of new or transferred employees to job classifications with occupational exposure. Personnel Services shall notify appropriate College administrators when new or transferred personnel are assigned. Vaccinations are to be administered at a reasonable time and place, under the supervision of a licensed physician/licensed healthcare professional, and according to the latest recommendations of the U.S. Public Health Service (USPHS). One available option is administration by the College's Health Services Department. Prescreening is not required as a condition of receiving the vaccine.

Student aides and work-study students in jobs where occupational exposure may occur will be offered vaccinations through this same process.

Students, not employed by the College but enrolled in programs or courses such as health care or certain scientific research, will be offered the vaccinations through the same sources on a fee-paid basis.

Employees and students, who are offered the vaccinations, must sign a declination form (see attachment A) if they choose not to be vaccinated. Employees may later opt to receive the vaccine at no cost. Students, not employed by the College but enrolled in programs or courses with risk involvement, may later opt to receive the vaccine for the customary fee. Should booster doses be recommended by the USPHS, they shall be offered to these same employees and students on the same basis.

POST-EXPOSURE EVALUATION AND FOLLOW-UP: Confidential post-exposure evaluation and follow up shall be offered to all employees who have had an exposure incident, defined as specific, on-the-job contact with blood or other potentially infectious materials. Such evaluations shall document the circumstances of exposure, and provide for testing of the exposed employee's blood if he or she consents. Information on the source individual can be made available only with that individual's consent.

The College shall provide the exposed employee with postexposure prophylaxis, counseling, and evaluation of reported illnesses, or shall refer the employee to other qualified providers of such services.

Healthcare professionals shall be provided specified information to facilitate their evaluation and written opinion on appropriate treatment following the exposure. Information such as the employee's ability to receive the Hepatitis B vaccine must be supplied to Ulster County Community College, as employer. All diagnoses shall remain confidential.

Any laboratory tests shall be conducted by an accredited laboratory at no cost to the employee.

INFORMATION AND TRAINING: Annual training on the Bloodborne Pathogens Standard and bloodborne pathogens shall be provided to employees with potential occupational exposure. Training shall include making accessible a copy of the regulatory text of the Standard (Code of Federal Regulations, Title 29, Part 1910, Sec.1030), an explanation of its contents, general discussion on bloodborne diseases and their transmission, the exposure control plan, engineering and work practice controls, personal protective equipment, Hepatitis B vaccine, response to emergencies involving blood or other infectious materials, procedures for handling exposure incidents, post-exposure evaluation and follow-up, and signs/labels/color-coding. The trainer will be a qualified professional, knowledgeable in the field, and time will be provided for questions and answers.

RECORDKEEPING: Medical records for each employee with occupational exposure shall be kept by the College for the duration of employment plus thirty (30) years. Such records shall be confidential and shall include the name and Social Security number of the employee; Hepatitis B vaccination status (including dates); any executed declination forms; results of any examinations, medical testing, or follow up procedures; a copy of the healthcare professional's written opinion; and a copy of information provided to the healthcare professional.

These medical records shall be made available to the subject employee, anyone with written consent of the employee, the federal Occupational Health and Safety Administration (OSHA), and the National Institute for Occupational Safety and Health (NIOSH). These records are not available to the employer.

Training records shall be maintained for three years and shall include dates, contents of the training program or summary, trainer's name and qualifications, and names and job titles of all persons attending the sessions.

Disposal of all records shall be in accord with OSHA's standard covering access to records.

Adopted October 20, 1992 (92-10-227)

Policy Number 3.11 General Policy on Campus Crime and Security

Approval Date: October 20, 1992

WHEREAS, Congress has enacted the Crime Awareness and Campus Security Act of 1990; and

WHEREAS, the Board of Trustees of Ulster County Community College intends to comply with the requirements of that Act;

NOW THEREFORE, the Board of Trustees hereby directs the administration to publish and distribute policy statements that comply with the letter and spirit of the Crime Awareness and Campus Security Act of 1990. Policy statements shall be issued covering the following areas:

- (1) Procedures for students to report criminal activities;
- (2) Security at campus facilities;
- (3) Availability and authority of campus law enforcement;
- (4) Programs available to inform students about security and the prevention of crime;
- (5) Recording of crime through local police agencies; and
- (6) Possession, use, and sale of alcohol and drugs.

FURTHER, administration shall publish and distribute statistical reports that identify the occurrence of campus crimes and the number of campus arrests for crimes specified in the Crime Awareness and Campus Security Act of 1990.

These policy statements and statistical reports should be published in publications or mailings that are available to students and employees, as well as prospective students and the higher education community, upon request.

WHEREAS, New York State has enacted the Campus Safety Act as Chapter 22 of the Laws of 1999 (the "Act"); and

WHEREAS, the Act requires the Board of Trustees of the State University and the Board of Trustees of each Community College to adopt rules requiring each institution of the State University of New York (SUNY) to implement plans whereby the investigation of violent felony offenses as defined in Subdivision 1 of Subsection 70.02 of the Penal Law, or reports of missing students as defined in Education Law 6306 Subdivision 8-a b(ii), would be coordinated with local law enforcement agencies, and

WHEREAS, Ulster County Community College, and the Ulster County Sheriff's Office have agreed to plan to provide for the investigation of any crime occurring on any property owned, leased or under the control of the college, including violent felonies, as defined in Subdivision 1 of Subsection 70.02 of the Penal Law, and missing person; as defined in Education Law 6306 Subdivision 8-a b(ii), now therefore be it

RESOLVED that the Board of Trustees of Ulster County Community College hereby authorizes the College President to sign the agreement between Ulster County Community College and the Ulster County Sheriff's Office providing for the coordination of investigation into any violent felony as defined in Subdivision 1 of Subsection 70.02 of the Penal Law, or missing person as defined in Education Law 6306 Subdivision 8-a b(ii), reported on any property owned, leased or under the control of the College.

Adopted October 20, 1992
Revised December 21, 1999 (99-12-189)

Policy Number 3.11.1 Ulster County Work Place Policies and Procedures Manual

Approval Date: April 1998

WHEREAS, Ulster County Government places a high priority on providing the safest possible environment for employees, clients and visitors in which to conduct business, and

WHEREAS, the Labor/Management Committee has developed and recommended a policies and procedures manual and process on work-place security in support of this objective, and

WHEREAS, every County work site will establish a work-place security team, comprised of labor and management representatives, which will be responsible for adapting these policies and procedures to their work environment, monitoring compliance, ensuring that these policies are enforced and recommending improvements to them, and

WHEREAS, in order for the policy and process to become effective at Ulster County Community College this resolution must be reviewed and approved by the Board of Trustees, now, therefore, be it

RESOLVED, that the Board of Trustees hereby adopts the document entitled Ulster County Work-Place Security Policies and Procedures Manual as proposed.

Adopted April 1998 (98-4-52)

Policy Number 3.11.2 Campus Safety Act

Approval Date: December 1999

WHEREAS, New York State has enacted the Campus Safety Act as Chapter 22 of the Laws of 1999 (the "Act"), and

WHEREAS, the Act requires Board of Trustees of the State University and the Board of Trustees of each Community College to adopt rules requiring each institution of the State University of New York (SUNY) to implement plans whereby the investigation of violent felony offenses as defined in Subdivision 1 of Subsection 70.02 of the Penal Law, or reports of missing students as defined in Education Law 6306 Subdivision 8-a, b(ii), would be coordinated with local law enforcement agencies, and

WHEREAS, Ulster County Community College, and the Ulster County Sheriff's Office have agreed to a plan to provide for the investigation of any crime occurring on any property owned, leased or under the control of the college, including violent felonies, as defined in Subdivision 1 of Subsection 70.02 of the Penal Law, and missing person; as defined in Education Law 6306 Subdivision 8-a, b(ii), now, therefore, be it

RESOLVED that the Board of Trustees of Ulster County Community College hereby authorizes the College President to sign the agreement between Ulster County Community College and the Ulster County Sheriff's Office providing for the coordinator of investigation into any violent felony as defined in Subdivision 1 of Subsection 70.02 of the Penal Law, or missing person as defined in Education Law 6306 Subdivision 8-a, b(ii), reported on any property owned, leased or under the control of the college.

Adopted December 1999 (99-12-189)

Policy Number 3.11.3 Designation of Peace Officer(s)

Approval Date: November 20, 2007

WHEREAS, the amendment (subdivision 5-a) to Section 6306 of the education law The Board of Trustees of each community college shall have the authority to appoint Security Officers for the community college; and

WHEREAS, in its discretion, to designate or to revoke the designating of one or more than one Security Officer as a Peace Officer. A Security Officer so designated shall have the powers of a Peace Officer as set forth in section 2.20 of the criminal procedure law; and

WHEREAS, a Security officer designated as a Peace Officer must have satisfactorily completed or complete within one year of the date of such designation, a course of law enforcement training prescribed by the municipal police training council in consultation with the State University Board of Trustees; and

WHEREAS, the geographical area of employment of a Peace Officer so designated is the campus and other property of a public highway which crosses or abuts such property, and residential or other facilities owned, operated, or maintained by a not-for-profit entity associated with the community college for which such community college provides security; now, therefore, be it

RESOLVED, that the Ulster County Community College Board of Trustees hereby authorizes the President of Ulster County Community College to designate one or more campus Security Officers as Peace Officers and to revoke said designation(s).

Adopted November 20, 2007 (07-11-139)

Policy Number 3.11.4 Security Measures (Peace Officer Firearm Designation)

Approval Date: April 15, 2008

WHEREAS, the amendment (subdivision 5.a) to Section 6306 of the Education Law the Board of Trustees of each Community College shall have the authority to appoint Security Officers for the Community College, and

WHEREAS, Resolution #07-11-139 dated November 25, 2007 authorized the College President to designate one or more campus Security Officers as Campus Peace Officers, and

WHEREAS, a Security Officer designated as a Peace Officer must have satisfactorily completed or complete within one year of the date of such designation, a course of law enforcement training which includes firearm certification as prescribed by N.Y.S. Department of Criminal Justice Services prescribed by the municipal police training council in consultation with the State University Board of Trustees, and

WHEREAS, a Peace Officer so designated may possess and carry a firearm as a part of their on-duty employment if they are duly licensed by the State of New York and only if authorized to do so by the President of the Community College, now, therefore, be it

RESOLVED, that the Ulster County Community College Board of Trustees hereby authorize the President of Ulster County Community College to authorize the Campus Peace Officers to possess and carry a firearm as part of their on-duty employment if they are duly licensed by the State of New York.

Adopted April 15, 2008 (08-3-36)

Policy Number 3.11.5 Computer and Network Security and Acceptable Use Policy

Approval Date: May 2009

WHEREAS, the Comptroller's Office audit report with respect to the most recently completed Ulster County Community College audit recommends the creation of Board Policy regarding employee computer and network security policy, and

WHEREAS, the Executive Staff and the Attorney for the College have reviewed the audit recommendation and in turn recommend the amendment of Board Policy to reflect the implementation of the recommendations, now, therefore, be it

RESOLVED, that the attached Computer and Network Security and Acceptable Use Policy hereby is adopted.

Computer and Network Security and Acceptable Use Policy

Introduction

SUNY Ulster is committed to protecting employees, students, partners and the College from illegal or damaging actions committed by individuals, either knowingly or unknowingly. The purpose of this policy is to establish basic guidelines for the appropriate use of computing resources (i.e. computers, laptops, electronic mail, the Internet, and related electronic products) at SUNY Ulster.

All Internet/Intranet/Extranet-related systems, wired and wireless, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic services, are the property of SUNY Ulster. These systems are to be used for legitimate business or academic purposes in serving the mission and goals of the College in the course of normal operations.

Effective security is a team effort involving the participation and support of every SUNY Ulster employee and affiliate who utilizes information and/or information systems. It is the responsibility of every computer user to understand these guidelines, and to conduct their activities accordingly.

Scope

This policy applies to the following systems:

All Ulster County Community College (“SUNY Ulster”) owned and supported desktop and laptop computers.

All computers used to access SUNY Ulster Network Resources.

All voice and data networks, wired and wireless, that are owned and operated by SUNY Ulster, and any equipment directly attached to them (such as personally owned laptops, computers, networking devices, etc.)

This policy applies to the following users:

Employees, students, contractors, consultants, temporary employees, and guests at SUNY Ulster, including all personnel affiliated with third parties, who are authorized to use the College's computers or networks.

Acceptable Use

General Use and Ownership

Acceptable use of SUNY Ulster's computers or networks is that which serves the mission of the College as defined by the College's administration. Any other use is either neutral or unacceptable.

While SUNY Ulster desires to provide a reasonable level of privacy, users should be aware that the data they create whether personal or professional, on the College's systems remains the property of SUNY Ulster. Such data may be requested and possibly disclosed under the Freedom of Information Law (FOIL).

Due to the need to protect SUNY Ulster's network, the College cannot guarantee the confidentiality of information stored on any computer or network device belonging to SUNY Ulster. Users should not expect, nor does SUNY Ulster guarantee privacy for email or any use of SUNY Ulster's computers and networks, unless such data is protected by Federal, State or Local law.

All information stored, processed, or transmitted by a user may be monitored, used, or legally disclosed by authorized personnel to others, including law enforcement. Such monitoring must be conducted properly with a stated purpose, and expose confidential information minimally and only as needed for the stated purpose.

The President of the college must approve, in writing, the monitoring of any individual's e-mail communications or stored data.

Employees are responsible for exercising good judgment regarding the reasonableness of personal use. If there is any uncertainty, employees should consult their supervisor or manager.

Any information that users know to be sensitive or vulnerable must be encrypted.

Any information that is considered "Personally Identifiable Information" (PII) and any information that college policy indicates is sensitive or confidential, must be encrypted or otherwise appropriately protected as described in this and other college policies.

For security and network maintenance purposes, authorized individuals within SUNY Ulster may monitor equipment, systems and network traffic at any time.

SUNY Ulster reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

SUNY Ulster reserves the right to discard incoming email messages reasonably believed to be unsolicited commercial email ("spam") without notifying the sender or intended recipient.

For its own protection, the College reserves the right to block all Internet communications from sites, hosts or devices that are involved in disruptive or damaging practices, or that provide services that may expose the College to legal liability.

In the event that computer or network resources are not sufficient for all current activities, activities that are necessary to the College's mission take priority over those that serve personal interests or are not mission-critical.

While the Internet provides a wealth of knowledge, there is also a large amount of inaccurate or misinformation on the Internet. SUNY Ulster makes no warranties of any kind for the access being provided, and assumes no responsibility for the quality, availability, accuracy, nature, or reliability of the material.

SUNY Ulster will not be responsible for any damages suffered by a user resulting from the use of the Internet. Nor will SUNY Ulster be responsible for any unauthorized financial obligations resulting from the use of the Internet.

Security and Proprietary Information

Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. Individual users are responsible for any violation of this policy that may originate from his or her computer(s) or account(s).

Because information contained on portable computers and storage devices is especially vulnerable, special care should be exercised. PII or other sensitive or confidential information must not be stored on laptop hard drives or removable media (including but not limited to floppy disks, PDAs, flash/thumb drives, writable CDs and DVD, portable hard drives).

Postings by employees from a SUNY Ulster email address to Internet forums should contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of SUNY Ulster, unless posting is in the course of business duties.

All devices used by the employee that are connected to SUNY Ulster networks, whether owned by the employee or SUNY Ulster, must be continually executing approved virus-scanning software with a current virus database.

All devices used by the employee that are connected to SUNY Ulster networks, whether owned by the employee or SUNY Ulster, must have their operating systems and other software fully patched against known security vulnerabilities.

Mobile computing equipment, such as laptops, must be physically protected from theft and tampering, both on and off campus. Physically lock your laptop when you are not attending to it, even when it is in your office, and when traveling keep it in your personal possession as hand luggage, not as checked luggage whenever possible

Unacceptable Use

The following activities are, in general, prohibited. Users may be exempted from these restrictions during the course of their legitimate job responsibilities (i.e., systems administration staff may have a need to disable the network access of a device if that device is disrupting production services).

Under no circumstances is any user authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing SUNY Ulster-owned computers or networks.

The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.

System and Network Activities

The following activities are strictly prohibited, with no exceptions:

Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by SUNY Ulster.

Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music or video, and the installation of any copyrighted software for which SUNY Ulster or the end user does not have an active license is strictly prohibited.

Misrepresenting one's identity or relationship to the College when obtaining or using College computers or networks.

Modifying or reconfiguring the software or hardware of any College computer or network system without prior notification to, and authorization from, the Office of Information Technology.

Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws.

Introduction of malicious programs into the network or servers (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).

Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home.

Using a SUNY Ulster computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.

Making fraudulent offers of products, items, or services originating from any SUNY Ulster account.

Making statements about warranty, expressly or implied, unless it is a part of normal job duties. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption"

includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.

Port scanning or security scanning is expressly prohibited without prior notification to, and authorization from, the Office of Information Technology.

Executing any form of network monitoring which will intercept data not intended for the employee's host device, unless this activity is a part of the employee's normal job/duty.
Circumventing user authentication or security of any device, network or account.

Interfering with or denying service to any user (for example, denial of service attack).

Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the network.

Providing information about, or lists of, SUNY Ulster employees to parties outside SUNY Ulster.

Using College computers or networks for the purposes of academic dishonesty (plagiarism, cheating, etc).

Email and Communications Activities

Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam) or who are not directly or indirectly associated with the program or department sending the message.

Using the College's email system to solicit or advertise personal products, productions or other items or events not related to the College's stated mission and goals, unless the user has obtained prior approval from the Dean of Administration and his or her supervising Dean.

Any form of harassment via email, telephone, instant messaging, or other electronic means, whether through content, frequency, or size of messages.

Unauthorized use, or forging, of email header information.

Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.

Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.

Use of unsolicited email originating from within SUNY Ulster's networks through other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by SUNY Ulster or connected via SUNY Ulster's network.

Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).

College equipment and communication systems may not be used by employees or authorized users to attempt to influence legislation or in any other way lobby elected officials. Therefore, while the College appreciates and encourages faculty and staff to take an active interest in civic affairs, no college resources may be used in engaging in these efforts.

Blogging

Blogging by employees or other authorized users, whether using SUNY Ulster's property and systems or personal computer systems, is also subject to the terms and restrictions set forth in this Policy. Limited and occasional use of SUNY Ulster's systems to engage in blogging is acceptable, provided that it is done in a professional and responsible manner, does not otherwise violate SUNY Ulster's policy, is not detrimental to SUNY Ulster's best interests, and does not interfere with an employee's regular work duties. Blogging from SUNY Ulster's systems is also subject to monitoring.

Employees shall not engage in any blogging that may harm or tarnish the image, reputation and/or goodwill of SUNY Ulster and/or any of its employees. Employees are also prohibited from making any discriminatory, disparaging, defamatory or harassing comments when blogging or otherwise engaging in any conduct prohibited by SUNY Ulster's Non-Discrimination and Anti-Harassment policies.

Employees may also not attribute personal statements, opinions or beliefs to SUNY Ulster when engaged in blogging. If an employee is expressing his or her beliefs and/or opinions in blogs, the employee must explicitly state that such beliefs and/or opinions are theirs alone and do not represent any position of SUNY Ulster. Employees assume any and all risk associated with blogging.

Network Access

In order to access the SUNY Ulster Network ("Network") a user must first log onto a SUNY Ulster computer, or connect from a personal computer using the Virtual Private Network ("VPN"). Computer and Network access rights may vary based on the computer or network being used, as follows:

Open lab computers: Computers in Open Labs are available for use by all current State University of New York (SUNY) students, staff, and faculty who present current, valid SUNY Identification.

Access to these computers may also be available to former SUNY Ulster students upon request, subject to other applicable restrictions in this document.

Classroom computers: Classroom computers are accessible to all SUNY Ulster students and faculty scheduled in a class in the room at that time. Student access is restricted to "Student" designated computers.

Office computers: Only active SUNY Ulster employees, who hold a Network Account as described in Section 3.0, are authorized to access faculty and administrative office computers, unless otherwise authorized by the area Dean (or his or her designee) and the Dean of Administration for SUNY Ulster.

Remote (Personal Computers used to access SUNY Ulster Networks): All active SUNY Ulster employees, who hold a Network Account as described in Section 3.0, and have a specific documented business or academic need to do so, are authorized to access SUNY Ulster network resources through Virtual Private Networking (VPN). Authorization from the area Dean (or his or her designee) and the Dean of Administration is required for access to VPN.

Internet-only Wireless: All current SUNY students, staff, faculty, and authorized users with proper SUNY or other appropriate identification.

Employee Wireless: Limited to only pre-configured SUNY Ulster equipment assigned to SUNY Ulster employees.

Internet Only Ports: Active, but undedicated network ports will have Internet-Only access for use by Faculty, staff and other authorized users. To prevent unauthorized access, such ports will require that the user authenticate their identity and register their personally owned computer upon connecting to the port for the first time. Registration is required once every semester.

Patching and Updating: Computers joined to the network Domain will have patches and updates automatically downloaded and installed.

Accounts

Banner Accounts

Banner Forms ('INB') - All current Active Employees who hold a Network Account, with supervisor approval, are authorized to access those areas of Banner INB in which they have a legitimate business interest.

Logging onto Banner with your own account, for the purpose of providing someone else access to the system, is strictly prohibited.

Access to Banner forms related to the Finance module requires written approval from the area Dean (or his or her designee), and the Dean of Administration.

Self Service Banner (Banner Online) All SUNY Ulster Employees, past and present, will have access to Banner Online. Former employees' access shall be limited to viewing appropriate information such as historical tax related income forms (i.e. W-2 tax forms).

Network and Email Accounts

The following individuals are authorized to hold active Network Accounts and Email Accounts:

Current, active employees and students of SUNY Ulster

Members of the SUNY Ulster Board of Trustees

Faculty Emeritus/Distinguished Staff of SUNY Ulster

Others as approved by the appropriate area Dean (or his or her designee) and the Dean of Administration of SUNY Ulster

Invited guests of SUNY Ulster with a need to access the Internet via the campus wireless network may be provided with temporary network accounts to enable such access. Examples of invited guests include but are not limited to artists- or advisors-in-residence, guest speakers and guest lecturers.

Visitors to SUNY Ulster that have expressed a need to access the Internet through campus wireless on a facility use application, and in cases where that application is fully approved, may be provided with temporary network accounts to enable such access.

Former students of SUNY Ulster may request an active network account that enables them to log onto the open lab computers. Such account access will be active for a period of not more than twelve months. Upon expiration, the former student may request access again.

Account Creation

Network Accounts are created via an automated process when an individual is designated as an employee of SUNY Ulster in Banner, by the Human Resources Department. Upon creation of a new account the employee is mailed their Network Account/Email credentials.

Accounts are typically generated with an email address and an individual User's (U drive) folder. Instructor (T drive) and Department (V drive) must be requested in writing by a supervisor.

Account Deletion/Suspension

Upon notification to OIT by a department chair, manager, or by Human Resources, an individual's account will be restricted or disabled due to separation of employment or end of affiliation with the College.

Any account that has not been used to log onto an on-campus computer for a period of six months, will be restricted from doing so. The account will remain active, and access to the college portal will remain available, but logging onto a computer on campus will be denied.

Password Protocols

All passwords must meet the following standards to be considered valid:

A minimum of 6 characters

Cannot contain User/Login Name

Must contain three of the following four characteristics:

At least one upper case character

At least one lower case character

At least one number

At least one symbol

Account Security

A user has five opportunities to enter his or her password. If he or she does not enter the correct password after five tries the account will be locked he or she will be prompted to contact a Network Administrator for a reset.

Logging onto multiple machines

Logging on with your own account, for the purpose of providing someone else access to the computer or network, is strictly prohibited.

Sharing account information

Under no circumstances should a user share any passwords with anyone else.

Locking machines

Users must lock their computers when they leave their work stations.

Connecting personal equipment to the network

Personal equipment is not allowed to be connected to the SUNY Ulster network with the following exceptions:

Virtual Private Network ('VPN') Computers that connect to the SUNY Ulster networks from offsite using the Virtual Private Network must have virus protection installed and be current with all patches or updates for the operating system and other software. By using VPN, users agree that their computers may be remotely inspected to verify the presence of virus protection and patches or updates. Computers may be denied access via VPN should the virus protection be deemed to be inadequate or it is discovered that patches or updates are missing.

Approval from the area Dean (or his or her designee) and the Dean of Administration is required in order to utilize VPN. A written agreement (available from OIT) setting forth the responsibilities of the remote user must be signed by the employee, the area Dean (or his or her designee) and the Dean of Administration.

Semi-annually, the Executive Staff must review a current list of individuals authorized to utilize VPN.

Internet Only Enabled Ports: Access ports not currently dedicated to a SUNY Ulster computer will be either disabled or configured to allow Internet-only access. Personal computers may be connected to the Internet from these specific locations. Those who connect their personal computer to the Internet using these ports will be required to register their computers using a login and password provided by the Office of Information Technology.

Change of Job Duties

In the event that an employee changes jobs within the college, access to computer network resources related to their old job will be immediately discontinued when they assume their new responsibilities. In the event that access to the resources of their former job is still required, written authorization must be obtained from the supervisor for the former job. Requests to extend such access must include an end date upon which that access is discontinued.

If an employee changes jobs, and either his or her old or new job requires access to any forms within the Banner Finance Module, changes in his or her access to Finance related forms must be requested in writing and approved by the area Dean (or his or her designee) and the Dean of Administration.

Access Rights

Departmental Resources

Individuals will be granted access to a department's network resources (i.e. V drive) upon written approval from that department's chair or head.

Periodic Review: Semi-annually, a report of all individuals who have access to a department's network resources will be provided to the chair or manager of that department for review. Any irregularities in access rights must be reported to OIT immediately for corrective action. The report must be signed by the supervisor and returned to OIT within 30 days of receipt. Departments that fail to return a signed report will risk losing access to the network and their accounts.

Banner INB Forms

Access to forms in Banner INB will be restricted to only those forms that are explicitly required to perform the duties of the individual's job, as determined by the supervisor of that position.

Periodic Review: Semi-annually, a report of all individuals who report to a given supervisor, and which forms within Banner INB they have access to, will be provided to the supervisor for review. Any irregularities in access rights must be reported to OIT immediately for corrective action. The report must be signed by the supervisor and returned to OIT within 30 days of receipt. Departments that fail to return a signed report will risk losing access to the network and their accounts.

Domain Administrator Access

Domain Administrator level access to computer and network systems shall be granted only to specific OIT personnel as authorized by the Chief Information Officer and the Dean of Administration.

Local Administrator Access

Having local administrator access to a workstation means that a user can install and remove software, including inadvertently installing malicious software such as trojans, viruses, keyloggers, etc. Individuals shall not have local administrator access to any workstation unless there is a documented, necessary, legitimate business or academic need, and unless they have the approval of the area Dean (or his or her designee) and the Dean of Administration. Installation of software on any workstation shall be done by OIT, or by providing temporary local administration access for the duration of the installation.

Boot Devices

Being able to boot a computer from the CD-ROM drive, or any other removable device allows an individual to circumvent security settings and policies in place on that computer and the network it is connected to. Booting from such devices could allow an individual to boot an operating system of their choice, free of any restrictions or controls, and provide opportunity to anonymously launch electronic attacks against SUNY Ulster networks and systems. All SUNY Ulster computers must be configured to prevent booting from peripheral devices, and BIOS or CMOS settings must be password protected to prevent changes to boot device settings. Specific computers may have peripheral boot devices enabled provided there is a documented, necessary, legitimate business or academic need, and there is approval from the area Dean (or his or her designee) and the Dean of Administration.

Sensitive Data

Sensitive data is defined as any data that could provide access to personal information of an individual or institution. Such data includes, but is not limited to, documents and files that may contain Personally Identifiable Information such as Financial, Human Resources, Payroll and Student Information documents and files.

Personally Identifiable Information (“PII”) is defined as any of the following combined with, and able to be correlated to, a person's name:

- Social Security Numbers,
- Passport Number
- Employee Identification Number
- State or Federally Issued ID numbers (driver’s licenses).
- Date of Birth
- Maiden Name
- Mother’s Maiden Name
- Credit Card or Financial Account Information
- Results of background or criminal history checks
- Payroll and salary information
- Medical Information
- Accommodation requests and related information
- Biometric data (such as fingerprint, voice print, retina or iris images)
- Digital or other electronic signature files.

Storage of sensitive data

Sensitive data must not be stored on desktop or laptop computer hard drives. Such data must be stored on network servers only, unless approved by the area Dean (or his or her designee) and the Dean of Administration. Storing sensitive data on removable media, such as USB drives,

CD-ROMS and DVDs, or in a remote location such as cloud services (i.e. Google Docs), is strictly prohibited.

Transmission of sensitive data

Sensitive data must never be transmitted via insecure means, including email and File Transfer Protocol (FTP) unless the data is first encrypted.

Violation/Enforcement

Individual users are responsible for any violation of this policy that may originate from his or her computer(s) or account(s). An individual's computer use privileges may be suspended immediately upon the discovery of a possible violation of this policy.

Violations of this policy will be taken seriously and may result in disciplinary action, including suspension of privileges, possible termination of employment or expulsion from college, and civil and criminal liability. Violations of some portions of this policy may constitute a criminal offense, and may result in the engagement of appropriate law enforcement authorities.

Periodic Review

This policy shall be reviewed by the Executive Staff and the Board of Trustees at least once per calendar year.

Adopted May 2009 (09-5-71)

Amended September 21, 2010 (10-9-96)

Amended September 20, 2011 (11-9-143)

Amended March 18, 2014 (14-3-53)

Amended December 15, 2015 (15-12-158)

Amended May 15, 2018 (18-5-91)

Policy Section 3.12 Business Resource Center

Policy Number 3.12.1 The Governing Policy of the Ulster County Community College Business Incubator

Approval Date: September 20, 1994

WHEREAS, Ulster County Community College has established the Ulster County Community College Business Incubator as a separate department within the College, and

WHEREAS, it is necessary to develop a governing policy for the Ulster County Community College Business Incubator, and

WHEREAS, this proposed policy has been previously submitted to the Trustees for their review, now, therefore, be it

RESOLVED, that the Board of Trustees hereby approves the following governing policy for the Ulster County Community College Business Incubator.

Name:

The name of the department shall be the Ulster County Community College Business Incubator. The Business Incubator is a separate department within Ulster County Community College (U.C.C.C.).

Goals of the Ulster County Community College Business Incubator:

The Business Incubator seeks to encourage and promote the education, growth, development, and success of businesses in Ulster County through the development and implementation of a business incubator. To that end it will:

Provide management and technical assistance, education, and shared support services to incubator tenants.

Provide business planning assistance to incubator tenants.

Work closely with existing organizations and corporations to strengthen the network of support for new and existing businesses. Coordinate resources for effective delivery to new business ventures. This includes development of new programs to assist the business community.

Work with other organizations to promote small business and entrepreneurship in Ulster County and to help the Business Incubator reach potential new business ventures.

Provide a nurturing environment through full-service business incubation. The emphasis will be on new business ventures in service and light manufacturing.

Provide low-cost, flexible space to start-up and early stage firms in Ulster County which need special assistance to succeed.

Foster networking and interlinking activities among businesses.

Educate businesses about pitfalls in the business and finance arenas.

Increase new business ventures' rate of success by developing and delivering a mix of administrative, business, and facility services that will lower their start-up costs.

Create a funding base to support the incubator program.

Create and administer a non-lending business library and resource center, including a telecommunications center.

Work with other incubators in the area to promote cooperative service delivery.

Advisory Council:

An Advisory Council shall be appointed to assist the Business Incubator Manager in forming local policy, and in planning and developing operating procedures and practices consistent with program policies. The Council will evaluate the program and provide an annual report to the President of the College. The Chairperson of the Advisory Council will be the Director of the Small Business Development Center or other designee of the President of the College.

Members:

Number and Terms:

There shall be an Advisory Council composed of no less than 12, nor more than 25 Members. The number of Members may be changed from time to time by the President of the College. Each Member's appointment will be made by the President of the College upon confirmation of the Board of Trustees, and shall serve for a period of three years. Initially the terms of appointment shall be on a rotating basis, one-third appointed for one year, one-third appointed for two years, and one-third appointed for three years.

Resignation:

Any Member may resign at any time by giving written notice of such resignation to the President of the College.

Removal:

A member may be removed, for good cause by the President of the College.

Vacancies:

In the event of a vacancy on the Council caused by death, resignation, or removal of a Member by the President of the College, the President will fill such vacancy for the unexpired term.

Quorum:

The Members present at any meeting of Members shall constitute a quorum for a meeting of the Members. The act of a majority of the Members present at a meeting shall be the act of the Members. A majority of the Members present at any meeting may adjourn such meeting from time to time.

Regular Meetings:

Regular meetings of the Council shall be held at such time and place as determined by the Council.

Notice of Meetings:

Notice of all Council meetings, except as herein otherwise provided, shall be given by mailing written notice to the usual business or residence addresses of the Members at least ten business days before the meeting, or by telephoning the Members at least five business days before the meeting.

Compensation:

Members shall not receive any compensation for their advisory services. Nothing herein shall preclude a Member from serving in any other capacity and receiving compensation for such services.

Conflict of interest:

Advisory Council members should be disinterested parties in any

contract relating to, or incidental to, the operations conducted by the Business Incubator. No contract, transaction, or act shall be taken on behalf of the Business Incubator if such contract, transaction, or act violates the proscriptions in the Articles of Incorporation of Ulster County Community College against the Business Incubator's use or application of funds for private benefit.

Parliamentary Procedure:

This Council shall follow Robert's Rules of Order.

Adopted September 20, 1994 (94-09-141)

Policy Number 3.12.2 Incubator Rental Fees

Approval Date: June 20, 1995

WHEREAS the rental fees for use of the Business Resource Center's Incubator have been the same for three years since the opening of the Center in June 1995, and

WHEREAS the costs of operation have increased over the years, now, therefore, be it

RESOLVED that the Board of Trustees hereby increase these fees by 10%.

Adopted June 20, 1995 (95-06-074)

Revised April, 1998 (98-4-60)

Policy Number 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

Approval Date: September 19, 1995

It is the policy of Ulster County Community College 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.

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 Ulster to assure that the same educational programs and services offered to other students be available to students with disabilities.

ADA reinforces non-discriminatory 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 non-discrimination 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.

Adopted September 19, 1995 (95-09-113)

Policy Number 3.14 Limited Public Forum Board Policy

Approval Date: June 13, 2006

WHEREAS, recent litigation has identified a need to establish a Board policy to provide limited public forum access to non-College groups or individuals and in support of free speech on campus. The College Attorney with the assistance of the College's Insurance Attorneys has drafted a limited public forum Board policy and,

WHEREAS, the Board of Trustees has reviewed the proposed policy, now, therefore, be it

RESOLVED, that the Board policy of the Board of Trustees of Ulster County Community College be and it hereby is amended to include the Limited Public Forum Policy:

The College makes available as an area designated for use as a limited public forum, that part of the campus identified by yellow highlight on attached Exhibit "A" and shown in the photograph attached as Exhibit "B". The purpose of such 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.

Adopted June 13, 2006 (06-6-86)
Amended June 20, 2017 (17-6-243)

Policy Number 3.15 Alcohol Beverage and Drug Policy (DFSCA)

Approval Date: April 17, 2007

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 any of the following College prohibitions:
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.
Driving while under the influence of alcohol.
Being intoxicated while on College premises or while engaging in College sponsored activities.

Students and employees found in violation of the College Alcohol Beverage and Drug 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 that 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 the 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 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 each student and employee of his or her 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.

Drug Policy (Controlled Substances)

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. 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 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.

Adopted April 17, 2007 (07-4-46)

Amended June 21, 2011 (11-6-114)

Amended June 20, 2017 (17-6-243)

Amended May 15, 2018 (18-5-102)

Policy Number 3.16 Directory Information (Update of Board Policy Manual)

Approval Date: March 18, 2008

WHEREAS, it is necessary and prudent to periodically review and update directory information contained in Board of Trustees policy including names and contact information for individuals referenced therein, and

WHEREAS, it is appropriate that such changes be made, in cases where such changes do not impact the substance of a Board policy, by administrative personnel, and

WHEREAS, the college attorney has proposed that authority for such directory information changes be granted to the appropriate senior administrative staff, now, therefore, be it

RESOLVED, that the Board of Trustees does hereby grant to the President, Vice President, Dean of Academic Affairs, Dean of Administration and the Dean of Advancement and Continuing Education, the power to make changes in directory information within each individual's area of responsibility so long as such changes do not affect the substance of a Board policy,

And be it further

RESOLVED, that copies of Board policies so amended shall be provided to the Executive Assistant to the President as soon as reasonably practicable for dissemination to the Board of Trustees and, to the extent appropriate, the college community and the public at large.

Adopted March 18, 2008 (08-3-34)

Policy Number 3.17 Children at the Workplace and Children in Class

Approval Date: March 15, 2011

It is the policy of Ulster County Community College that children should not accompany registered students, employees or training participants to class, lab, work, offices or seminars. If a child is brought to a session, the instructor is authorized to ask the student or participant and child to leave that session. An instructor may permit a child's attendance under special circumstances and when such an accommodation poses no disruption to the teaching and learning process.

Employees will not bring a child or children with them when scheduled to work. The employee's supervisor, in order to meet an emergency situation, can approve a temporary exception to this policy. Employees are not to ask others to take responsibility for their child while on campus and employees are not to take responsibility for another employee's child in the workplace.

Under no circumstances are children to be left unattended on the college's premises; leaving children unattended in public areas such as the student lounge, cafeteria or library does not meet this supervision standard. Children are not to be left alone in classrooms, labs, reception areas or employee offices. If a child is left unattended, employees should immediately notify campus public safety.

This policy is in no way intended to discourage or prohibit special events, activities and programs aimed at involving children with the college. Nor to infringe on the rights of breast-feeding mothers granted by New York State Civil Rights Law section 79(e).

The College does not accept any responsibility or liability for injuries to children who are on College premises in violation of these procedural guidelines.

Adopted March 15, 2011 (11-3-44)

Policy Number 3.18 Ulster County Community Workplace Violence Prevention Policy and Incident Reporting

Approval Date: June 21, 2011

Ulster County Community College is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, and clients. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on the workplace will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as clients, following all policies, procedures and program requirements, and for assisting in maintaining a safe and secure work environment.

This policy is designed to meet the requirements of NYS Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law included a workplace evaluation that was designed to identify the workplace violence hazards our employees could be exposed to. Other tools that were utilized during this process included establishing a committee made up of management and Authorized Employee Representatives who will have an ongoing role of participation in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process and investigating workplace violence incidents or allegations. All employees will participate in the annual Workplace Violence Prevention Training Program.

The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. Ulster County Community College has identified response personnel that include a member of management and an employee representative. If appropriate, Ulster County Community College will provide counseling services or referrals for employees.

All Ulster County Community College personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

Designated Contact Person(s):

Name: Joseph Snyder

Title: Director of Public Safety & Health Services

Department: Public Safety

Phone: 687-5053

Location: HAS 134E

Workplace Violence Incident Report

Today's Date _____

Date of Incident _____

Time of Incident _____

Case Number _____

Employee Name _____

Title _____

Workplace Location _____

What was the employee doing just prior to the incident?

Incident Description (Minimally include names of involved employees, extent of injuries and names of witnesses):

Provide information on preventative actions that the public employer has taken or is considering as a result of the incident to prevent against further like occurrences:

After the occurrence of a workplace violence incident, the public employer shall consider global (all public employer worksites) prevention enhancements, which may be necessary to properly protect employees.

The employer is responsible for maintaining copies of reports which shall be used when the program is reviewed and updated.

Adopted June 21, 2011 (11-6-113)

Policy Number 3.19 Mandatory Reporting and Prevention of Child Sexual Abuse

Approval Date: April 16, 2013

WHEREAS, recent events have placed renewed attention on the need for all colleges to take steps to prevent child sexual abuse at events occurring on campus property and during College-sponsored events, and

WHEREAS, the State University adopted a policy on December 17, 2012, to protect potential victims of child sexual abuse during activities that occur on State University property, during events sponsored by the University or in the conduct of University business, and

WHEREAS, SUNY Ulster County Community College wishes to reaffirm the general moral responsibility of all members of the public to report wrongdoing to appropriate authorities without fear of retaliation, now, therefore, be it

RESOLVED, that the Policy on Mandatory Reporting and Prevention of Child Sexual Abuse, copy of which is attached hereto, be, and the same hereby is, approved, and, be it further

RESOLVED, that the College adopts any and all necessary and appropriate local procedures to implement the attached Policy, which procedures will contain non-retaliation provisions, protecting those who make reports from fear of retribution, and steps to ensure employees and students receive necessary training, and, be it further

RESOLVED, that as a community college operating under the program of the State University of New York we are encouraged to adopt policies and procedures consistent with the attached Policy.

Policy on Mandatory Reporting and Prevention of Child Sexual Abuse

Any employee or student of or volunteer for SUNY Ulster County Community College (college) who witnesses or has reasonable cause to suspect any sexual abuse of a child occurring on college property or while off campus during official college business or college-sponsored events shall have an affirmative obligation to report such conduct to the College's Department of Safety and Security (Department) immediately. Such report should include the names of the victim and assailant (if known), other identifying information about the victim and assailant, the location of the activity, and the nature of the activity. Upon receiving such a report, the Department shall promptly notify the President of the College for periodic reporting to the College Board of Trustees and the Commissioner of University Police at SUNY System Administration who shall report such incidents to the Chancellor for periodic reporting to the SUNY Board of Trustees.

In addition, to aid in the prevention of crimes against children on property of the college and/or during official college business at events sponsored by the college, relevant employees should be trained on the identification of such crimes and proper notification requirements. Vendors, licensees or others who are given permission to come onto campus or to use college facilities for events or activities that will include participation of children shall ensure that they have in place procedures for training, implementation of applicable pre-employment screening requirements and reporting of child sexual abuse.

For purposes of this policy, the applicable definitions of child sexual abuse are those used in the NYS Penal Law in Articles 130 and 263 and Section 260.10, and "child" is defined as an individual under the age of 17.

Adopted April 16, 2013 (13-4-63)

Policy Number 3.20 Anti-Bullying Policy

Approval Date: August 20, 2013

WHEREAS, College Attorney has recommended that the College adopt an Anti-Bullying Policy, and

WHEREAS, the Vice President and Dean of Enrollment Management recommends, 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 approves Board Policy 3.20 Anti-Bullying Policy, a copy of which Policy is attached hereto.

Anti-Bullying Policy

PURPOSE

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. Ulster County Community College (“College”) is committed to maintaining high standards for behavior where every member of the College community conducts himself/herself in a manner which demonstrates proper regard for the rights and welfare of others. This Anti-Bullying Policy, therefore, 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 which 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 product.

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.

Cyberbullying is 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

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.

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

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

REPRIMAND OR CRITICISM

Bullying shall not include circumstances wherein:

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;

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

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

PROCEDURES FOR REPORTING BULLYING

Reporting bullying by students:

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

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.

Reporting bullying by employees:

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 for Administrative Services.

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

Complaints concerning the Office of Safety and Security, the Vice President for Administrative Services or employees within the reporting line of the Vice President for 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.

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

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 AND 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.

Adopted August 20, 2013 (13-8-88)
Amended June 20, 2017 (17-6-243)

Policy Number 3.21 Pregnancy Discrimination Policy

Approval Date: March 17, 2015

WHEREAS, Federal Laws, specifically Title IX, The Pregnancy Discrimination Act, and the Americans With Disabilities Act prohibit pregnancy discrimination as well as discrimination based upon pregnancy-related impairments, and

WHEREAS, the College Title IX Coordinator, Vice President and Dean for Enrollment Management recommends a formal policy prohibiting such discrimination, now therefore be it

RESOLVED that the Board of Trustees hereby approves Board Policy 3.21 - Pregnancy Discrimination Policy as follows:

Ulster County Community College shall not discriminate against any student, or exclude any student from its educational program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom, unless the student requests voluntarily to participate in a separate portion of the program or activity of the College. Absences due to medical conditions relating to pregnancy will be excused for as long as deemed medically necessary by a student's doctor and students will be given the opportunity to make up missed work. Students needing assistance can seek accommodations through Student Support Services or the Title IX Coordinator.

Ulster County Community College, as an employer, may not discriminate based upon current pregnancy, past pregnancy, potential or intended pregnancy, or medical conditions relating to pregnancy and childbirth including actions regarding hiring, firing, promotion, health insurance benefits and treatment while employed by the College.

Adopted March 17, 2015 (15-3-48)

Policy Section 3.22 Child Protection Policy

Approval Date: August 18, 2015

A. SUMMARY

Individuals must conduct themselves appropriately with children who participate in College-related programs and report instances or suspicion of physical or sexual abuse of children.

B. POLICY

The College is committed to protecting the safety and well-being of children who participate in College-related programs and activities, whether on or off campus, or utilize College facilities for activities including, but not limited to, sports camps, academic and personal enrichment programs and research studies.

C. DEFINITIONS:

Covered Activity: A program or activity sponsored or approved by the College or a College-affiliated organization, or an activity conducted by a vendor, licensee or permittee for which a license or permit for use of College facilities has been approved, occurring on or off campus, for the duration of which the responsibility for custody, control and supervision of children is vested in the College, College-affiliated organization or the vendor, licensee or permittee so approved. This policy is not applicable to the College on-campus Children's Center.

Covered Person: A person who is responsible for the custody, control or supervision of children participating in the Covered Activity and who is:

- (i) an employee of the College or College-affiliated organization;
- (ii) a College student;
- (iii) a volunteer of the College or College-affiliated organization;

- (iv) a vendor, licensee, permittee or other person, who is given permission to come onto campus or to use College facilities for Covered Activities; or
- (v) an employee, agent or volunteer of (iv) above.

Child: An individual under the age of seventeen years, who is participating in a Covered Activity. The term “child” shall not include a matriculated student of the College or a person accepted for matriculation.

Children’s Camp: A camp defined under New York Public Health Law §1392.

Physical Abuse: Physical contact with a child by a covered person which is intended to cause, or causes, pain or physical injury, including punching, beating, shaking, throwing, kicking, biting and burning, or directing a child, outside the norm of the supervised activity, to perform physical activity which is intended to cause physical injury.

Sexual Abuse: Engaging in a sexual offense with a child and/or encouraging or promoting sexual performance by a child. Pursuant to the NYS Penal Law Articles 130, 263, and Sections 260.10 and 260.25, sexual offenses include: sexual misconduct, rape, criminal sex acts, forcible touching, persistent sexual abuse, sexual abuse, aggravated sexual abuse, course of sexual conduct against a child, facilitating a sex offense with a controlled substance, sexually motivated felony, predatory sexual assault against a child, and sexual performance by a child. This also includes Penal Law offenses relating to children including endangering the welfare of a child and unlawfully dealing with a child in the first degree. Sexual performance by a child, as defined by the Penal Law, is any behavior which results in touching of the sexual or other intimate parts of a child for the purpose of sexual gratification of the child and/or adult, including touching by the child and/or adult with or without clothing, and all acts as defined by New York State Penal Law Articles 130, 263 and Section 260.10.

Responsible College Official: The employee of the College or College-affiliated organization, who has been designated by the College under Section G, College Responsibilities.

College-Affiliated Organization: The Ulster Community College Association, Inc., the Ulster Community College Foundation, Inc., and any other entity so designated by the College President.

D. PROHIBITED CONDUCT

A Covered Person shall not:

1. Be alone with a child, unless the Covered Person is a relative or guardian of the child, unless one-on-one contact is approved in accordance with a determination pursuant to Section G.2 of this policy. In no event shall a Covered Person, who is not a relative or guardian of a child, be alone with the child in a rest room, locker room, shower, sleeping area or vehicle.
2. Engage in physical abuse or sexual abuse of a child.
3. Engage in the use of alcohol or illegal drugs, or be under the influence of alcohol or illegal drugs during Covered Activities.
4. Enable, facilitate or fail to address a child's use of alcohol or illegal/non-prescribed drugs.
5. Contact a child through electronic media, including social media, for the purpose of engaging in any prohibited conduct, including sexual conduct.
6. Offer or make a gift to a child for the purpose of engaging in any prohibited conduct, including sexual conduct.
7. Release a child from a Covered Activity without a written authorization from the child's parent or guardian.

E. REQUIRED CONDUCT

A Covered Person shall:

1. Take all reasonable measures to prevent physical and sexual abuse of a child, including immediately removing a child from potential physical abuse, sexual abuse or prohibited conduct as defined herein.
2. Report immediately any suspected physical abuse or sexual abuse of a child to the College Public Safety Department, and provide to Public Safety a written report of suspected physical or sexual abuse of a child. Other reporting requirements not addressed in this Policy may apply, such as the obligations of mandated reporters under New York Social Services Law, who are required to report suspected child abuse or maltreatment when they are presented with a reasonable cause to suspect such abuse or maltreatment has occurred.
3. Complete all required training developed pursuant to this Policy.
4. Wear and display prominently at all times during the Covered Activity a lanyard or other form of identification that identifies the individual as having the responsibilities of a Covered Person.

F. RESPONSIBLE COLLEGE OFFICIAL

A Responsible College Official shall:

1. Confirm that the requirements of this Policy have been communicated to Covered Persons (i) - (iii) prior to the commencement of a Covered Activity.
2. Confirm that New York Sex Offender Registry and National Sex Offender Public Registry searches (as described in College Responsibilities, below) have been obtained and reviewed for Covered Persons (i) - (iii) prior to the commencement of a Covered Activity.
3. Confirm that the completed Acknowledgement of the College's Child Protection form (available in Exhibit A of this policy) has been obtained from Covered Persons (iv) - (v) prior to the commencement of a Covered Activity.
4. Immediately report allegations of physical abuse or sexual abuse of a child to the Public Safety Department and complete and provide to the Public Safety a written report for each allegation of physical abuse or sexual abuse of a child. Other reporting requirements not addressed in this Policy may apply, such as the obligations of mandated reporters under New York Social Services Law, who are required to report suspected child abuse or maltreatment when they are presented with a reasonable cause to suspect such abuse or maltreatment has occurred.
5. Notify and coordinate with appropriate College offices to ensure that allegations of suspected physical abuse or sexual abuse are investigated and addressed appropriately.
6. Confirm that required training on this Policy has occurred prior to the commencement of a Covered Activity for all Covered Persons who are employees, volunteers, students or agents of the College or a College-affiliated organization.

G. COLLEGE RESPONSIBILITIES

The College shall develop procedures to:

1. Designate a Responsible College Official for each Covered Activity.
2. Determine on a limited basis that the first sentence of section D.1 of this Policy, which prohibits a Covered Person from being alone with a child, shall not apply to certain Covered Activities when the pedagogical or health-related nature of the Covered Activity requires such one-on-one contact with a child. Examples may include tutoring, music lessons, speech therapy, and medical, dental or optical services.
3. Communicate the requirements of this Policy to Covered Persons (i) - (v).
4. By May ____, 2015, and biennially thereafter, provide for and require training on this Policy for all Covered Persons who are employees, volunteers, students or agents of the College or a College-affiliated organization prior to the commencement of a Covered Activity.
5. Obtain New York Sex Offender Registry and National Sex Offender Public Registry searches for Covered Persons who are employees, volunteer,

students or agents of the College or a College-affiliated organization and complete a review of such searches not more than ninety (90) days prior to the commencement of a Covered Activity.

a. A search of the NY Sex Offender Registry means:

i. a search of the file of persons required to register pursuant to Article 6-C of the Correction Law maintained by the NY Division of Criminal Justice Services pursuant to NY Correction Law § 168-b for every level of sex offender (Level 1 through Level 3), which requires an email, CD or hard copy submission of names and identifiers to DCJS as described on the [DCJS website](#); and

ii. retention of the records of the results of such search. Note that an internet search alone will not meet the requirements of this Policy.

b. A search of the National Sex Offender Public Registry means:

i. a search by the first and last name of the National Sex Offender Public Website maintained by the United States Department of Justice at this link: <http://www.nsopw.gov/>; and

ii. retention of the records of the results of such search.

6. Provide for the prompt investigation and preparation of written findings by the Public Safety Department of reports of suspected physical abuse or sexual abuse, and if there is reasonable cause to believe a crime has been committed, coordination by the Public Safety Department with other law enforcement officials.

7. Provide a mechanism to report and respond to allegations of retaliation (as described below).

8. Retain documentation of the search results from the New York and National Sex Offender registries for Covered Persons who are employees, volunteers, students or agents of the College or a College-affiliated organization for six (6) years after the Covered Person has separated from employment.

H. RETALIATION

Retaliatory action against any one acting in good faith, who has reported alleged physical abuse or sexual abuse in accordance with this Policy, or who has been involved in investigating or responding to allegations of physical or sexual abuse, or who has reported a failure to comply with this Policy, is a violation of this Policy. Retaliatory acts may include, but are not limited to:

employment actions affecting salary, promotion, job duties, work schedules and/or work locations;

actions negatively impacting a student's academic record or progress; and

any action affecting the College environment, including harassment and intimidation.

EXHIBIT A

Vendor's Acknowledgement of Compliance with the SUNY Ulster Child Protection Policy

Vendor acknowledges that on the ___ day of _____, 20 ___, it has received copies of the SUNY Ulster Child Protection Policy. Vendor represents that it has reviewed said policy and agrees to abide by its terms, including provisions requiring that actual and suspected physical abuse and sexual abuse of a child be reported immediately to the SUNY Ulster Director of Public Safety at _____ (telephone number and campus room number).

Vendor acknowledges that for all of its employees and volunteers, who shall enter upon SUNY Ulster facilities for purposes related to any Covered Activity, Vendor has (i) required said Covered Persons to review the above-named Policy and to complete an acknowledgment of their agreement to abide by its terms; (ii) conducted a search of the NY Sex Offender Registry http://www.criminaljustice.ny.gov/nsor/800info_cdsubmit.htm; and of the National Sex Offender Public website <http://www.nsopw.gov/> within the 90 day period preceding its use of SUNY Ulster facilities and has retained the records of such search; and (iii) hereby certifies that the results of said searches were negative as to any such Covered Person.

By: _____
Print Name:
Title:
Address:

Adopted August 18, 2015 (15-8-119)

Policy 3.23 Kelder Building Alcohol Policy Exemption

Approval Date: November 17, 2015

WHEREAS, from time to time social events were held upon the premises of the former President's House which included the availability of alcoholic beverages, and

WHEREAS, the President's House has been sold and is no longer available for occasional social events, and

WHEREAS, the Kelder Building is particularly suited by its layout and location on the Stone Ridge campus to provide an occasional venue for social events consistent with the mission of the College and the College Foundation, now, therefore, be it

RESOLVED, that notwithstanding any other Board Policy the President of the College, or his designee, may, from time to time, exempt the Kelder Building and the immediately adjacent lands commonly used in connection therewith from Board Policy prohibiting alcoholic beverages by written directive stating the date and time and naming the event during which said exemption shall apply, and be it further

RESOLVED, that any such exemption granted by the President or his designee, shall provide that the exemption shall be subject to the New York State Alcohol and Beverage Control Law, Chapter 3B of the Consolidated Laws of the State of New York.

October 20, 2015 (15-10-137)

Policy Section 3.24 Social Media Policy

Approval Date: November 17, 2015

WHEREAS, social media is a communication tool used to recruit students, interact with current students and stay connected with alumni, and

WHEREAS, social media has become part of the College's overall marketing plan, and

WHEREAS, the College's administration believes it is in the best interest of the College to adopt a policy on social media to meet current legal and regulatory requirements, and

WHEREAS, the Vice President and Dean of Enrollment Management recommends, 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 adopt the Social Media Policy – Board Policy 3.23, and, be it further

RESOLVED, that the Social Media Policy be periodically reviewed and updated by SUNY Ulster's leadership.

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.

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1. Definition & Scope

Social media is 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.

Social media applications allow users to post content and share information, profiles, photos, and opinions with virtually anyone. Postings and content ownership are subject to the terms and conditions and/or privacy policy of the social media provider. Examples of social media include, but are not limited to:

Social networks, such as Facebook, Google Plus, Twitter, Foursquare, Yelp

Professional networks, such as LinkedIn

Video sharing, such as YouTube and vlogs (video weblogs), Vine, Instagram

Live streaming social networks, such as Meerkat, UStream, Periscope, Google Hangouts

Audio sharing, such as podcasts, Skype, Google Hangouts (Voice only)

Photo sharing, such as Flickr, Google Plus Albums, Instagram

Social bookmarking, such as Digg, Redditt, This

Public comment sections on webpages (such as those for online news sites)

User created web pages such as Wikis and Wikipedia,

HTML Emails sent via professional Email vendors such as Constant Contact, Campaigner or Pardot

Crowdsourcing and Crowdfunding, such as GoFundMe, Kickstarter, YouCaring

Blogs such as Wordpress, Tumblr, Blogspot, Medium.

Any other internet-based social media application similar in purpose or function to those applications described above.

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.

2. Purpose

SUNY Ulster is rapidly integrating the use of social media into its academic, community outreach, and service missions. There are information security and privacy risks as well as ethical, professional, legal, technological, personnel and interpersonal issues associated with the use of social networking and media. These guidelines are intended for SUNY Ulster academic and administrative sponsored social media presences.

3. Creating & Maintaining an ‘Official’ SUNY Ulster Social Media Presence

SUNY Ulster’s official social media efforts are managed by the Office of Marketing & Media Services. To ensure that your social media efforts adhere to the design and policy standards of SUNY Ulster and that your efforts are not tied specifically to a community member’s personal account (exceptions are available upon official approval), all official social media accounts must be created in conjunction with Marketing & Media Services – Clinton Hall 207, (845)-687-5261, kaufmand@sunyulster.edu (Deborah Kaufman, Coordinator of Marketing & Media Services).

Before creating a separate social media presence, members of the campus community should consider the following:

What is our goal of using social media? (For example, is there a group we are trying to reach with social media? What would we like them to know?)

Do we have sufficient staff resources to maintain a social media presence?

Is there a need for an academic or year-round account or is our need time specific?

Can we build a robust online community to effectively communicate information or are we better served by working through the main SUNY Ulster social media channels?

In social media, SUNY Ulster's name, branding and/or logo may not be used without prior written approval by Marketing & Media Services. This includes campaigns or projects that use SUNY Ulster resources; or affiliate themselves with SUNY Ulster in any capacity.

Approval Process

Prior to creating a social media channel or social media campaign, approval must be on file with the Marketing & Media Services department which includes a completed social media request and application. The application can be picked up in Clinton Hall Room 207, Marketing & Media Services department or online at (link to be determined). A planning meeting with a social media representative from the Marketing & Media Services department will then be scheduled to go over best practices. These steps are mandatory for approval.

Naming Conventions

Naming conventions in social media are very important. Use SUNY Ulster when naming your account. This helps to distinguish us from other colleges and will help people and organizations find you. Do not use the acronym UCCC or SUCCC. If SUNY Ulster along with your department name is too long to use in its full form, Marketing & Media Services will help you create a name. Be sure to use our full name, SUNY Ulster in your bio and/or description. Never use SUNY Ulster County Community College. Best practice is to start the name with SUNY Ulster, then add niche terms for best search results and administration needs.

Social Media Administrators

When page editors and administrators, especially students, have left the College and no longer require access to social media accounts, you must update/adjust your page roles immediately. The department's initial page creator must include a member of SUNY Ulster's Marketing & Media Services department as a page administrator or have account login information on file with the department (should be included on your social media application). While Marketing & Media Services does not intend to actively maintain or monitor these sites, this designation will allow us to properly track College-related channels and respond quickly in the event of a problem, such as the unavailability or departure of the staff member who has administrative control of the account. Having multiple content owners or administrators at all times for every social media application will ensure that the application can continue to thrive and be updated regularly even if one of the existing administrators changes jobs or leaves the College. Please contact Marketing & Media Services any time an administrator is removed or added to update your approved social media application on file. Each account must be overseen by one faculty or

staff member and include a Marketing & Media Services representative as assigned by the Coordinator of Marketing & Media Services (currently Deborah Kaufman).

Account Security

Social Media administrator(s) outside of Marketing & Media Services representatives must maintain the security of the social media account's login information and is responsible for monitoring channels managed on a regular basis. Any changes in the designated page administrator(s) must be promptly communicated to Marketing & Media Services.

Stagnant Accounts

Marketing & Media Services reserves the right to merge (when able) or delete SUNY Ulster social media accounts that are dormant (no posts, no activity) for more than SIX months, as such stagnancy reflects poorly on SUNY Ulster.

Three-Strikes Ruling for Pages, Channels and Accounts

SUNY Ulster will enforce a "three-strike" rule in terms of social media maintenance. A social media channel will receive one-strike for every month without a post. After three strikes, the College will no longer promote your page on the social media directory and can have your page/channel/account merged or removed from social media platforms. Providing fresh content is essential to maintaining a social media channel. This rule excludes Facebook profiles, LinkedIn profiles, and individual accounts (not pages or groups) and about.me style profiles.

Crowdsourcing and Crowdfunding

Any crowdfunding and crowdsourcing project plan request must be submitted to Marketing & Media Services, and the campaign must be facilitated by the College's Foundation to ensure legal and IRS compliance.

Policies

Branding Assets

Use of official name, logos and other branding assets is required for marketing materials whether online or print. This includes social media channels, memos, eflyers, digital posters and other graphics.

Maintain SUNY Ulster Confidentiality

Do not post confidential or proprietary information about SUNY Ulster, its students, its alumni, or your fellow employees. Use good ethical judgment and follow the College's policies and federal requirements, such as the Health Insurance Portability and Accountability Act (HIPAA) of 1996 and the Family Educational Rights and Privacy Act (FERPA). Review SUNY Ulster policies for more information on your responsibility as a SUNY Ulster employee.

Applicable SUNY Ulster Policies

In professional roles, SUNY Ulster employees should maintain the same behavioral standards online as are required in person. Therefore, the same policies, professional expectations and guidelines for interacting with students, parents, alumni, donors, media and other College constituents apply online as well. These policies include, but are not limited to, our Sexual Harassment Policy and Anti-Bullying Policy. SUNY Ulster employees and students should be mindful of SUNY Ulster's Vision and Values. Do not post any material that is obscene, defamatory, profane, threatening, harassing, abusive, hateful, or maliciously embarrassing to another person or entity. Individuals may be held personally liable for posting such material.

Disseminating Official Information

The President's Office, Marketing & Media Services and other designated offices are responsible for posting and publishing online official information on behalf of the College.

Respect Copyright and Fair Use

When posting, be mindful of the copyright and intellectual property rights of others and of the College. Permission to use or reproduce copyrighted works is required unless the intended use is clearly permitted under the "fair use" exemption. This includes music, art, literary works, copyrighted photographs or texts, video clips, audiovisual works and audio recordings. Questions

regarding fair use or the Copyright Guidelines can be directed to Deborah Kaufman, Marketing & Media Services at x5261.

Photography/Videography for Social Media Use

Photos posted on social media pages should favorably portray the College and the persons depicted in the photos. The following guidelines should be used when posting photos:

Photos of children should not be posted without express consent from their parents, except photos taken at public events. Even then, use great caution when posting photos of young children. Best practice is photographing or videoing children without viewing their face clearly, such as from the side or behind.

Photos or videos of, or links leading to, public events can be posted on social networking sites, but they must be appropriate. As a guideline, they should be photos that could be posted on the College's official website. Examples of photos that should be avoided include but are not limited to photos involving the inappropriate use of alcohol, nudity, "bathroom selfies", medical and hospital patients, and graphic scenes.

Photos taken on occasions that are not public, such as a workshop or class, must have a model release form signed by each person in the photo. You can get copies of SUNY Ulster's model release form in Community Relations, CLI 203.

Even if a public event, think about if the event is spotlighting topics of sensitive communities such LGBTQ, abuse survivors, domestic violence and other such type seminars/workshops.

Terms of Service

Each social media presence requires you to approve their terms of service. Obey the Terms of Service of any social media platform used.

Moderating Social Media

Marketing & Media Services maintains a close watch over all our social media assets and moderates them as best as possible for adherence to our social media guidelines. The department also is a non-posting participant in some social media applications such as Yik Yak for the express purpose of vetting participation.

Best Practices

Be Thoughtful

There are no expectations of privacy when using social media. Consider what could happen if a post becomes widely known and how that may reflect on both you and SUNY Ulster. Search engines can turn up posts years after they are created, and comments can be forwarded or copied. If you wouldn't say it at a conference or to a member of the media, consider whether you should post it online. If you are unsure about posting something or responding to a comment, seek advice from the Marketing & Media Services department.

Strive for Accuracy

Get the facts straight before posting them on social media. Review content for grammatical and spelling errors. This is especially important if posting on behalf of SUNY Ulster in any capacity.

Correct Mistakes

If you make a mistake, correct it. Be open and honest; admit you've made an error. If you can correct the original post, do so and be clear that you are making a correction. If you need to add an amended post, do so.

Link to other College Material

Ideally, posts on College moderated sites should be brief; redirecting a visitor to content that resides within the SUNY Ulster site, campus blog, or official digital assets/websites when applicable.

Share

Use the space to share some of the more quirky and fun things about SUNY Ulster and your unit. Places like Twitter, Facebook, Instagram and Pinterest are casual in nature. People go there to play and connect and, in that regard, the medium is perfect for informal interactions with the College.

Answer Comments and Questions

It is easy to think of social networks merely as tools to push out SUNY Ulster content and forget that they are actually built around interaction. Responding to questions and comments builds relationships and credibility, and keeps the human element prominent. Reply to comments in a timely manner, when a response is appropriate. When disagreeing with others' opinions, keep it appropriate and polite.

Pay Attention to (and delete) SPAM.

Facebook pages, in particular, are subject to SPAM in the comments. Be careful in what you choose to delete, though, as it can be seen as a form of censorship. A rule of thumb we use on the SUNY Ulster Facebook page is to delete anything that does not relate to the College and keep anything that does--even if we don't particularly like it. For an example of community online guidelines, see <http://facebook.com/SUNYUlster>. Our Facebook community guidelines are located in the "Notes" section.

Don't Over-Saturate the Market

Try not to send too many posts or too many similar posts unless you are tweeting live from an event. Similarly, limit your Facebook posts to two or three per day. Flooding your readers with content may seem like a great way to get the word out, but they will unfollow you the moment they decide that you have tipped the scale from interesting to spam.

Anonymous Networks

Understand that anonymous networks where you can post without a username/login information are not really anonymous. Every device (computer/laptop/tablet/phone) has an IP address associated with it. You can easily be identified by authorities including SUNY Ulster Public Safety. Be mindful of what you post even when it seems you are hidden by anonymous posting features.

Resources

SUNY Ulster's social media efforts are guided by Marketing & Media Services. That office is available to walk faculty, staff and students through the processes and to provide expertise on setting up social media entities, strategy and maintain pages.

Marketing & Media Services also chairs the social media committee that helps steer strategy and develop best practices for the campus-at-large.

2020-2021 Social Media Channel/Campaign Application

Applications are due PRIOR to creating any social media channels.

Please deliver directly to Deborah Kaufman in Clinton Hall Room 207

To apply, please complete and return the following documents

Application
Social Media Channel Statement
Social Media Contract

Please contact Deborah Kaufman kaufmand@sunyulster.edu or 845-687-5261 if you have questions.

Qualifications/Requirements:

Accounts must have faculty or staff administration (can't just be student admins).

Accounts must have Marketing & Media Services administration access.

Content creator/admins must have good communication skills.

Student administering social media channels must be in good *social* standing at the College - must be free of any judicial sanctions.

Marketing and Media Services department is comprised of a Coordinator, Community Manager, and a Social Media Committee to help you succeed at your social media efforts.

Social Media Admins and Channel Managers:

Be available at all scheduled social media meetings pertaining to their channel/campaign/project. Assist in advertising and promoting SUNY Ulster and sponsored events when requested by Marketing & Media Services (content shares, and comments).

Maintain working knowledge of social media policies and best practices.

Recognize and represent SUNY Ulster interests which may include students, faculty, staff & alumni.

Set a positive example for fellow students.

Get students excited about social media activity on platform/channel (promote channel).

Attend social media training workshops for their platforms.

Have the time needed to successfully manage a social channel.

Please Print Clearly

Name _____
Last First MI

Cell Phone # _____

E-mail Address _____ [@sunyulster.edu](mailto:_____@sunyulster.edu) or
_____ [@my.sunyulster.edu](mailto:_____@my.sunyulster.edu)

Student/Faculty/Staff ID number _____

Dept. or Major _____

Anticipated date of graduation (if student)? _____

Please list admins & their SUNY Ulster emails for social media accounts

Please list the channels that you are requesting to set up:

1. _____
2. _____
3. _____
4. _____
5. _____

2015 Social Media Statement

Each channel/platform must have a separate sheet on file

Department/Student Club _____

Platform & Type _____

Type of content (multi media, photo,etc): _____

Platform Statement: The reasons you believe this additional social media channel will be useful.

Also, include information about what you hope to achieve from this use.

Please print or type your statement

2020-2021 Social Media Account Contract

Must be signed by each admin of social media accounts

Rules governing social media admin (account holders) behavior

Admins may not engage in derogatory remarks against SUNY Ulster.

Follows official SUNY Ulster branding and naming conventions for social media channels.

Keeps admin(s) listing up to date with Marketing & Media Services.

Maintains SUNY Ulster confidentiality policies, HIPAA, FERPA and other College policies.

Understands TOS (Terms of Service) of each social media channel managing.

Stays up to date on social media best practices

Does not participate online in sexual harassment or other types of harassment.

Meets with Marketing and Media Services as requested regarding social media management.

I, _____, as a admin for a SUNY Ulster related social media account, confirm that I have read and understand the social media guidelines and above listed rules. By signing, I commit to adhering to these rules. I also understand that failure to comply with these rules may result in my removal of social media accounts and other actions.

X _____

(Signature)

(Date)

Adopted: November 17, 2015 (15-11-145)
Amended June 20, 2017 (17-6-243)

Policy Number 3.25 Animals on Campus Policy

Approval Date: August 16, 2016

WHEREAS, the College currently has an Animals in Campus Buildings Policy in the Professional Staff Handbook, and

WHEREAS, College Attorney has recommended that the College revise and replace said policy and adopt an Animals on Campus Policy, and

WHEREAS, the Senior Vice President of Enrollment Management and Student Services recommends and

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

RESOLVED, that the Board of Trustees approve the attached Animals on Campus Policy.

ANIMALS ON CAMPUS POLICY

Please be advised of the following policy regarding animals in buildings on campus:
In consideration of personal safety and sanitation, privately owned animals are not allowed in campus buildings, except:

Service Animals or Emotional Support Animal,

Animals being utilized for educational purposes in the Veterinary Technology Science program, and

Animals being brought to class as part of an assignment in that class.

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.

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 Animals 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;
- 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 on page one 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)

[Website](#)

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)
[Website](#)

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) I; 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

Adopted August 16, 2016 (16-8-110)

Policy Number 3.26 Consensual Relationships Policy

Approval Date: March 17, 2020

WHEREAS, SUNY has mandated that all State Operated Campuses and Community Colleges enact a policy relating to consensual relationships with input from appropriate members of their workplace and campus communities, which shall be widely disseminated to their respective communities, and which will satisfy the requirements of SUNY Document Number 6506, and

WHEREAS, the Vice President for Administrative Services in consultation with the College Attorney has prepared a proposed Policy in conformance with the SUNY directive, and

WHEREAS, the proposed policy has been disseminated and input sought from the College community, and

WHEREAS, a final draft of the proposed policy has been prepared and is attached hereto, now, therefore be it

RESOLVED, that the Board of Trustees hereby approves Board Policy 3.26- Consensual Relationships Policy.

SUNY Ulster Consensual Relationship Policy

I. Policy Statement:

SUNY Ulster is committed to ensuring that our students, faculty, and staff can learn and work in an environment that is free from nepotism, harassment, exploitation, and conflicts of interest. SUNY Ulster is also committed to promoting fairness in grading, evaluation, and career opportunities. In order to achieve this, it is vital that all college personnel maintain professional boundaries with students, and with employees over whom there is or will be a supervisory relationship.

SUNY Ulster professional staff and other college personnel exercise power and authority over students and employees for whom they have current supervisory, instructional, or other professional responsibility, which creates a power imbalance. This makes consent within any romantic relationship between the supervisor and employee or between a professional staff member or other college personnel and a student problematic and may impede the real or perceived freedom of the student or employee to terminate or alter the relationship. Further it may cause individuals outside of that relationship to believe that they are treated in an unequal manner during such a relationship or after it terminates, or it may cause individuals to feel that entering such a relationship is necessary or assistive in attaining their academic or career goals. Such a relationship may damage the credibility or reputation of the student, employee, the department or the unit, and the College as a whole and may expose individuals or the institution to legal action and liability.

In the academic context, romantic relationships that might be appropriate in other circumstances have inherent dangers when they occur between professional staff or other college personnel and students. Implicit in the idea of professionalism is the recognition by those in positions of authority that in their relationships with students and employees there is an element of power.

Because inherent power differentials exist, professional staff or other college personnel are prohibited from entering romantic relationships with students for whom such staff or personnel have current, supervisory, instructional or other responsibility or where such responsibility is reasonably foreseeable.

Consensual romantic relationships between professional staff or other college personnel and any student for whom such staff or personnel have no current nor reasonably foreseeable supervisory, instructional or other professional responsibility are strongly discouraged. It is understood that, even where not otherwise prohibited or discouraged by this policy, any sexual or other intimate activity between SUNY Ulster professional staff/other college personnel and another employee or a student shall never take place while the SUNY Ulster professional staff/other college personnel is on duty or on campus or otherwise in the course of college related activities.

In the case of pre-existing relationships, professional staff or other college personnel shall be required to recuse themselves from any evaluation of the student and from any activity or decision which may appear to reward, penalize, or otherwise affect the student or student employee and to otherwise take appropriate action to minimize any potential preferential or adverse consequences to the student or other members of the college community.

In the employment context, there is a prohibition against romantic relationships between employees where there is a current supervisory or authority imbalance. In cases where there is or has been a consensual romantic relationship between two individuals employed by the college, it is important that any sphere of influence or authority by one such employee over another be removed. Where one person is in the direct line of supervision over the other, the supervisor must notify college administration so that alternative arrangements for supervision can be made or where the college administration may otherwise mitigate the circumstances.

Where neither individual is in direct line of supervision over the other, but authority exists wherein one individual could impact any employment related decision regarding the other, such as participating in decisions regarding hiring, termination, appointment, reappointment, promotion, assignment of duties, evaluation or changes in compensation or benefits for the other individual, such person must either recuse themselves from the decision-making process or, in the alternative, notify college administration so that they can be removed from the decision-making process.

Non-consensual relationships are always prohibited and may implicate other policies or laws.

II. Definitions:

Department or Unit: An academic department or unit or a professional department or unit.

Academic Department or Unit: Department or unit devoted to a particular academic discipline or operational area.

Professional Department or Unit: Department or unit devoted to providing professional services to students. This includes, but is not limited to, dining services, facilities services, student life/activities, financial aid, registrar, bursar, career services, library services, athletics, academic advisement, disability services, counseling services, health center, information and technology, security and public safety.

Other College Personnel: Any person with an employment relationship with the college that is not covered by the definition of professional staff. This would include all employees in the classified service pursuant to New York State Civil Service Laws, rules and regulations as well as student employees on the college payroll.

Professional Responsibility: For the purposes of this policy only, professional staff and other college personnel shall be deemed to have professional responsibility to a student when that person has a job-related duty that can impact the student's educational or professional career; specifically, where they have decision-making authority that may impact student learning, student life or student welfare, they have professional responsibility.

In addition, a public safety officer shall be deemed to have a professional responsibility at any time that they are on duty, or when the member is directly involved in an ongoing investigation in which the student is a target, witness, person of interest or subject of an investigation, criminal matter, inquiry, or campus administrative action, or when the member is involved in an open case or action in which the student or other staff is either the plaintiff/complainant/defendant or potential plaintiff/complainant/defendant.

A healthcare professional working in a campus student health services/wellness center cannot commence a romantic relationship with a student for whom they are providing direct patient medical care. In addition, such healthcare provider shall not provide direct patient medical care to a student with whom they have had or are having a consensual romantic relationship (unless it is an emergency and no other healthcare provider is available on campus).

Professional Staff: All persons occupying positions designated as being in the unclassified service. This includes academic employees, professional employees and management/confidential employees.

Romantic Relationship: An intimate, sexual and/or any other type of amorous encounter or relationship, whether casual or serious, short-term or long-term. Such a relationship exists in a marriage, domestic partnership, or outside of marriage or domestic partnership between two persons who have a sexual union or who engage in a romantic partnering or courtship that may or may not have been consummated sexually.

Student: An individual whose primary relationship to the college is in their role as a matriculated or non-matriculated student including individuals in certificate programs and other traditional and nontraditional academic programs. This definition does not include employees who are taking a non-matriculated course that is not part of an academic program. Status begins at payment of deposit to enroll or equivalent and continues to completion of all academic requirements and graduation or conferral of the certificate. This applies regardless of the age of the student and the age of the faculty or staff member.

Supervisory Relationship: A relationship in which an employee has the authority to make, recommend or impact decisions regarding hiring, termination, appointment, reappointment, promotion, assignment of duties, evaluation, or changes in compensation or benefits for another individual.

III. Employee Applicability:

This policy governs professional staff or other college personnel, whether employed full-time, part-time or in volunteer status, whether or not they receive monetary compensation. This definition does not apply to student employees on the student assistant, student aid or college work-study payroll.

IV. Policy

A. Students:

SUNY Ulster professional staff or other college personnel, are prohibited from entering into romantic relationships with any students for whom such staff or personnel have current or reasonably foreseeable supervisory, instructional, or other professional responsibility.

B. Employees in Supervisory Role:

SUNY Ulster professional staff or other college personnel are prohibited from supervising any employee with whom they are currently engaged or in the past have been engaged in a romantic relationship. Professional staff or other college personnel who enter a romantic relationship with an employee for whom they provide direct line supervision must notify their direct supervisor or department/unit head, and such department/unit head shall notify the Personnel Director or designee. The employee's supervisor or department/unit head, in concert with the Personnel Director or designee, shall determine whether an alternative supervisory structure is practicable and if so, shall direct the employees to the alternative supervisory structure. The conclusion of the relationship (whether amicably or not), does not change the prohibition stated herein.

There is no prohibition or reporting requirement for SUNY Ulster professional staff or other college personnel who enter, are currently engaged in, or in the past have been engaged in romantic relationships with other faculty and staff where there is no direct line advisory relationship. However where a romantic relationship exists or has existed, professional staff or other college personnel shall recuse themselves from any personnel decisions regarding the other individual including hiring, termination, appointment, reappointment, promotion, assignment of duties, evaluation or changes in compensation or benefits for the other individual or, in the

alternative, notify college administration so that they can be removed from the decision-making process.

There are no prohibitions or reporting requirements for consensual social interactions between SUNY Ulster professional staff or other college personnel, regardless of supervisory relationship, that are not romantic, intimate or sexual in nature.

C. Pre-Existing Relationships:

Relationships between professional staff or other college personnel and a student, or employee for whom the employee will have supervisory, instructional, or other professional responsibility that predate enrollment as a student, the existence of a supervisory, instructional or professional responsibility, or hire as staff are permissible provided that the employee notifies their direct supervisor or department/unit head and that the department/unit head shall notify the Personnel Director or designee. The supervisor or department/unit head and the Director of Personnel or designee will work with the covered individuals to ensure that they are not in a direct supervisory or instructional relationship (and, if so, will develop a management plan for the employee), but there is no prohibition on maintaining the relationship. Individuals with hiring or admission authority may not be responsible for hiring or admitting an employee or student of any level, with whom they are currently engaged or have in the past been engaged in a romantic, intimate, and/or sexual relationship.

V. Reports and Investigation:

While the primary reporting office for violations of this policy is the Department of Human Resources, reports of violations of this policy may be brought to the college Title IX Coordinator, Vice President for Administrative Services, Vice President for Academic Affairs, or their designee.

Monitoring the status of alternative supervision is the responsibility of the area Vice President or designee. All documentation under this policy shall be maintained in the Department of Human Resources.

Retaliation for making a report or participating in a process under this policy is prohibited. The college prohibits an individual knowingly filing a false claim or making representations of sexual misconduct. A complaint made in good faith is not considered false merely because the evidence does not ultimately support the allegation of sexual misconduct. If an investigation results in a finding that a person who has accused another of sexual misconduct has acted maliciously or has recklessly made false accusations, the reporting party will be subject to appropriate sanctions. It is important to note that due process considerations may limit the ability to investigate or resolve anonymous complaints.

VI. Discipline:

Violations of this policy may result in disciplinary charges up to and including termination. Any disciplinary action shall be taken pursuant to the applicable collective bargaining agreement.

Adopted March 17, 2020 (20-03-39)

Policy Number 3.27 Gender Neutral Bathrooms

Approval Date March 16, 2021

WHEREAS New York State and the State University of New York are committed to protecting the safety and well-being of its students and staff and maintaining educational and working environments that are free from discrimination and harassment; and

WHEREAS SUNY recognizes the need to take all possible precautionary steps to prevent harassment from occurring, and believes that college officials can play a crucial role in creating a space of inclusivity to protect transgender, gender nonconforming, and non-binary (TGNCNB) individuals from discrimination and harassment on its campuses; and

WHEREAS on December 23, 2020, Governor Cuomo signed into law Chapter 353 of the Laws of 2020, relating to the single-occupancy bathroom requirement; and

WHEREAS on March 10, 2021, the State University of New York Board of Trustees passes such resolution that thereby resolved that the Chancellor, or designee, be, and hereby is, authorized and directed to prepare, in accordance with the Board Resolution -2- February 25, 2021, provisions of the State Administrative Procedure Act, a Notice of Emergency Adoption and Proposed Rulemaking, with respect to a new Part 317 of Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York, to read as follows (underlining denotes new material to be added) to comply with Chapter 353 of the Laws of 2020, and

WHEREAS Chapter 353 also mandates that all Boards of Trustees of Community Colleges adopt written policies conforming with part 317; now therefore, be it

RESOLVED, that in accordance with Part 317.1 of Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York and in compliance with Chapter 353 of the Laws of 2020, the Board of Trustees hereby adopts Board Policy 3.27-Gender Neutral Bathrooms as follows:

All public single-occupancy bathroom facilities at SUNY Ulster and the Kingston Center shall be designated as gender neutral for use by no more than one occupant at a time or for family or assisted use.

Such gender-neutral bathroom facilities shall be clearly designated by the posting of such on or near the entry door of each facility.

For purposes of this section, single-occupancy bathroom shall have the same meaning as paragraph (d) of subdivision one of section one hundred forty-five of the public buildings law.

Adopted March 16, 2021 (#21-03-20)