



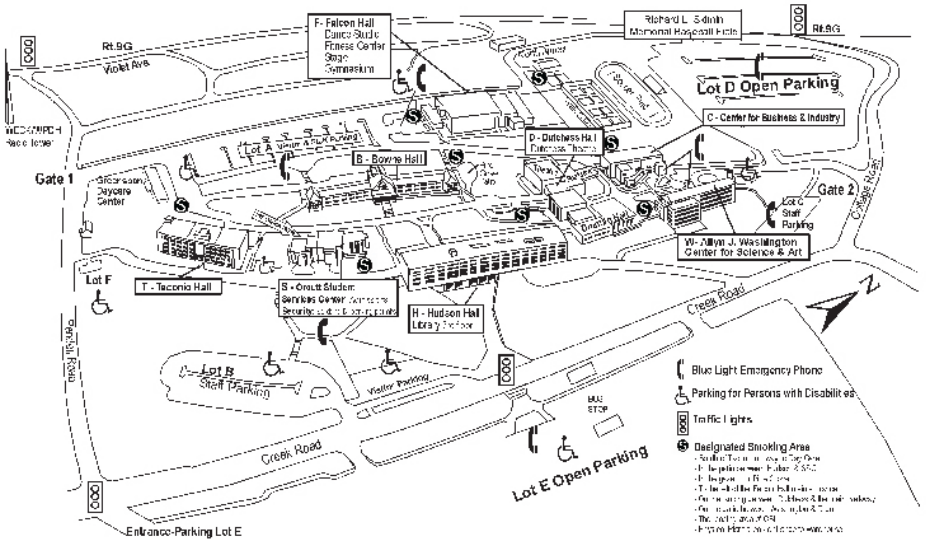
Rights and Responsibilities Handbook 2009-2010

Campus Code of Conduct
A Handbook of Policies, Procedures
and Important Information for
Students and Staff

Office of the Dean
of Student Services
(845) 431-8970

www.sunydutchess.edu

DUTCHESS
COMMUNITY COLLEGE



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 - In the presence of the elderly
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 - In the presence of persons with asthma
 - In the presence of persons with allergies
 - In the presence of persons with diabetes
 - In the presence of persons with other chronic conditions
 - In the presence of persons with other health conditions

Dutchess Community College Main Campus

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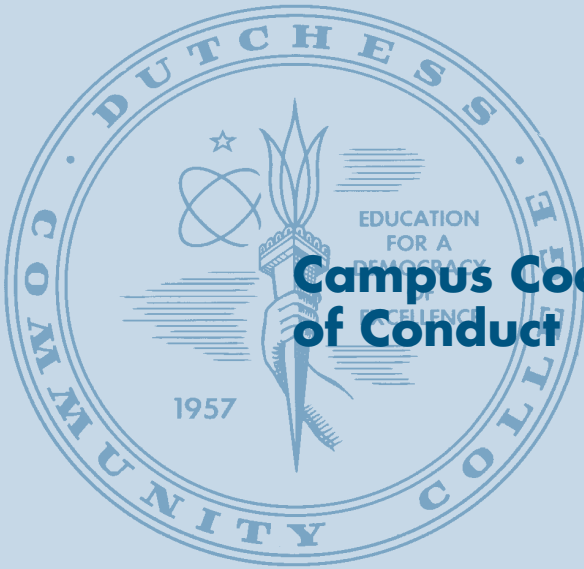
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Campus Code of Conduct

Section I: Code of Conduct

A. General Principles

Dutchess Community College is an academic community composed of faculty, students, and administrative staff, established and continued for the express purpose of providing “an educational program featuring quality, opportunity, diversity, and social responsibility.” It affirms as its major objective “high quality in all aspects of its instructional program and in student achievement both in and out of the classroom.”

These objectives can be achieved only in an environment that is characterized by rational dialogue, intellectual integrity, a mutual respect for varying opinions, the orderly advocacy of differing points of view, and the careful preservation of an atmosphere free of repression and at the same time free of disruption.

In order to assure the continuation of a truly free learning environment for all members of its campus community, Dutchess Community College hereby sets forth the following general principles, definitions, and specific policies.

The College affirms that:

1. All members of the campus community are assured of the right to express their ideas in writing, in speech, or in other media, within the guarantees of the law and the bounds of propriety and appropriate style.
2. The freedom to teach in accordance with the dictates of intellect and conscience, based on scholarly research and the greatest possible measure of objectivity, and free from any attempt to indoctrinate or create bias; and the freedom to learn by studying, examining, and questioning, are rights that are consonant with the purpose of the College.
3. Bigotry and discrimination of any kind or degree, regardless of the basis, are inimical to the purposes of the College.
4. Examination of ideas, policies, and procedures is necessary for growth and leads to change and that orderly change is healthy for the College community.
5. There is a basic expectation of high standards of courtesy, integrity, and responsibility in all members of the College community.
6. All members of the College community are to be considered on their individual merits, and all opinions and judgements are to be formulated and carried out on the basis of individual performance and not on the basis of association.

7. All members of the College community are also members of society at large, and they are therefore subject to the laws of the nation, the state, and local community, as well as to the regulations of the College; and that the campus cannot be considered a sanctuary where conduct not legally or morally acceptable under the law may be practiced without fear of College sanctions.
8. The College will seek to implement these principles through defined channels and with the assistance and involvement of appropriately specified members of the College community.
9. Whenever possible and appropriate, informal resolution and mediation shall be used to resolve issues of individual behavior before resorting to formal disciplinary procedures.

B. Definition of Disruption

Disruption is defined as those activities which interfere with the conduct of the College's commitment and objectives, whether they be conducted within the confines of the buildings or on the open College campus or at satellite campuses. The following is an illustrative, but not all-inclusive, list of disruptive acts:

1. Failure to show proper ID to requesting College officials acting in performance of their duties.
2. Failure to comply with directions of College officials acting in the performance of their duties.
3. Disrupting the rights or freedom of others in any manner whether by physical or verbal abuse.
4. Cheating, plagiarism, or any form of academic dishonesty.
5. Interfering with academic freedom, including in the classroom and any speaker or performing artist invited to the campus by appropriately authorized personnel.
6. Falsifying information, e.g. forgery, alteration, or intentional misuse of identification or academic records.
7. Theft or damage to, or misuse of, college property and resources including misuse of College computer resources or data bases.
8. Violation of College policies or regulations.
9. Bringing animals on campus except those assisting disabled students or approved by the Dean of Student Services.

10. Disorderly, lewd, indecent, or obscene conduct or expressions.
11. Gambling, not to include student fund-raising raffles.
12. Attendance in class or at any College functions under the influence of alcoholic beverages, narcotics, or drugs.
13. Possession, use, sale, exchange of narcotics, drugs, or alcoholic beverages on campus.
14. Harassment — sexual, verbal, physical including bias related activities.
15. Failure to adhere to rules and regulations governing the use of vehicles on campus.
16. Conduct in the classroom which precludes instructors performing their function.
17. Unauthorized use of the name of the College, or a College-related agency.
18. Smoking in unauthorized areas.
19. Knowingly having possession, upon any premises to which these rules apply, of any rifle, shotgun, pistol, or other firearms or weapons without the written authorization of the chief administrative officer or his/her designee.
20. Tampering with safety equipment, fire extinguishers, emergency exits, or failure to leave a College building during a emergency or fire evacuation.
21. Acts of any nature that interfere with the operation of the College or which adversely affect the student's suitability as a member of the College community and/or the rights of other students/staff/faculty.
23. Knowingly gain access to or use DCC computing or internal or external communications facilities to which legitimate authorization has not been granted.
24. Electronic Devices such as cellular phones, pagers, and other electronic devices used in a manner that causes disruption in the classroom, library or within any College-owned or College-operated facilities. This includes abuse of cellular devices with photographic capability. Utilizing these devices for the purposes of photographing test questions or other forms of academic misconduct or illegal activity is prohibited, as is photographing individuals in secured areas such as lavatories or lockers rooms. Taking photographs of any individuals against their will is strictly prohibited.

25. Cause another person or persons to fear for their safety by another person known to be on the premises of DCC or in the course of activities sponsored by the College, or cause another person to be impeded in participating in College programs.

C. Initiating Complaints Under the Code of Conduct

1. Disruptive Campus Behavior

- a. Students who have allegedly violated the DCC Code of Conduct should be immediately referred to the Dean of Student Services (except in the case of academic dishonesty where the student should be referred to the appropriate Academic Department Head).
- b. If the student's behavior is sufficiently disruptive of the campus order or student/staff safety, the Security Office should also be contacted immediately.
- c. Where an obvious mental or physical illness is causing the disruption, refer to the procedures described in Section I.C.4.

2. Disruptive Classroom Conduct

When a student behaves in a manner that interferes with the instructional process, the following procedures will apply:

- a. The instructor or staff member will consult with the student and establish guidelines for remaining in the course. If the disruptive behavior is such that the student should be removed from the classroom immediately, the instructor or staff member should ask the student to leave. If assistance is needed, Campus Security should be called.
- b. If the guidelines are not followed satisfactorily by the student, the instructor or staff member will submit charges in writing to the Dean, Associate or Assistant Dean of Student Services.
- c. If the matter cannot be resolved informally by the Dean, Associate Dean, or Assistant Dean of Student Services, the procedures dealing with infractions of the Student Code of Conduct apply.

No person shall knowingly or maliciously bring false charges against any member of the DCC community under this Code.

3. Academic Dishonesty Policy

- a. Academic dishonesty includes, but is not limited to, the following:
 - i. Cheating on examinations
 - ii. Plagiarism, the representation of another's ideas or writing as one's own, including but not limited to:
 - presenting all or part of another person's published work as something one has written;
 - paraphrasing or summarizing another's writing without proper acknowledgement;
 - representing another's artistic or technical work or creation as one's own.
 - iii. Willingly collaborating with others in any of the above actions which result(s) in work being submitted which is not the student's own.
 - iv. Stealing examinations, falsifying academic records, and other such offenses.
 - v. Submitting work previously presented in another course without permission of instructor.
 - vi. Unauthorized duplication of computer software.
 - vii. Unauthorized use of copyrighted or published material.
- b. If, based on substantial evidence, an instructor deems that a student is guilty of academic dishonesty, the instructor may initiate disciplinary action.
 - i. The instructor may require that the student repeat the assignment or the examination, or
 - ii. The instructor may give the student a failing grade for the assignment or examination, or
 - iii. The instructor may give the student a failing grade for the course.
 - iv. Additionally, the instructor may require that the student receive counseling on academic honesty through the Office of the Dean of Student Services.

c. Academic Dishonesty Appeal Process

i. Informal Appeal Process

If a student wishes to discuss a disciplinary action that she/he has received for an alleged instance of academic dishonesty, the initial step is for the student to meet with the instructor to attempt to resolve the issue in an informal manner.

ii. Formal Appeal Process

Step 1

To initiate a formal appeal, the student must obtain an Academic Dishonesty Appeal Form from the Academic Department Secretary, the Office of Student Services, or the Office of Academic Affairs. The student must complete the first portion of the Academic Dishonesty Appeal Form and submit it to the instructor and request a meeting. This meeting should normally take place within fourteen days of the instructor's receipt of the Academic Dishonesty Appeal Form. If the student goes first to the Dean, Academic Department Head or Departmental Supervisor, that person should refer the student is reluctant to meet independently with the instructor, the Department Head may choose to waive the first step and proceed to set up a meeting with the student and the instructor as outlined in Step Two.

The formal appeal of an alleged instance of academic dishonesty must begin within thirty calendar days of any disciplinary action initiated by the instructor.

Step 2

If the meeting with the instructor does not result in a satisfactory resolution of the issue, the student has fourteen calendar days to appeal to the Department Head.

The Department Head will review the Academic Dishonesty Appeal Form and attached materials, and meet with the student and the instructor to discuss the matter. The Department Head will report her/his decision in writing to both the student and the instructor within 14 calendar days of meeting with the student and the instructor.

Step 3

If the decision of the Department Head does not result in a satisfactory resolution, the student may submit, within 14 days of the receiving the decision of the Department Head, the Academic Dishonesty Appeal Form to the Dean of Academic Affairs, as

an appeal to convene an Academic Review Committee. The Committee, consisting of five members, will be chaired by an Associate Dean of Academic Affairs, appointed by the Dean of Academic Affairs. The Associate Dean will choose two faculty members for the committee from the faculty on the Academic Standards Committee. The faculty selected for the committee will be from outside the academic department with which the appeal is concerned. The president of Student Senate will select two student representatives to serve on the committee.

Any member who feels unable to approach a case in a spirit of neutrality may ask to be excused from hearing the case. An alternate appointed by the officer of the appropriate appointing group will fill said member's place.

Any member whom the committee feels cannot approach a case in a spirit of neutrality will be examined on the matter by the committee, on the basis of a majority vote, will ask that member not to hear the case. The presiding officer of the appropriate appointing group will appoint an alternate.

The Academic Review Committee will meet and consider all the documentation provided by the Department Head, the student and the instructor. Both the student and the instructor will be given an opportunity to appear before the Academic Review Committee. The student may, if she/he chooses, be accompanied by a member of the college community to serve as an advocate. The Committee will report in writing to the student, the Department Head and the instructor normally within 14 calendar days of the Committee meeting. A copy of the Academic Review Committee decision will also be sent to the Dean of Academic Affairs.

Step 4

If the student does not accept the decision of the Committee, that decision may be appealed to the Dean of Academic Affairs within 14 days for final review. The Dean of Academic Affairs, with full access to all documentation from previous levels of appeal, and any additional conferences with involved parties, will be the final College arbiter of the appeal. The Dean's decision will normally be made within 14 calendar days of the date on which the appeal was received from the student.

Note: The timetable noted above assumes no interruption in the regular college calendar, such as semester or spring breaks,

which would alter the timetable. For an appeal of an occurrence of academic dishonesty during the spring semester, the “following semester” is defined as the following fall semester.

4. Health Related Student Problems

- a. If a physical problem creates an emergency situation, the College Nurse and/or Campus Security should be contacted.
- b. If a physical problem is apparent, but does not create an emergency the student should be referred or taken to the College Nurse.
- c. If a student’s behavior indicates a mental health problem that creates an emergency, the Dean, Associate or Assistant Dean of Student Services, or Campus Security should be contacted for appropriate intervention and/or referrals.
- d. If a student’s behavior indicates a mental health problem that does not require emergency procedures, the student should be referred to the Associate Dean of Student Services.
 - i. The Associate Dean will determine behavioral guidelines for the student and may recommend further contact with a counselor and/or referral to appropriate off-campus professionals and/or agencies.
 - ii. In those cases where the allegations of behavior are serious, and if proven could contribute significant personal safety to other students or DCC staff members, the Dean or Associate Dean are authorized to impose interim conditions that balance the need of complaints for safety with the requirements of fairness to the student.
 - iii. If the student does not follow the guidelines and recommendations of the Associate Dean, and the previous behavior continues so as to significantly compromise the safety of the student or other persons, or if an off-campus mental health professional recommends withdrawal, the student will be advised by the Dean of Student Services that he/she is being withdrawn from the College until there is evidence of the ability to function constructively at the College.
 - iv. The student may appeal this decision in writing as set forth in Section II. G.

D. DCC's Internet Acceptable Use Policy

Purpose

Dutchess Community College provides access to the Internet for students. Access to the Internet is limited to DCC laboratories and the library and is available for academic purposes only. The purpose of this policy is to establish the standards and prohibitions that govern Internet use, as well as the consequences of misuse.

The College reserves the right to limit time spent on its library and laboratory computers and to establish other reasonable procedures as demand and available resources require for equitable and orderly use.

The College does not control access to Internet sites, and users assume said responsibility. Be aware that the content of an Internet site may not be timely, accurate, or factual.

Restricted Activities

Restricted activities are those activities that the College has sought to limit. The availability of these activities will vary with each lab and may be prohibited by some labs. Before engaging in restricted activities students should request permission from the lab supervisor.

- Accessing chat rooms, Instant Messenger, or chat channels other than those required by classroom assignments
- Sending or receiving e-mail other than when required by classroom assignments
- Downloading computer files on network or hard drives except when required by classroom assignments

Prohibited Activities

Prohibited activities related to using the Internet include, but are not limited to:

- Accessing or attempting to access any DCC network or remote computer system without authorization;
- Creating, displaying, or transmitting material that is threatening, abusive, libelous, or harassing to an individual or group;

- Displaying or printing sexually explicit, adult-oriented material;
- Engaging in an activity that violates any U.S. or New York State law or regulation;
- Installing programs on network or hard drives except under faculty supervision;
- Making any attempt to incapacitate, compromise or destroy equipment or electronic resources;
- Playing games from any Internet site, including Web sites, MOOs, MUDs, etc.;
- Using College computers or the Internet for commercial, including chain letters and pyramid schemes or political lobbying purposes;
- Violating copyright laws and fair use provisions through inappropriate reproduction or dissemination of material.

Results of Misuse

Engaging in prohibited activities may result in revocation of computer privileges and possible suspension or dismissal from college as indicated in Section II of this publication.

Illegal acts through the use of College computers and computer systems will also be subject to prosecution by local, state, or federal authorities.

Privacy Issues

Users should be aware that the Internet is not a secure medium. Third parties may be able to obtain information regarding users' activities. In general the College will attempt to treat the information displayed on its computers and/or printers as private information. Nonetheless, to the extent permitted by law, the College reserves the right to monitor access and disclose information stored or transmitted via College computers and network.

Section II: Procedures for Dealing with Infractions of the Student Code of Conduct

Assuming that each member of the College community is familiar with his/her rights, responsibilities, and the College's expectations of him/her, the College will respond to violators of its Code of Conduct using the following procedures.

A. Committee on Fair Procedures

1. Jurisdiction of the Committee:

- a. The Committee will consider disciplinary cases brought before it relative to statements in the College Catalog and this Student Handbook concerning student conduct.
- b. In cases referred to it, the Committee will consider charges made against a student by another student, any college employee, or an outside party.
- c. The Committee shall not be bound by the strict rules of evidence, and shall hear evidence that the chairperson deems appropriate.
- d. The Committee, after completing its deliberations, will recommend in writing to the Dean of Student Services a decision concerning the charges and the specific disciplinary measures to be imposed if the student is found to be in violation of the Code of Conduct.

2. Membership of the Committee

- a. The Committee will consist of six members.
 - i. Three students are appointed by the President of the Student Senate, not later than the end of September of each school year. At least one of the three shall be from the freshman class and one from the sophomore class.
 - ii. One administrator is appointed by the Chairperson of the Administrative Staff Council, not later than the end of September of each school year.
 - iii. One faculty member is appointed by the Chairperson of the Instructional Staff Council, not later than the end of September of each school year.

- iv. The Associate or Assistant Dean of Student Services shall serve as the designee of the Dean of Student Services.
- b. The Associate or Assistant Dean of Student Services will conduct the hearing, rule on questions of procedure, and will be a nonvoting member of the committee.

3. Definitions

- a. A quorum shall be two-thirds (4) of the committee.
- b. Specific recommendations to be forwarded to the Dean of Student Services will be determined by a majority of voting members.

4. Limitations

- a. Any member who feels unable to approach a case in a spirit of neutrality may ask to be excused from hearing the case. Said member's place will be filled by an alternate appointed by the officer of the appropriate appointing group.
- b. Any member whom the Committee feels cannot approach a case in a spirit of neutrality will be examined on the matter by the Committee, and if neutrality is not established, that member will be asked by the committee, on the basis of a majority vote, not to hear the case. The presiding officer of the appropriate appointing group will appoint an alternate.

B. Filing of Charges

1. Any charge, accusation or infraction of the Code, which may subject a student to disciplinary action, must be submitted to the Dean of Student Services in writing within five working days of the alleged violation.
2. Prior to filing charges formally, any student, staff, or faculty member may informally consult with the Dean, Associate Dean, or Assistant Dean of Student Services regarding an alleged infraction of the Code of Conduct and procedures to follow to improve the situation.
3. The Associate or Assistant Dean will meet informally with the student(s) charged to discuss the violations. If a resolution satisfactory to all parties can be reached, formal charges will not be filed. The individual filing the charges will be informed in writing of the resolution.

4. If formal charges are filed, the student shall be informed of the charges in writing within five working days of the receipt of the charges. The written communication to the student will specify a date and time for the student to report to the Office of the Dean of Student Services. The letter will also inform the student if the process will consider any prior appearances of the student before the committee, as prior violations of the Code by a student may result in stronger disciplinary actions as determined by the Dean of Student Services. A copy of the Student's Rights and Responsibilities Handbook will also be included.
5. In the event of violations of criminal law, the appropriate civil authorities will be advised/notified.

C. Presentation of Charges

1. In cases where formal charges are filed, the Associate or Assistant Dean of Student Services shall meet with the student charged as soon as practical, but not later than five working days following receipt of charges.
2. The purpose of this meeting shall be to inform the student of his/her rights and possible consequences as defined in the Student's Rights and Responsibilities Handbook. There shall be a thorough review of the charges, including statements from witnesses. The Associate or Assistant Dean will determine if there is sufficient evidence to proceed.
3. If there is sufficient evidence to proceed, the Associate or Assistant Dean will inform the student(s) charged of their options regarding adjudication of their case:
 - i. Presentation of the case to the Committee on Fair Procedures,
or
 - ii. Presentation of the case to the Dean of Student Services, waiving a hearing by the Committee.

D. Adjudication of Charges

1. The student must declare his/her option within five days of being asked to do so. The choice must be supported by a written agreement signed by the student and the Dean of Student Services.
2. If the student fails to make a choice within the prescribed time limit, without an extension of that limit being granted in writing by the Dean of Student Services, the case will automatically go before the Committee on Fair Procedures.
3. In keeping with their option, the student(s) will be notified in writing by the Dean of the date, time, and place of appearance before the Committee on Fair Procedures, or the Dean of Student Services.
4. The student(s) charged as well as the accuser will have the same opportunity to call witnesses to the alleged incident.
5. If the appearance is before the Committee, the Dean of Student Services will:
 - a. Call the Committee into session not more than ten college days after the student has exercised his/her option and the notice of the charge has been delivered to and received by the student.
 - b. Endeavor to obtain from the student a signed receipt of the charges.
 - c. Automatically refer the case to the committee if the student refuses to receive or sign for the charges.
 - d. Direct the Associate or Assistant Dean of Student Services to prepare for presentation to the Committee at its first meeting a record of the charges and all pertinent material and correspondence related to the case.
6. All pertinent records, including a summary of charges, the minutes of the Committee, and recommendations of the Committee to the Dean of Student Services are to be considered confidential. Throughout the entire proceedings the student's right to privacy shall be maintained.
7. If the student's violation is considered to be of such a nature that continued attendance at the College is clearly inconsistent with the College Code of Conduct, the Dean of Student Services may impose suspension immediately, after meeting with the student to informally discuss the charges. There shall be a written notification of suspension forwarded to the student.

8. In cases of suspension, the Dean of Student Services will call the Committee on Fair Procedures into session no later than five (5) class days after the suspension has been imposed. The first order of business of the Committee will be to recommend to the Dean an extension or termination of the suspension. The Dean will act upon such recommendation and immediately notify the student in writing of his decision.
9. If a student fails to appear before the Dean of Student Services or the Committee, whichever is chosen, the right to be heard is waived, unless the student presents in writing an acceptable reason for failure to appear. In the case of an unexcused non-appearance the Committee on Fair Procedures will adjudicate the case at the earliest possible date.
10. A summary transcript, including all essential points of the proceedings conducted by the Dean or the Committee will be made available to all participating individuals.

E. Recommendations and Decisions

1. If the student chooses to have his/her case heard by the Dean of Student Services, the Dean, after following the appropriate steps, will make a decision regarding the case, and notify the student and the President of the College in writing of that decision within five (5) class days.
2. If the student chooses to have his/her case heard by the Committee, the Committee, after following the appropriate procedures, will make a decision regarding the case. The decision, and any recommendations for disciplinary measures to be imposed, will be communicated in writing to the Dean of Student Services.
3. The Committee is only a recommending body. The final decision is made by the Dean of Student Services who transmits the final decision in writing to the accuser and the accused, as well as the President of the College.

F. Definitions of Disciplinary Measures

The Dean of Student Services is responsible for implementing disciplinary action toward students judged by the Committee or the Dean to have violated the Code of Conduct. The extent of the disciplinary sanction will depend on the seriousness of the violation, the past record of the student, circumstances surrounding the violation, and past practices in similar situations. Disciplinary actions imposed shall be one of the following:

1. Warning.

Denial of access to specific services, classes, activities, or facilities of the College for a period of up to one year.

2. Written Reprimand.

A written reprimand is a letter from the Dean of Student Services to a student found guilty of violating the Code of Conduct. The specific violation is to be defined in the letter with a stated rationale for its unacceptability. A copy is to be placed in the student's confidential file and is to be destroyed no later than 30 days after his/her graduation or transfer, or one year after his/her last attendance at the College.

3. Non-Academic Probation.

Non-academic probation may be imposed on a student who has been found guilty of violating the Code of Conduct. If a student becomes involved in any other problems of conduct while on non-academic probation, he/she is liable for suspension or dismissal from the College, based on a hearing before the Dean of Student Services. Ordinarily probation is not to extend beyond the end of the semester in which it was imposed unless the imposition came after mid-term. In that case, it may extend into or through, the next semester.

Probationary notice is to be given to the student in writing by the Dean of Student Services with the terms of the probation and the rationale carefully detailed. A copy is to be placed in the student's temporary file and is to be destroyed no later than thirty days after graduation or transfer, or one year after his/her last attendance at the College.

4. Restitution.

Any student found guilty of violating the Code of Conduct that has caused an expense to the College or his/her fellow student(s) may be required to rectify this action by making financial restitution to the parties involved. Failure to do so within a specified time period may result in further disciplinary action as determined by the Dean of Student Services.

5. Suspension.

A student on suspension will be separated for a specific time from the College, the campus, the use of college facilities and all classes. The student's matriculation will not be broken, and it is understood that at the end of the suspension the student may return to the College.

The duration of the suspension will be set by the Dean of Student Services. The minimum suspension will be the number of days required for the student to solve the problem leading to suspension. The maximum suspension shall be the remainder of the semester in which it was imposed plus the next full semester. The student shall receive written notice regarding the terms of suspension and the rationale thereof. Copies of the notice, along with any minutes or notes, or written explanation by the student for his/her actions will be sent to the student and the President of the College. A record will be placed in the student's permanent file.

6. Dismissal.

A dismissed student is separated from the College, loses all rights and privileges to use the campus facilities, and loses matriculated status. The minimum dismissal includes the remainder of the semester in which the dismissal is imposed and the entire following semester. The maximum dismissal includes the remainder of the semester in which the dismissal is imposed plus the next two full semesters. Dismissed students will have to apply for readmission, will be asked to account for themselves during the time of dismissal, and will be required to submit two letters of recommendation as a part of the readmission application. Readmission is not guaranteed. If circumstances seem appropriate, the student may be asked to come before the Dean of Student Services to discuss the entire matter and motives for requesting readmission. The student shall receive in writing from the Dean of Student Services the terms of his/her dismissal, the rationale and all additional pertinent information. Copies of the dismissal letter, along with any notes or minutes, or any written explanation by the student for his/her action will be sent to the President of the College. The dismissal notice will become a part of the student's permanent record.

7. Expulsion.

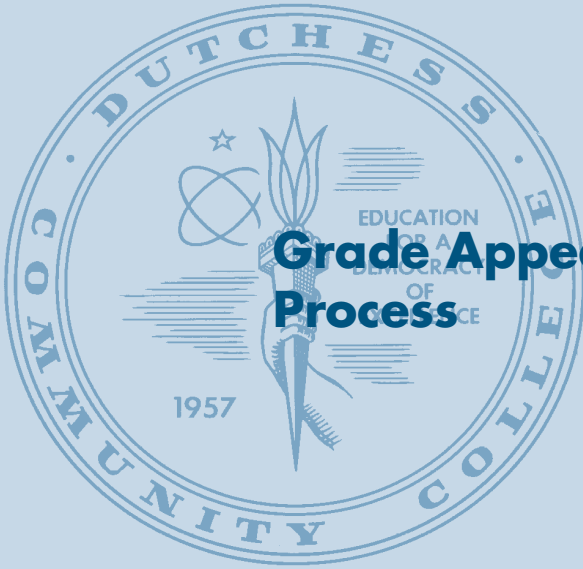
Indefinite removal from the College.

G. Appeal of the Disciplinary Decisions

1. Students may appeal a suspension or dismissal decision to the President of the College within five (5) school days after receiving formal notice of the decision.
2. The Dean of Student Services will present to the President of the College a written record of the charges, pertinent correspondence, a summary transcript of the proceedings, and the Dean's decision.
3. The President shall render a decision within fifteen (15) days after receipt of the appeal and shall transmit his decision in writing to the student.
4. The decision of the President of the College shall be final in all cases of appeal.

H. Information Release

The Dean of Student Services or designee is allowed to disclose to the victim of an alleged crime of violence, the results of a disciplinary proceeding brought against the student(s) accused of the crime, without prior consent of the accused. This disclosure is limited to the alleged victim. The victim may not disclose this information to the general public.



Grade Appeal Process

1. Informal Appeal Process

If a student wishes to discuss a grade that he/she has received for a test or an assignment or the final grade in a course, this step is for the student to meet with the instructor to resolve the concern in an informal manner.

2. Formal Appeal Process

Introduction: It is the responsibility of Dutchess Community College faculty members to establish clear grading policies and standards for academic performance in their courses. These policies must be stated in writing. Individual approaches to grading are valid, and as long as faculty members evaluate student work fairly and consistently, there should be no need for students to challenge their grading.

Grounds for Formal Appeal: Students may appeal grades in DCC courses on the following grounds, provided that they have evidence, or believe that evidence exists, to support their claims:

- A. Failure by the instructor to explain clearly the method by which grades in the course would be determined.
- B. Assignment of a course grade by substantial departure from the announced method.
- C. Capricious or prejudiced grading.

Step 1

To initiate a formal appeal, the student must obtain a Grade Appeal Form from the academic department secretary, the Office of Student Services, or the Office of Academic Affairs. Complete the first portion of the Grade Appeal Form and submit it to the instructor and request a meeting. This meeting should normally take place within fourteen days of the instructor's receipt of the Grade Appeal Form. If the student goes first to the Dean, Academic Department Head, or Departmental Supervisor, that person should refer the student to the instructor as the first step in this process. Under extraordinary circumstances, the Department Head may choose to waive the first step and proceed to set up a meeting with the student and the instructor as outlined in Step Two.

The formal appeal of a grade for a test or assignment must begin within thirty calendar days of the receipt of the grade. If the appeal is related to the grade for a course, the process is similar to that for an assignment or test grade, except that the student has until the end of the second week of the following semester to begin the process.

Step 2

If the meeting with the instructor does not result in a solution satisfactory to the student, the student has fourteen calendar days to appeal to the Department Head.

The Department Head will review the Grade Appeal Form and attached materials, and meet with the student and the instructor to discuss the matter. The Department Head will report his/her decision and rationale in writing to both the student and the instructor within fourteen calendar days of meeting with the student and the instructor.

Step 3

If the decision of the Department Head does not result in a satisfactory resolution, the student or instructor may submit, within fourteen days of receiving the decision of the Department Head, the Grade Appeal Form to the Dean of Academic Affairs, as an appeal to an Academic Review Committee. The Committee, consisting of three members, will be chaired by an Associate Dean of Academic Affairs, appointed by the Dean of Academic Affairs. The Associate Dean will choose the two additional members of the committee from the faculty on the Academic Standards Committee. The faculty selected for the committee will be from outside the academic department with which the appeal is concerned.

The Academic Review Committee will meet and consider all the documentation provided by the Department Head, the student and the instructor. Both the student and the instructor will be given an opportunity to appear before the Academic Review Committee. The Committee will report its decision and rationale in writing to the student, the Department Head, and the instructor normally within fourteen calendar days of the Committee meeting. A copy of the Academic Review Committee's decision and rationale will also be sent to the Dean of Academic Affairs.

Step 4

If the student or instructor does not accept the decision of the Committee, that decision may be appealed to the Dean of Academic Affairs within fourteen days for final review. The Dean of Academic Affairs, with full access to all documentation from previous levels of appeal, and any additional conferences with involved parties, will be the final College arbiter of the appeal. The Dean's decision will normally be made within fourteen calendar days of the date on which the appeal was received from the student or instructor.

The Dean will report his/her decision and rationale in writing to the student, the Department Head, the instructor, and the members of the Academic Review Committee.

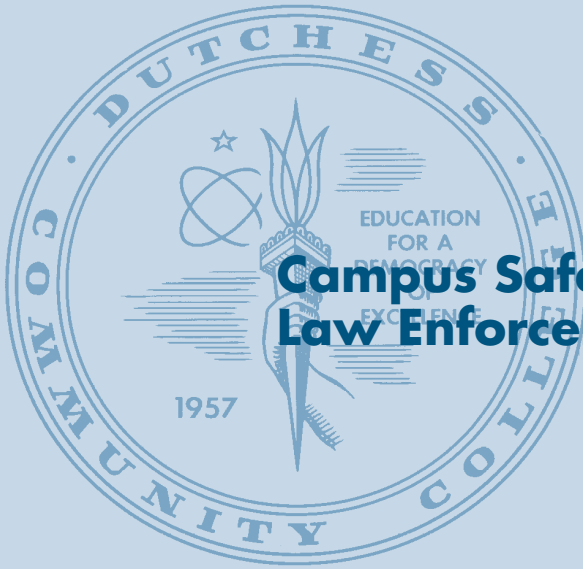
NOTE: *The timetable noted above assumes no interruptions in the regular college calendar, such as semester or spring breaks, which would alter the timetable. For an appeal of a grade for a spring semester course, the “following semester” is defined as the following fall semester.*

Grading System

The following grading system is used at Dutchess Community College (effective fall 1999):

Grade	Quality	Grade Points	Numerical Equivalent
A	Excellent	4.00	93-100
A-		3.67	90-92
B+		3.33	87-89
B	Good/Above Average	3.00	83-86
B-		2.67	80-82
C+		2.33	77-79
C	Satisfactory/Average	2.00	70-76
D	Acceptable but below graduation standards. If received in a prerequisite course, the student may not qualify for the next course in sequence.	1.00	60-69
F	Failing	0.00	0-59
I	Incomplete, a temporary grade given in cases where students have not completed course requirements due to reasons beyond their control. The course requirements must be completed and a grade submitted within the first four weeks of the following semester (fall or spring) or the "I" automatically becomes an "F"		
J	Proficiency, a grade that meets graduation requirements, earned by examination or life experience. To earn credit by proficiency a student must perform at the level of C or better.		
P	Passing (given only as a midterm grade with permission of the Dean of Academic Affairs)		
U	Audit (No Credit)		
W	Withdrawn		

Normally, no grade change will be processed for any student later than one year after he/she has completed the course.



Campus Safety and Law Enforcement

Students and their families expect the College campus to be a place of safety where students can pursue learning unencumbered by concerns for their personal safety. Dutchess Community College accepts the responsibility of providing a campus atmosphere free from threats to personal safety and conducive to learning. Dutchess Community College has been successful in providing a protected environment amidst escalating crime in the general society.

The Federal Crime Awareness and Campus Security Act (P.L. 101- 542; 20 U.S.C. 1092) requires each college campus to collect and disclose statistics and information regarding security policies. This brochure is provided in compliance with that law. In addition, the College upholds the rights of students and staff to know of incidents which occur on campus and measures taken to promote precautions and swift effective responses to crises. The responsibility for maintaining personal and campus safety is one that is shared by all students, faculty, and staff of the College.

Procedures for Reporting Crimes and Other Emergencies

Emergency calls to report a crime or serious incident may be made by calling the campus Security Office, extension 4911. If the campus is closed, Security may be reached by calling the College number, 431-8070. The Security Office is located in the Student Services Center, 1st floor, Room 114.

In addition to the campus Security Office, crimes or serious incidents may also be reported to the Dean of Student Services (Student Services Center, Room 304, at 431-8970), or the Director of Human Resources (Bowne Hall, Room 213, at 431-8671).

Crisis Response Team

The Security Office, the Dean of Student Services, the Counseling Center, and the Health Office work together as a team to respond to emergencies. When a student or employee notifies the Security Office in an emergency, the Security Staff responds immediately. After ascertaining the nature of the emergency, other members of the crisis response team are notified if required. When warranted, ambulance and town police are summoned.

Persons reporting a crime or potentially dangerous situation, or persons seeking assistance from the Security Office, are interviewed and informed of the options available. Each incident is documented and copied

to the Office of the Dean of Student Services. Students or staff may choose to file a formal complaint to be pursued through the Fair Procedures Committee established by the College Code of Conduct, and/or to file charges with local police. Certain types of critical incidents and crimes require police intervention and/or reporting. Based upon individual circumstances, the Dean of Students Services may make changes in a victim's academic and living situation, if possible.

All employees, including faculty of the College must report crimes and/or other emergency conditions to the Security Office for recording and prompt notification to the crisis response team, and/or other authorities as deemed appropriate.

Investigation

Depending upon the type of response to an incident that is selected, the Security Office either conducts its own investigation and follows up in conjunction with the Dean of Student Services, or cooperates with the police in their investigation.

Daily Incident Log

A Daily Incident Log will be maintained at the Campus Security Office. This log is available from 8:00 a.m. to 10:00 p.m. on business days. This log reflects crimes reported to campus security within two business days; the nature of the crime, date, time and location, and the disposition of the complaint if known.

Significant Counseling Responsibility

The Director of Counseling Services and designee have significant counseling responsibility, and as such, are not subject to the timely warning. This exception permits these College officials to provide confidential assistance to a crime victim, without the competing obligation to provide an immediate report of criminal activity to the College community. However, all College officials with significant responsibility for campus and student activities are required to provide information for preparation of the annual statistical report.

Timely Warning

The College safety director works closely with the local law enforcement to review current criminal activity and information. In the event that a situation arises, either on or off campus, that, in the judgment of the President, constitutes an ongoing or continuing threat, the Director of Campus Safety can issue a campus wide "warning." The warning will be issued through the College e-mail system to students, faculty, and staff; it also will be printed in the campus newspaper, and posted on the College web site at www.sunydutchess.edu.

Other Safety Services

Blue Light Emergency Phones

Are available in various locations throughout the campus (parking lots, rest rooms, etc.) These Blue Light phones provide immediate connection to the Security Office with caller location.

Escort Service

By calling **extension 8070**, a person may request an escort to his/her automobile during the evening hours.

Campus Patrols

Security Office staff conduct foot and vehicular patrols of the campus buildings and grounds on a 24 hour-a-day schedule. The Town of Poughkeepsie Police Department and the Dutchess County Sheriff's Office are requested to make periodic vehicular patrols through the major parking areas.

Miscellaneous Services

The Security Office handles all parking violations on campus, electronic surveillance of buildings and grounds, escort services, emergency transport, and assistance with car trouble (e.g. lack of gasoline, jump starts, locked vehicles, etc.). Only authorized College personnel and law enforcement may view electronic surveillance data.

Court Orders

The Security Office staff assists students and staff in obtaining and enforcing court orders of protection when necessary.

Referral Services

Counseling services are provided to persons involved in crisis situations, through the Counseling Office and the Health Office.

Access

The campus complex is open to students from 7:30 a.m. until 10:00 p.m. during the regular academic year when classes are in session. The campus also serves the intellectual and cultural life of Dutchess County by providing enrichment programs which are open to the general public. All such public events are arranged through the Scheduling Office. The Security staff is informed of all special events and provides assistance when required.

Special access requests must be made in advance and approved by a supervising dean or department head and monitored through the Security Office. For their own safety, students and staff are strongly advised not to remain in unauthorized areas and to check in with security when they are on campus at unusual times. Security reserves the right to request student and staff I.D.'s, and to ascertain that persons are engaging in legitimate college-related activities. Any persons causing a disturbance, or remaining in unauthorized areas when the College is not in session, may be asked to leave the campus.

Campus Security and Enforcement Authority

The campus Security Office consists of personnel employed through Civil Service, and a private security firm. Student aides are also hired, trained and assigned patrol duties during the day shift. The staff is supervised and trained by the Director of Campus Safety, who has a professional law enforcement background. Additional sensitivity training, including dealing with diversity is provided by the Office of the Dean of Student Services.

The security staff is unarmed but equipped with portable two-way radios. The staff works closely and cooperatively with local police and participates in the uniform crime reporting system of the New York State Police Intelligence System via the local police network.

The Town of Poughkeepsie Police Department or for DCC South, Wappingers Falls Police Department is notified of all crimes occurring on DCC property. Also, the local police authorities notify the DCC Security Department via a monthly report of reportable crimes occurring contiguously to DCC.

The Physical Plant Department maintains the College buildings and grounds with a concern for safety and security. The department routinely inspects campus facilities, promptly makes repairs affecting safety and security, and responds to reports of potential safety and security hazards, such as broken windows and inadequate lighting. A locksmith in the Security Office responds to reports of defective locks and panic bar hardware to insure that safety and security hazards are eliminated expeditiously. **All safety and security hazards should be reported to the Security Department, extension 8070 (24 hours/day).**

Emergency Evacuation Drills

Per New York State law, unannounced Emergency Evacuation Drills are conducted four times per year. Drills are designed in cooperation with the local authorities.

Everyone must evacuate the building anytime the fire alarm system is activated, and no one will enter the building until the all clear is given.

Failure to obey this law may result in an arrest and/or other sanctions as deemed necessary by the Campus Security Department.

MEMORANDUM OF UNDERSTANDING

Per Susan Lyle Act

This Memorandum of Understanding entered into by and between the Town of Poughkeepsie Police Department and the Security Department of Dutchess Community College, sets out the respective duties and obligations with regard to the coordination of law enforcement efforts between the Community College and the Town.

The parties to this Memorandum of Understanding hereby agree as follows:

1. The Town of Poughkeepsie Police Department has primarily law enforcement jurisdiction on all property owned, leased or under the control of the College and will provide police services on said property, except as otherwise specified in the Memorandum of Understanding.
2. The Security Department will notify the Town of Poughkeepsie Police Department of any incident or situation on any property owned, leased, or under the control of the College including violent felony situations and missing persons.
3. The Town of Poughkeepsie Police Department will notify the Security Department of any incident or situation on any property within the jurisdiction of the Town that may affect the safety of the staff and students or property owned, leased, or under control of the College.

4. When the Town of Poughkeepsie Police Department executes a warrant on any property owned, leased, or under control of the College, the Town of Poughkeepsie Police Department will contact the Security Department and request an officer to accompany the Town police officer. Efforts will be taken to refrain from interrupting a class to effect an arrest or execute a search warrant. In the event of continuous close pursuit beginning in the jurisdiction of the Town, the Town of Poughkeepsie Police Department communications' unit will notify the Security Department as soon as possible.
5. For major non-emergency events meeting in both communities, the designees from the Town of Poughkeepsie Police and Community College Security Departments will meet in a timely manner to review various operation issues including traffic planning and scheduling for additional personnel.
6. The Director of the Community College Security Department and the Chief of the Town of Poughkeepsie Police Department may enter into more specific and detailed operational procedures and guidelines, provided that such additional items are not inconsistent with the above provisions.
7. Either party may terminate this agreement by notification in writing to the other party.

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

The statistics listed below reflect the incidents on the DCC campus and the adjacent area reported to the N.Y.S. Education Dept. for the past four years for these categories suggested by the Jeanne Clery Act.

ON CAMPUS				
Index Offenses	2005	2006	2007	2008
Murder/Non-Negligent Homicide	0	0	0	0
Manslaughter	0	0	0	0
Rape/Sexual Assault	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Larceny-Theft	0	0	0	0
Arson	0	0	0	0
Criminal Mischief	0	0	0	0
Hate Crimes	0	0	0	0
Selected Offenses	2005	2006	2007	2008
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapon Law Arrests	0	0	0	0
Sex Offenses				
Forcible Rape	0	0	0	0
Forcible Sodomy	0	0	0	0
Sexual Assault with an object	0	0	0	0
Forcible Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Other	0	0	0	0
Disciplinary Referrals to the Dean of Students				
DWI	0	0	0	0
Drug Abuse Violation	0	0	0	0
Weapons	0	0	0	0
Other	0	0	0	0

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

DUTCHESS SOUTH				
Index Offenses	2005	2006	2007	2008
Murder/Non-Negligent Homicide	0	0	0	0
Manslaughter	0	0	0	0
Rape/Sexual Assault	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Larceny-Theft	0	0	0	0
Arson	0	0	0	0
Criminal Mischief	0	0	0	0
Hate Crimes	0	0	0	0
Selected Offenses	2005	2006	2007	2008
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapon Law Arrests	0	0	0	0
Sex Offenses				
Forcible Rape	0	0	0	0
Forcible Sodomy	0	0	0	0
Sexual Assault with an object	0	0	0	0
Forcible Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Disciplinary Referrals to the Dean of Students				
DWI	0	0	0	0
Drug Abuse Violation	0	0	0	0
Weapons	0	0	0	0
Other	0	0	0	0

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

NON CAMPUS				
Index Offenses	2005	2006	2007	2008
Murder/Non-Negligent Homicide	0	0	0	0
Manslaughter	0	0	0	0
Rape/Sexual Assault	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Larceny-Theft	0	0	0	0
Arson	0	0	0	0
Criminal Mischief	0	0	0	0
Hate Crimes	0	0	0	0
Selected Offenses	2005	2006	2007	2008
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapon Law Arrests	0	0	0	0
Sex Offenses				
Forcible Rape	0	0	0	0
Forcible Sodomy	0	0	0	0
Sexual Assault with an object	0	0	0	0
Forcible Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Disciplinary				
DWI	0	0	0	0
Drug Abuse Violation	0	0	0	0
Weapons	0	0	0	0
Other	0	0	0	0

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

POLICE DEPARTMENT REPORT FOR PUBLIC PROPERTY				
Index Offenses	2005	2006	2007	2008
Murder/Non-Negligent Homicide	0	0	0	0
Manslaughter	0	0	0	0
Rape/Sexual Assault	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Larceny-Theft	0	0	0	0
Arson	0	0	0	0
Criminal Mischief	0	0	0	0
Hate Crimes	0	0	0	0
Selected Offenses	2005	2006	2007	2008
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapon Law Arrests	0	0	0	0
Sex Offenses				
Forcible Rape	0	0	0	0
Forcible Sodomy	0	0	0	0
Sexual Assault with an object	0	0	0	0
Forcible Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0

Bias Crimes Prevention

It is a Dutchess Community College Security mandate to protect all members of the College community by preventing and prosecuting bias or hate crimes that occur within campus jurisdiction.

Hate crimes, also called bias crimes or bias-related crimes, are criminal activity motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual characteristics, such as their race, religion, ethnicity, gender, sexual orientation, or disability. Hate/bias crimes have received renewed attention in recent years, particularly since the passage of the federal Hate/Bias Crime Reporting Act of 1990 and the New York State Hate Crimes Act of 2000 (Penal Law Article 485). Copies of the New York law are available from College Security.

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

In addition to preventing and prosecuting hate/bias crimes, College Security also assists in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and defined by the College as acts of bigotry, harassment, or intimidation directed at a member or group within the College community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status, may be addressed through the College's Discrimination Complaint Procedure or the campus conduct code. Bias incidents can be reported to College Security as well as to the Director of Human Resources or the designated EEO members whose telephone numbers are poster throughout campus.

If you are a victim of, or witness to, a hate/bias crime on campus, report it to College Security by calling 4911 in an emergency, using a Blue Light or other campus emergency telephone, calling (845) 431-8070, or stopping by the office. College Security will investigate and follow the appropriate adjudication procedures.

Victims of a bias crime or bias incidents can avail themselves of counseling and support services from the campus as enumerated on page 44 of this handbook.

For general information on Campus Security procedures see website or the relevant pages in this handbook, or call the Dean of Students Services at (845) 431-8970.

More information about bias-related and bias crimes, including up-to-date statistics on bias crimes, is available from College Security as well as the pertinent pages of this publication.

Bias-Related Crime

How to recognize a Hate Crime:

A Hate Crime is a crime motivated in whole or in part by bias on the part of the offender toward a status of the victim. These statuses might include race, color, national origin, gender, sexual orientation and/or economic background. Hate crimes are different from other crimes because all or part of the motivation of the offender is directed at hurting or intimidating the victim solely based on his or her status.

Dutchess Community College's Policy and Principles on page 6 and 7 of this Handbook enumerates the principle that bigotry and discrimination of any kind are harmful and will not be tolerated at our College. Whenever a member of the College community becomes a victim of a Hate Crime, that member shall notify the College Security Department as soon as possible. A Security officer will be dispatched forthwith and notification will be made as soon as possible to:

- A) President's Office
- B) Dean of Students
- C) Dean of Academic Affairs
- D) Dean of Administration
- E) Director of Counseling
- F) Director of Human Resources Management (Staff involved)
- G) Other notifications where warranted (Town of Poughkeepsie Police)

The Crisis Response team will be notified, and an investigation commenced. See page 44.

Perpetrators will be apprehended and will be subject to the Procedures for Dealing with Infractions of the Student Code of Conduct, EEOC, and/or Criminal Justice (Arrest and Prosecution) procedures.

Refer to the Crime Statistics enumerated on pages 36 through 39 of this Handbook and the pertinent New York State Penal Law provisions of Article 485 Hate Crimes Act.

Crime Prevention Programs

Dutchess Community College offers a comprehensive crime prevention and safety program through a variety of approaches. The responsibility of crime prevention education is shared by several campus committees:

Campus Security Committee -- guarantee of compliance with the New York State Education law regarding information and procedures related to incidents of sexual assault

College Environment Committee -- advises College President on improvement of crime prevention through environmental design, and other safety considerations. Evaluation of the campus safety environment, such as proper lighting and security devices

Crisis Committee -- prevention and response to various crisis situations that may affect some or all of the College community.

These committees and various College offices continuously distribute information in the form of brochures, pamphlets, bookmarks, and memos.

The following are contained within this Rights and Responsibilities Handbook:

- Drug and Alcohol Abuse Prevention Program
- Sexual Assault
- Sexual Harassment
- Sex Offender Registry Information Line

In addition, the College offers workshops, seminars, teleconferences, and lectures on topics relating to health, safety, and crime prevention as part of its regular student and faculty programs. Student Activities and the Counseling Center provides numerous opportunities for exchange of information, ideas, and experiences. These include an annual wellness fair and presentations on drug and alcohol abuse prevention, self defense, sexual harassment, and date rape.

Upon recommendation of the student body, the Board of Trustees voted to make the Dutchess Community College campus alcohol-free. No alcoholic beverages are allowed for any campus events.

Student Responsibilities

The cooperation of students is absolutely essential for the maintenance of an effective campus program of safety and well-being. Students must assume responsibility for their own personal safety and the security of their personal belongings by taking simple, common-sense precautions. Students may use the Escort Service by calling extension 8070. Students with cars should keep their vehicles locked at all times and any valuables in the trunk. Students should report to the Security Office any suspicious individuals whom they feel do not belong on the campus grounds or in campus buildings.

In as much as the presence of children in classrooms, laboratories, College buildings or on the campus could result in injury to the children and/or problems for the College leading to increased liability and litigation, the College hereby states as policy that neither the children of students nor of employees are permitted in classrooms or laboratories at any time, and they are not permitted in College buildings or on the campus unless accompanied by a parent or another responsible adult.

Institutional Compliance Concerns

An individual desiring to file a complaint alleging that Dutchess Community College is not complying with these regulations should contact:

Region II - (212) 264-4022, Director U.S. Department of Education
75 Park Place, Room 1206, New York, NY 10007

Questions

Any questions concerning the contents of this publication may be directed to the Dean of Student Services for clarification.

When a complaint is filed against an institution alleging noncompliance with the campus security regulations, the Department of Education will assess the complaint, and determine the appropriate response. The Secretary of the Department of Education recognizes that the campus security regulations represent new responsibilities for most security institutions, and include issues that many will be addressing for the first time. If an institution has difficulties administering a provision of these regulations, the Department will provide technical assistance so that violations can be corrected. If, however, an institution flagrantly or intentionally violates the campus security regulations, or fails to take corrective action, the Secretary will, when appropriate, take action against that institution by imposing sanctions against that institution. The type of sanction will depend upon the severity of the violations; possible sanctions include the assessment of fines, and in very severe violations, the limitation, suspension or termination of the institution from participation in the Title IV, HEA programs.

Sex Offender Registry Information

(800) 262-3257

The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act set the requirements for sexual offender registration and community notification. The Campus Sex Crimes Prevention Act of 2000 provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. It requires sex offenders, already required to register in a State, to provide notice of each institution of higher education in that State at which that person is employed, carries on a vocation, or is a student. The Act amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

This registration is to be made available to law enforcement agencies with jurisdiction where the institutions of higher education are located. Law enforcement agency information provided by the State concerning registered sex offenders, may be obtained through the New York Department of Criminal Justice Services' Sex Offender Registry www.criminaljustice.state.ny.us/nsor. You may also contact the NY DCJS Sex Offender Registry at (800) 262-3257



Drug and Alcohol Abuse Prevention Program

To insure a drug-free academic setting and workplace

Drug and Alcohol Abuse Prevention Statement

Dutchess Community College prohibits the unlawful possession, use, or distribution of drugs and alcohol by students and employees on campus and at all College-sponsored events. Any student or employee possessing, using, or distributing drugs and/or alcohol in contravention to the stated policies of DCC will be subject to disciplinary action and sanctions in keeping with the College's Code of Conduct and any applicable local, state, and federal laws. Appropriate personnel action, up to and including termination of employment, will be taken against employees who violate such prohibition.

Dutchess Community College has a special responsibility to provide proactive programs of education and counseling regarding drug and alcohol abuse. DCC aims to be supportive and helpful to those who experience problems related to drug and alcohol abuse, while protecting other individuals and the community from the negative and destructive influence of these substances.

Disciplinary Sanctions of the College

Local, state, and federal laws stipulate mandatory fines and imprisonment of individuals convicted of possessing, using or distributing illicit drugs or alcohol on campus and at all College-sponsored events. Dutchess Community College will strictly enforce the Code of Conduct which specifies the disciplinary measures for students who have been found to have possessed, used, or distributed drugs or alcohol on College property and at all College-sponsored events. The disciplinary measures specified for students in the DCC Code of Conduct include:

- (1) written reprimand from the Dean of Student Services to be placed in the student's file;
- (2) non-academic probation which specifies the terms of continued attendance at the College;
- (3) suspension from the College for no more than the remainder of the semester; and
- (4) dismissal from the College for up to one semester.

Disciplinary measures and sanctions are determined following a hearing by the Fair Procedures Committee or the Dean of Student Services.

The disciplinary measures specified for employees include:

- (1) completion of an appropriate rehabilitation program;
- (2) sanctions resulting from a hearing pursuant to Section 75 of the New York State Civil Service Law. These sanctions include one of the following: a reprimand, a fine, suspension without pay, demotion, dismissal.

In addition to disciplinary action and College sanctions, students and employees found possessing, using, or distributing illegal drugs and/or alcohol on College property may be referred to local authorities for prosecution.

Health Risks Associated with Alcohol and Other Drug Abuse

Alcohol and other drug use has become a part of the lives of many people in this society. To many of us, the pleasure of having a few drinks or getting high helps us to relax or feel less ill at ease. Alcohol and other drugs relieve our shyness and seem to diminish our anxieties. They release our inhibitions. Alcohol and other drug use means having a good time. All alcohol and other drug users count on these benefits. They rarely count on the other effects.

Physical Effects

Excessive drinking can damage nerves in the arms and legs, destroy brain cells, and cause severe liver damage. The pancreas also takes a beating from alcohol abuse and chronic pancreatitis may result. Slurred speech and a drunken gait even when sober are not uncommon. While some of the neurological effects of alcohol such as double vision are reversible, others like gaps in short term memory are not.

Cocaine and crack can weaken the heart, cause shortness of breath, raise blood pressure, destroy nasal passages (if sniffed), diminish the lungs' capacity to do their job (if smoked) and damage the liver and brain. Marijuana users risk lung and upper respiratory problems. Marijuana impairs short-term memory, concentration, judgement, and coordination.

Stimulants such as bennies, dexies, and the more potent "ice" (crystal methamphetamine) can cause dizziness, headaches, nausea, wheezing, muscle aches, chest and back pains. Often "speed" users feel as though they can't breathe and as though their hearts are beating double time. At higher doses, vomiting or abdominal cramps may develop.

Depressants such as valium, librium, "ludes" (Quaaludes), and SECS (Seconal) can cause fatigue, dizziness, and a loss of muscle control which can be so severe that users may become grotesquely awkward. Nerve damage near the skin surface may occur, and may persist for months or even years.

Emotional Effects

People who **drink**, often excessively, seem to take on personalities not their own. They become more aggressive, at times committing acts of violence and self-destruction they otherwise would not commit. Alcohol is a depressant and can trigger depressed behaviors and thoughts. Impaired judgement and physical incapacities are common and help to cause auto accidents and fatalities, fires, falls, drownings, and many work-related accidents.

Some **cocaine** users have trouble breathing and sitting still. Their suspiciousness creeps up and a feeling of panic begins. People on cocaine may experience a high level of anxiety and begin to fear losing control. Confusion and paranoia set in and many times users may decide to do one thing or go somewhere but forget what they were doing or how they got where they are. Cocaine users often turn to alcohol or other drugs to cushion the "down" which is inevitable once the high is over.

Many **marijuana** users become fearful and confused while attempting to carry out every day activities. They may also become suspicious or aggressive. Paranoid reactions are frequent and many users experience panic attacks. The drug induces a psychotic state in some users, often lasting for days. Flashbacks are also not uncommon among marijuana users as intoxication with distorted perceptions can recur some time after the drug has been used.

Amphetamines (speed) can bring out various kinds of bizarre behavior. Users pick at their skin often until it bleeds. They become engrossed in meaningless behaviors or become work fanatics. They may lose themselves in their behaviors while accomplishing very little. Speed induced psychosis, often including paranoia, can resemble schizophrenia. Mood changes become frequent and compulsive behavior becomes more pronounced.

Depressants (downers) cause confusion in the users and often severely disrupt brain functioning. The drugs cause a loss of concentration and reflexes. Many users often are unable to control their laughter and their fears. Withdrawal from downers can be deadly. Once hooked the user who tries to quit "cold turkey" faces the most dangerous of all abstinence syndromes.

Facts You Should Know About Alcohol and Other Drug Abuse

- Nearly one-third of college men report alcohol-related problems.
- College women, age 23 and younger, drink twice as much as those women not in college.
- Forty percent of New York State college students report at least one sign of alcohol dependence in the past year, primarily black-outs and gulping drinks.
- A quarter of all college students report having three or more signs of developing the disease of alcoholism.
- Long-term heavy drinking is a factor in liver and heart damage, malnutrition, cancer, and illnesses.
- Driving under the influence can cause accidents because of slowed reflexes, disorientation, etc.
- Children of alcoholics have a four times greater risk of developing alcoholism than children of non-alcoholics.
- One out of three American adults - 56 million Americans - say that alcohol abuse has brought trouble to their families.

IN FACT:

- The alcoholic household leaves emotional scars that can last a life time.
- 55% of all family violence occurs in alcoholic homes.
- 50% of children of alcoholics marry an alcoholic.
- 70% develop a pattern of compulsive behavior as an adult, including alcoholism, drug abuse, and overeating.
- Chronic use of cocaine can destroy nasal tissues.
- Smoking cocaine can cause lesions in the lungs.
- The effects of cocaine are unpredictable - convulsions, respiratory paralysis, and death are always possible.
- Marijuana increases the heart rate, lowers body temperature, stimulates the appetite, and causes loss of coordination.
- Marijuana can cause confusion, distortion of reality, and may some times cause hallucinations.
- Marijuana overdose may cause paranoia and psychosis.

Controlled Substances - Uses and Effects

DRUGS/CSA SCHEDULE	TRADE OR OTHER NAMES	MEDICAL USES	DEPENDENCE Physical/Psychological
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NARCOTICS

Opium	II III V	Dover's Powder, Paregonic, Parepectolin	Analgesic, antidiarrheal	High/High
Morphine	II III	Morphine, MS-Contin, Roxanol, Roxanol-SR	Analgesic, antitussive	High/High
Codeine	II III V	Tylenol w/codeine, Empirin w/codeine, Robitussin A-C, Fiorinal w/codeine	Analgesic, antitussive	Moderate/Mod.
Heroin	I	Diacetylmorphine, Horse, Smack	None	High/High
Hydromorphone	II	Dilaudid	Analgesic	High/High
Meperidine (Pethidine)	II	Demerol, Mepergan	Analgesic	High/High
Methadone	II	Dolophine, Methadone, Methadose	Analgesic	High/High-Low
Other Narcotics	I II III IV V	Numorphan, Percodan, Percocet, Tylox, Tussionex, Fentanyl, Darvon, Lomotil, Talwin ²	Analgesic, antidiarrheal antitussive	High-Low/H-L

DEPRESSANTS

Chloral Hydrate	IV	Noctec	Hypnotic	Moderate/Mod.
Barbiturates	II III IV	Amytal, Butisol, Fiorinal, Lotusate Nembatal, Seconal, Tuinal, Phenobarbital	Anesthetic, sedative anticonvulsant, hypnotic veterinary euthanasia agent	High-Mod./H-M
Benzodiazepines	IV	Ativan, Dalmane, Diazepam, Librium, Xanax, Seras, Valium, Tranxex, Verstran, Versed, Halcion, Paxipam, Restoril	Antianxiety, anticonvulsant sedative, hypnotic	Low/Low
Methaqualone	I	Quaalude	Sedative, hypnotic	High/High
Glutethimide	III	Doriden	Sedative, hypnotic	High/Mod.
Other Depressants	III IV	Equanil, Miltown, Noludar, Placidyt, Valmid	Antianxiety, sedative, hypnotic	Moderate/Mod.

STIMULANTS

Cocaine ¹	II	Coke, flake, snow, crack	Local anesthetic	Possible/High
Amphetamines	II	Biphetamine, Delcobese, Desoxyn, Dexedrine, Obetrol	Attention deficit disorders, narcolepsy, weight control	Possible/High
Phenmetrazine	II	Preludin	weight control	Possible/High
Methylphenidate	II	Ritalin	Attention deficit disorders, narcolepsy	Possible/Mod.
Other Stimulants	III IV	Adipex, Cylert, Didrex, Ionamin, Melfiat, Plegine Sanorec, Tenuate, Tepanil, Prelu-2	Weight control	Possible/High

HALLUCINOGENS

LSD	I	Acid, Microdot	None	None/Unknown
Mescaline & Peyote	I	Mexc, buttons, cactus	None	None/Unknown
Amphetamine Variants	I	2.5-DMA, PMA, STP, MDA, MSMA, TMA, DOM, DOB	None	Unknown/Unknown
Phencyclidine	II	PCP, Angel Dust, Hog	None	Unknown/High
Phencyclidine Analogues	I	PCE, PCPy, TCP	None	Unknown/High
Other Hallucinogens	I	Bufotenine, Ibogaine, DMT, DET, Psilocybin, Psilocyn	None	None/Unknown

CANNABIS

Marijuana	I	Pot, Acapulco Gold, grass, reefer, Sinsemilla, Thai sticks	None	Unknown/Mod.
Tetrahydrocannabinol	I II	THC, Marinol	Cancer chemotherapy antinauseant	Unknown/Mod.
Hashish/Hashish Oil	I	Hash/Hash Oil	None	Unknown/Mod.

Controlled Substances - Uses and Effects

	Tolerance	Duration (Hours)	Methods of Admin.	Possible Effects	Effects of Overdose	Withdrawal Syndrome
NARCOTICS						
Opium	Yes	3-6	Oral, smoked			
Morphine	Yes	3-6	Oral, smoked injected	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow and shallow breathing, clammy skin, convulsions, coma, possible death	Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating
Codeine	Yes	3-6	Oral, injected			
Heroin	Yes	3-6	Injected, sniffed smoked			
Hydromorphone	Yes	3-6	Oral, injected			
Meperidine	Yes	3-6	Oral, injected			
Methadone	Yes	12-24	Oral, injected			
Other Narcotics	Yes	Variable	Oral, injected			
DEPRESSANTS						
Chloral Hydrate	Yes	5-8	Oral	Slurred speech, disorientation, drunken behavior without odor of alcohol	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	Anxiety, insomnia, tremors, delirium, convulsions, possible death
Barbiturates	Yes	1-16	Oral			
Benzodiazepines	Yes	4-8	Oral			
Methaqualone	Yes	4-8	Oral			
Glutethimide	Yes	4-8	Oral			
Other Depressants	Yes	4-8	Oral			
STIMULANTS						
Cocaine ¹	Yes	1-2	Sniffed, smoked injected	Increased alertness, excitation, euphoria, increased pulse rate & blood pressure insomnia, loss of appetite	Agitation, increase in body temperature, hallucinations, convulsions, possible death	Apathy, long periods of sleep, irritability, depression, disorientation
Amphetamines	Yes	2-4	Oral, injected			
Phenmetrazine	Yes	2-4	Oral, injected			
Methylphenidate	Yes	2-4	Oral, injected			
Other Stimulants	Yes	2-4	Oral, injected			
HALLUCINOGENS						
LSD	Yes	8-12	Oral	Illusions and hallucinations, poor perception of time and distance	Longer more intense "trip" episodes, psychosis, possible death	Withdrawal syndrome not reported
Mescaline & Peyote	Yes	8-12	Oral			
Amphetamine Variants	Yes/Variable	Variable	Oral, injected			
Phencyclidine	Yes	Days	Smoked, oral, injected			
Phencyclidine Analogues	Yes	Days	Smoked, oral injected			
Other Hallucinogens	Possible	Variable	Smoked, oral, injected, sniffed			
CANNABIS						
Marijuana	Yes	2-4	Smoked, oral	Euphoria, relaxed inhibitions, increased appetite, disoriented behavior	Fatigue, paranoia, possible psychosis	Insomnia, hyperactivity, and decreased appetite occasionally reported
Tetrahydrocannabinol	Yes	2-4	Smoked, oral			
Hashish/Hashish Oil	Yes	2-4	Smoked, oral			

Counseling, Treatment, and Reentry Programs

Alcohol and other drug use and abuse can cause physical, psychological, and emotional health problems. If you suspect that your alcohol and other drug use and abuse requires intervention, there are many resources available to you.

Employees may contact their health insurance provider regarding benefits that range from educational programs to in-patient care for alcohol and substance abuse.

Support staff employees may contact the Dutchess County Employee Assistance Program. The EAP provides confidential referral services to counseling and rehabilitation programs. Call 454-3014.

Students may contact a College counselor in the Student Services Center, Room 301, 431-8040.

Alcoholics Anonymous meets on campus every Tuesday and Friday; call 431-8040, for time and location. For information about community A.A. Meetings, call 452-1111.

There are also a wide variety of community resources available to you. A few of these resources are:

Alcohol Abuse Clinics

Dutchess County Department of Mental Hygiene
(845-485-9700)

Intensive Alcoholism Services

Dutchess County Department of Mental Hygiene
244 Church Street, Poughkeepsie, NY 12603
(845-486-3680)

Alcohol Abuse Program

Ulster County Mental Health Services
Golden Hill Drive, Box 1800, Kingston, NY 12401
(845-340-4000)

Mid-Hudson Counseling Center at New Paltz

161 Main Street, Box 355, New Paltz, NY 12561
(845-255-6560)

These offer individual, family and group counseling; referral for in-patient services; special groups for spouses, women, gay people, adult children of alcoholics, and children (ages 12 and up).

For a listing of community resources to help you cope with alcohol and other drug problems, or related problems you may have, contact:

The Office of Counseling and Career Services

Dutchess Community College

Student Services Center, Room 301

(845-431-8040, or on campus ext. 8040.)

A network of services is available throughout New York State to help those persons with problems stemming from the use or abuse of drugs. The New York State Division of Substance Abuse Services supports and monitors this statewide network of prevention and treatment programs, and provides information and free referrals for persons seeking assistance. Persons concerned about the use of drugs by family or friends, or persons concerned about substance abuse problems in their communities are invited to call, toll free (1-800-522-5353), for information, confidential referrals and assistance, without fear of being investigated.

Federal Trafficking Penalties - Marijuana

As of 11/18/88

Second Offense

Quantity	Description	First Offense	Second Offense
1,000 kg or more; or 1,000 or more plants	Marijuana Mixture containing detectable quantity*	Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$4 million individual, \$10 million other than individual.	Not less than 20 years, not more than life. If death or serious injury, not less than life. Fine not more than \$8 million individual, \$20 million other than individual.
100 Kg to 1,000 kg; or 100-999 plants	Marijuana Mixture containing detectable quantity*	Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$2 million individual, \$5 million other than individual.	Not less than 10 years, not more than life. If death or serious injury, not less than life. Fine not more than \$4 million individual, \$10 million other than individual.
50 to 100 kg;	Marijuana		
10 to 100 kg	Hashish	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million other than individual.	Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million other than individual.
1 to 100 kg	Hashish Oil		
50 - 99 plants	Marijuana		
Less than 50 kg	Marijuana		
Less than 10 kg	Hashish	Not more than 5 years. Fine not more than \$250,000, \$1 million other than individual.	Not more than 10 years. Fine \$500,000 individual, \$2 million other than individual.
Less than 1kg	Hashish Oil		

* Includes Hashish and Hashish Oil

(Marijuana is a Schedule I Controlled Substance)

Legal Sanctions Imposed by Local, State, Federal Laws

Articles 220 and 221 of New York State Penal Law are directly aimed at unlawful traffic in mind-affecting drugs. They are compatible with the Public Health Law and the provisions of the latter are often cross-referenced in the Penal Law sections that deal with the different drugs.

Articles 220 and 221 set criminal penalties for possession or sale of drugs considered harmful or subject to abuse. The seriousness of the offense and penalty imposed upon conviction depend upon the individual drug and amount held or sold. Listed below are examples of the legal sanctions imposed for illegal possession or distribution of illicit drugs or alcohol. A complete list of federal legal sanctions is printed in this booklet.

Section 220.44 - makes sale of a controlled substance in or near school grounds, to a person less than 19 years of age, a Class B felony.

Section 220.45 - makes criminal possession of a hypodermic instrument a Class A misdemeanor.

Section 220.46 - makes criminal injection of another person with a narcotic drug, with consent of that person, a Class E felony.

Section 220.50 - bans possession or sale of drug paraphernalia; deals with things that dilute drugs, like dextrose or mannite; and gelatin capsules, plastic envelopes, etc., considered commercial preparation materials, a Class E felony.

Section 220.60 - makes criminal possession of certain "precursors" of controlled substances used in the preparation or manufacture, but not the drugs themselves, a Class E felony (for example, ergot or diethylamide).

It is important to be aware that under the Penal Law, a gift of drugs, including marijuana, is treated as a sale.

New York Penal Law defines a misdemeanor as a crime punishable by imprisonment for a minimum of 15 days but not more than a year. A felony is a crime punishable by imprisonment for more than one year.



Sexual Assault

Nature of the Problem

Acquaintance rape is a serious problem on college campuses. Studies indicate that perhaps 20% of college women are raped, and 50% are victims of attempted rape. Many of these assaults take place on first or casual dates.

Rape, whether it occurs on a date (date rape) or is perpetrated by someone who is known (acquaintance rape) or by an unknown assailant, is a serious crime with serious consequences and must be treated as such. *(See specific penalties in Appendix.)*

Any sexual intercourse without mutual consent is a form of rape. Anyone who is psychologically or physically pressured into sexual activity is as much a victim as the person who is attacked on the streets.

Victims of rape and sexual assault are encouraged to seek assistance and other counseling services that are available to them.

Information about sexual assault can assist in the prevention of rape. It is important to note the following:

- Alcohol and drugs frequently contribute to the social conditions which lead to acquaintance rape.
- Peer pressure, mixed signals given by both men and women, and unrealistic expectations contribute to many of the date/acquaintance rapes which occur.
- An individual has the right to say “no,” to dress as she/he wishes, and to change her/his mind about having sex without incurring forced sexual advances.
- People who commit acquaintance rape often do not think they have done anything wrong. They believe a victim never means “no” when “no” is said.
- Rape is one of the most under-reported crimes. Nationally, the number of reported rapes has increased 41% in the last 5 years. It is estimated that for every rape which is reported, between 5 and 10 actually occur. It is estimated that fewer than 1 in 100 acquaintance rapes are reported.
- If the victim reports the incident it will most likely be to a counseling agency. Few acquaintance rapes are reported to the police. Most victims are reluctant to put themselves in a position where they may not be believed or where others may not think that what happened to them was a crime.

Prevention Strategies

Don't treat the topic lightly.

Know that you have the right to set boundaries concerning sexual activity. Make your expectations clear. Communicate directly and assertively what the limits are.

If you don't want someone touching you, kissing you, or making advances, let them know that. Keep in mind that the other person may interpret your lack of response in the context of a different set of assumptions and expectations.

Avoid placing yourself in a situation where you are unable to take precautions. Driving under the influence of alcohol and drugs is dangerous; so is dating under the same circumstances.

Try to get as much information about a new date as possible, and try to arrange first dates in a public place.

Be aware of behavior that seems a little too pushy or suspicious. Pay attention to your instincts. If you feel uncomfortable or threatened, inform your date that you've told others where you are and you need to call them periodically.

If you are receiving "yes" and "no" messages about sex, state your confusion and discuss it.

Listen to your date — hear her/his words, tone and body language. Get the whole message not just what you think she/he means.

Pay attention to your intuition that says "maybe she/he doesn't want to do this."

Keep in mind that a date is considered unable to consent if she/he is physically helpless due to drugs or alcohol, is passed out, or asleep. Forcing sex on someone in this condition is rape or sexual assault.

Don't be involved in such situations, even as a bystander.

Communicate with other people about the topic. Be open to information and to discussing the problem openly and honestly. Keep in mind that the dynamics are complex.

Assistance

Most people find it hard to think of themselves as rape victims because there are many emotional problems and serious difficulties associated with having been raped. Lack of information about the definition of legal rape also contributes to victims not realizing their experience was rape.

It is strongly advised that victims of rape or sexual assault seek assistance as soon as possible after the incident.

Some possible emotional effects on victims of rape and sexual assault are the following:

- Anger
- Fears
- Embarrassment
- Nightmares
- Self-blame
- Withdrawal
- Humiliation
- Disorganization

DCC Counseling and Support Services

The Dutchess Community College Counseling Center provides confidential personal counseling and crisis intervention services to victims of sexual assault. The focus of the interaction will be to deal with the issues surrounding the assault or rape with a goal of assisting the victim in returning to her/his previous level of functioning. This is done through non-judgemental, supportive counseling. The College Counseling Center staff routinely makes referrals to community agencies to ensure that students' personal needs and issues are addressed in the most comprehensive manner possible.

All contacts will be kept strictly confidential. The Crime Victims Assistance Program and other services, available through local police and hospitals, provide comprehensive services to rape and sexual assault victims. Referrals will be made through the Health and Counseling Offices at Dutchess Community College.

Educational Seminars

DCC has offered a number of seminars and discussions focusing on sexual assault and date rape throughout the school year. These are sponsored by the Counseling Office, Student Activities Office, the Health Office, and the Women's Activities Committee.

Safety and Security on Campus

DCC is committed to providing a safe campus environment. The Director of Campus Safety supervises a staff of security guards who patrol the campus, monitor surveillance equipment, and are available to give assistance to students. The Security Office provides an escort service at night for students who wish to be walked to their cars after class. Also, emergency 'blue light' telephones are available at various locations around campus in case a student needs to signal for assistance. Students are informed and reminded of these security measures through student handbooks, the school newspaper, and the weekly schedule of events.

College Procedures for Dealing with Sexual Assault

Sexual assault is a crime. Upon receiving information that an alleged sexual assault has occurred, the College staff will present available options to the victim. Specifically, the victim will be directed to the campus Health Office and provided transportation to a local hospital or other medical facility. The victim will be advised not to wash, change clothes, or disturb any items of evidentiary use. Campus Security will be notified and appropriate security reports will be completed. Security will encourage and assist the victim in filing a formal complaint with outside law enforcement agencies. Crisis intervention services will be provided to the victim through the College Counseling Center and appropriate referral to outside agencies will be made.

The Dean of Student Services will make every effort to assist the victim in changing her/his academic schedule if those accommodations are requested.

The "Code of Conduct" of Dutchess Community College sets forth the principles and processes for the maintenance of public order on campus. The Dean of Student Services Office may present charges on behalf of the victim of a sexual assault. Procedures set forth in the Code of Conduct will be followed and appropriate discipline measures will be taken.

Even if the criminal justice authorities choose not to prosecute, the College can pursue disciplinary action.

Definitions

Rape

Intercourse against a person's will and without her/his consent (this is a legal definition, and varies slightly by state).

Acquaintance Rape

Rape by someone the victim knows.

Date Rape

Rape by someone the victim has been or is dating.

Aggravated Rape

Rape which occurs with more than one assailant or in conjunction with another crime (kidnapping, murder, assault, etc.).

Sexual Assault

A forced sexual act (other than sexual intercourse) against one's will, (while fearful for life or safety, or incapacitated).

Note:

Victims in approximately 10 percent of all sexual assault cases are men.

Appendix

Applicable Laws/Penalties

New York State laws applicable to sexual assault are found in Article 130 of the New York State Penal Code. The laws provide the legal definitions of sex offenses. One significant element of every sex offense is the lack of consent.

Forcing or coercing someone to have sexual intercourse or engage in other sexual behavior is against the law.

Specifically, in New York State if a woman has sexual intercourse because she is fearful for her life or her safety, or if she is unable to consent, the behavior of the perpetrator is considered rape. The perpetrator does not need to use a weapon or beat her to make her fearful for her safety.

She is considered unable to consent if she is incapacitated or is physically helpless due to drug or alcohol consumption, is mentally incompetent, is asleep, or is less than 17 years of age. If a female has intercourse under these circumstances, it is rape. Forcing or coercing a man or a woman to engage in any sexual experience other than sexual intercourse under the circumstances mentioned above is considered sexual abuse.

In part, the law defines various offenses and applicable penalties as follows:

Sexual Misconduct, a class A misdemeanor, up to 1 year imprisonment

Rape in the Third Degree, a class E felony, up to 3 years imprisonment

Rape in the Second Degree, a class D felony, up to 19 years imprisonment

Rape in the First Degree, a class B felony, up to 25 years imprisonment

Sodomy in the Third Degree, a class E felony, up to 3 years imprisonment

Sodomy in the Second Degree, a class D felony, up to 10 years imprisonment

Sodomy in the First Degree, a class B felony, up to 25 years imprisonment

Sexual Abuse in the Second Degree, a class A misdemeanor, up to 1 year imprisonment

Sexual Abuse in the First Degree, a class D felony, up to 10 years imprisonment.

Criminal Sexual Act in the First, Second, Third Degree, a class B to E felony, 1 to 25 years imprisonment.

Aggravated Sexual Abuse in First to Fourth Degree, a class B to E felony, 1 to 25 years imprisonment.

Forcible Touching, a class A misdemeanor, up to 1 year imprisonment

Stalking in the Fourth Degree, a class B misdemeanor, up to 6 months in imprisonment and a fine.

Stalking in the Third Degree, a class A misdemeanor.

Stalking in the Second Degree, a class E felony.

Stalking in the First Degree, a class D felony.

Persistent Sexual Abuse, a class E felony.



Sexual Harassment

DCC's Policy on Sexual Harassment

As a unit of the State University of New York, Dutchess Community College is committed to providing an educational environment that is free from discrimination and sexual harassment.

Sexual harassment is not only offensive, it is illegal and a violation of Section 703 of Title VII of the Civil Rights Act of 1964. Sexual harassment of employees by supervisors and of students by faculty or administrators which imposes requirements of sexual cooperation as a condition of employment or of academic advancement cannot and will not be condoned by the College.

The College recognizes the sensitive and damaging nature of sexual harassment and has developed formal procedures to investigate allegations.

— Board of Trustees

What is Sexual Harassment?

Sexual harassment is any repeated or unwanted verbal or physical advance, sexually explicit derogatory statement, or sexually discriminatory remark made by someone in the workplace or classroom. Such statements, advances, or remarks constitute sexual harassment if they are offensive, objectionable, or humiliating to the recipient.

Sexual harassment in an academic environment may involve the use of authority to emphasize the sexuality of a student in a manner which prevents or impairs that student's full enjoyment of educational benefits or opportunities.

It may include:

- verbal harassment or abuse
- subtle pressure for sexual activities
- touching, patting, or pinching
- leering at a person's body
- constant brushing against a person's body
- requests for sexual favors accompanied by implied or overt threats concerning one's job, performance evaluation, promotion, or course grades
- physical assault

The Equal Employment Opportunity Commission defines sexual harassment as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement;
- (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting that individual;
- (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or academic environment.

Some Examples

The following examples, while by no means comprehensive, show the range of behavior which may be construed as sexual harassment.

Part 1 of the EEO Definition.

“When submission to such conduct is made ... a condition of an individual's employment or academic advancement.”

Mary is a sophomore and has one semester left to complete before graduation. At a recent meeting her faculty advisor tells her that a required course she needs next semester to graduate is closed. He tells her that he would get her into the class “if she will meet him for a drink.”

Professor X uses his class as a platform for making sexually stereotyped references and jokes. He “jokingly” suggests that the better looking the student, the more help she will get. Cindy, a student in his class, is reluctant to ask for his assistance. Because of Professor X's attitude, she is unwilling to see him outside of class. She knows her grade will suffer, but she manages without the help she needs.

Kevin has felt uncomfortable for some time about the way Mr. Z, a young instructor, looks at him. When Kevin wishes to make an appointment to discuss his term project, Mr. Z says the only time he can see Kevin is some evening at an off-campus lounge/restaurant.

Part 2 of the EEO Definition.

“When submission to or rejection of such conduct ... is used as the basis for employment decisions or academic decisions...”

Linda is a temporary full-time faculty member. The position she holds has been advertised as tenure-track for the next year. Her department chair has recently begun to pressure her for sex. When she refuses, he threatens not to consider her for the position. Because of his status, she is certain that nobody will believe her if she complains.

John, a junior-level administrator, is pleased to be selected to attend a conference with his boss. When he discovers that she expects him to share a hotel room with her, he refuses to go. She tells him that his attitude is immature and that she doubts his ability to handle professional situations in the future.

Part 3 of the EEO Definition.

“When such conduct ... (interferes) with an individual’s work or academic performance or (creates) an intimidating, hostile, or offensive ... environment.”

Nicole counts on her work-study job to pay her tuition. One late Friday afternoon, when only she and the director are in the office, he puts his arm around her shoulder and invites her to go home with him that evening. She doesn’t know how to refuse him, so she pretends to agree and then runs away as soon as she can. She never goes back to work and has not been able to find another job.

John is a student in a class where most of the students are women. The professor often makes sexist references and comments on the novelty of men in this field. Once when John asks a question just before class ends, the professor says she would discuss the matter with him after class. She uses a tone of voice that causes most of the women in the class to snicker. John decides to drop the class.

Paula has been a secretary at the College for three years. The civil service exam for her position has not been given yet, so she is still provisional. Her new boss frequently makes comments about her body, tells her dirty jokes and asks about her sex life. Because of her provisional status, she is afraid to complain.

Tell Someone

As the examples have indicated, sexual harassment can cover a variety of situations, and there are times when the victim feels uncertain about what is happening. It is natural to fear reprisal when the perpetrator has power over your grades or your job. You should understand, however, that Dutchess Community College has affirmed your right to work and to be educated in an environment free of sexual harassment. This right includes protection from reprisals of any kind.

Given the nature of sexual harassment and the power relationships that often exist between the harasser and the victim, it is frequently very difficult for an individual to deal with the problem directly. However, individuals who are able to confront the harasser are often successful in stopping the behavior. Saying no, talking with the person involved, or writing a letter to the person may be sufficient to stop the harassment.

Another important step is to tell someone you trust about the situation. Do not let the problem continue and possibly escalate. Go to one of the persons listed in the next section of this brochure, or talk to a friend. Consider talking to others who may have been victimized by the same person.

Help Is Available

Whatever you do, **don't ignore it**. Dropping a class, changing sections, or denying it happened is no solution. Even if you have a busy schedule, the offices listed below will make the process of getting help as convenient as possible. The following two people are available, on a confidential and informal basis, for discussion of your complaint involving sexual harassment.

Dean of Student Services
(Student Services Center, Room 304, 845-431-8970)

Associate Dean of Student Services
(Student Services Center, Room 301, 845-431-8040)

Counseling is available through:

The Office of Counseling and Career Services, Student Services Center, Room 301 (phone 431-8040 or on campus, ext. 8040).

Trained advisors are available for help if you feel that you may be experiencing sexual harassment. The advisors will listen to you and provide support and advice. They include faculty members, student service staff, and the college nurse. They are:

- Madeline Bashoff, Professor, Hudson 401D, Ext. 8572
- Nancy Clancy, Instructional Media, Center for Business and Industry 126, Ext. 8948
- Ron Crovisier, Assoc. Librarian, Library, Hudson 350, Ext. 8376
- William Harwood, Professor, Taconic 306, Ext. 8376
- Human Resources, Bowne 212, Ext. 8673
- Brenda Keller, Nurse Supervisor, Student Services Center 110, Ext. 8076
- Ornella Mazzuca, Associate Professor, Hudson 408 D, Ext. 8440
- Marta Newkirk, Assistant Dean of Student Services, Student Services Center 304, Ext. 8975
- Diana Staats, Professor, Hudson 408 I, Ext. 8553
- Carol Stevens, Dean of Community Services, Bowne 118, Ext. 8908
- Wendy Walker, Director of Counseling & Career Services, Student Services Center 301 C, Ext. 8044

The Employee Assistance Program offers help to CSEA members. Contact the Director of Human Resources Management, for further information, or you may contact the program directly and confidentially at **845-486-3730**.

A Further Step

If this informal approach does not result in a satisfactory resolution of the problem, you may wish to follow the College's internal grievance procedure. If this procedure is used, all proceedings will be private. No person shall be adversely treated because of the filing of a grievance.

If you decide to file a formal complaint, contact:

Dutchess Community College Affirmative Action Officer
Director of Human Resources Management
Bowne 213
Telephone: (845) 431-8673

As a further resort, you may file a claim with the NYS Division of Human Rights or the Equal Employment Opportunity Commission:

Margaret G. King, Regional Director
New York State Division of Human Rights, Region III
8 John Walsh Blvd.
Peekskill, NY 10566
Telephone: 1-914-788-8050



Grievance Procedure for Review of Allegations of Discrimination

For assistance or questions contact:
Director of Human Resource Management
Title IX, 504, ADA Coordinator
Bowne Hall, Room 213
Call (845) 431-8673

Introduction:

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

This procedure, which may be used by any Dutchess Community College student or employee, is in no way intended to supplant or duplicate any already existing grievance procedures. Employee grievance procedures established through negotiated contracts, academic grievances review committees, student disciplinary grievance boards, and any other procedures defined by contract or local by-laws will continue to operate as before. Neither does this procedure in any way deprive a complainant of the right to file with outside enforcement agencies, such as the New York State Division of Human Rights, the Equal Employment Opportunity Commission, the Office for Civil Rights of the Department of Health and Human Services, or the Wages and Hours Division of the Department of Labor.

Rather, this Grievance Procedure for the Review of Allegations of Illegal Discrimination provides an additional mechanism through which the College may identify and eliminate incidents of illegal discrimination. The College recognizes and accepts its responsibility in this regard and believes that the establishment of this internal, non-adversary grievance process will benefit students, faculty, staff, and administration alike. It permits investigation and resolution of problems without resorting to the frequently expensive and time-consuming procedures of state and federal enforcement agencies or courts.

Requirements for Filing Grievances:

1. A grievance must be submitted in writing on forms provided by Dutchess Community College. (Sample enclosed.)
2. Employees must file a grievance within 45 calendar days following the alleged discriminatory act or the date on which the grievant first knew or reasonably should have known of such act if that date is later. Students must file a grievance within 45 calendar days following the alleged discriminatory act or 45 calendar days after a final grade is received, if that date is later.
3. Grievances must be filed with the Director of Human Resources Management.

Procedures for Processing Grievances:

1. The Director of Human Resources Management or his/her designee shall receive any complaint of alleged discrimination, shall assist the complainant in defining the charge, and shall provide the complainant with information about the various internal and external mechanisms through which the complaint may be filed, including applicable time limits for filing with each agency.
2. If the complainant chooses to use the DCC Grievance Procedure for the Review of Allegations of Illegal Discrimination, the Director of Human Resources Management shall assist the complainant to fill out the appropriate form, signing and dating a copy of the completed form for the complainant.
3. The Director of Human Resources Management shall seek to resolve the complaint informally and shall have the right to all relevant information and to interview witnesses, including the right to bring together complainant and respondent, if desirable. If a resolution satisfactory to both complainant and respondent is reached within 14 calendar days through the efforts of the Director of Human Resources Management, the Director shall close the case, sending a written notice to that effect to the complainant and respondent. The written notice, a copy of which shall be attached to the original complaint form in the Director's file, shall indicate the agreement reached by complainant and respondent and shall be signed and dated by the complainant, the respondent, and the Director of Human Resources Management.

4. If the Director of Human Resources Management is unable to resolve the complaint to the mutual satisfaction of the grievant and respondent within 14 calendar days, the Director shall so notify the grievant, advising grievant of his or her right to proceed to the next step internally or to file with appropriate enforcement agencies immediately.
5. If a formal complaint with a state or federal agency or a court action is filed by a grievant, any internal investigation or review under way on the same complaint will terminate without conclusion, except that if internal investigation is prolonged to the point that the statute of limitation for filing with outside agencies may be exceeded (180 days for EEOC and OCR complaints; 365 days for Division of Human Rights complaints), a charge may be filed with the appropriate agency without interruption of the internal procedure.
6. If the grievant chooses to proceed through the internal grievance procedure, the grievant shall notify the Director of Human Resources Management in writing within ten calendar days from the time of notification by the Director of Human Resources Management that the issue cannot be resolved informally.
7. The grievant's statement, together with a statement from the Director of Human Resources Management indicating that informal resolution was not possible, shall be forwarded to the Chairperson of the campus Equal Employment Opportunity Committee within five days.
8. Within seven calendar days of receipt, the Chairperson or their designee shall notify the grievant and the campus President that a review of the matter shall take place by an ad hoc tripartite committee. This tripartite committee will be jointly selected by the grievant and the President from a pre-selected panel drawn primarily from the membership of the Equal Employment Opportunity Committee and recommended to the President by the Equal Employment Opportunity Committee. (It shall be the responsibility of the Director of Human Resources Management to establish such a panel each year.) All appointments to the panel will be for two years, except for the 84-85 year which would include one and two year appointments thus allowing for a carry-over of some of the membership from year to year.

9. The ad hoc tripartite committee shall consist of one member of the preselected panel chosen by the President, one member chosen by the grievant, and a third, who shall chair the Committee, chosen by the two designees. Selection must be completed and written notification of designees submitted to the Chairperson of the Equal Employment Opportunity Committee within seven calendar days.
10. The tripartite committee shall review the matter, as appropriate, and shall have the right to all relevant information and to interview witnesses, including the right to bring together complainant and respondent, if desirable. Both complainant and respondent shall be permitted rebuttal to the collected documents and summary of proceedings compiled by the Committee prior to the Committee's rendering of an opinion to the President.
11. Within 21 calendar days from the formation of the Committee, the Chairperson shall submit an opinion to the campus President, as to whether or not discrimination has occurred.
12. The President or designee shall communicate the opinion of the tripartite committee verbatim and in writing to the grievant and to the campus Director of Human Resources Management within seven calendar days, together with a statement indicating his/her acceptance or rejection of the Committee's recommendation. The President will indicate his/her decision either to dismiss the charge for lack of evidence that unlawful discrimination has occurred or to discuss appropriate redress with the grievant if unlawful discrimination has been found.

Off-Campus Resolution of Grievance:

If the grievant is dissatisfied with the President's response, either because of a negative finding or disagreement over what constitutes appropriate redress, the grievant may file a formal complaint with the appropriate State or Federal agency. The campus Director of Human Resources Management will provide information on State and Federal guidelines and laws and names and addresses of enforcement agencies.

Further Provisions on Time Limits:

1. All of the time limits contained above, with the exception of the 45 day limit on the initial filing of grievances, may be extended by mutual agreement of the grievant and the President or his/her designee. The College has no right to extend the deadline for EEOC, OCR, or the Division of Human Rights.
2. If the College or designee thereof at any step fails to review and/or respond within the time limits provided, the grievant may proceed to the next step.
3. If grievant fails to respond within the time limits provided, the grievance shall be deemed to have been withdrawn.
4. In the event of a question of the timeliness of any grievance, grievance appeal or response, the dating and signing of the document shall be determinative. Any notices or documents sent by mail must be sent as registered mail and date of receipt shall be determinative.

**DUTCHESS COMMUNITY COLLEGE
CHARGE OF DISCRIMINATION**

This form is to be used to file a charge of discrimination based on: race, color, religion, sex, national origin, age, disability, marital status, or sexual orientation.

(PLEASE PRINT OR TYPE)

1. NAME _____
PHONE (Day) _____
LOCAL ADDRESS _____
STATUS (Faculty, Staff, Student) _____
HOME ADDRESS _____
CITY _____ STATE _____ ZIP _____

2. ALLEGED DISCRIMINATION WAS BASED ON:

Race or Color () Religion () National Origin () Sex ()
Age () Disability () Marital Status () Sexual Orientation ()

3. (a) Have you filed this charge with a Federal, State or Local Government Agency?

Yes () When _____
Month Day Year

No ()

(b) Have you instituted a suit or court action on this charge?

Yes () When _____
Month Day Year

No ()

4. Alleged discrimination took place on or about

Month _____ Day _____ Year _____

Check here if alleged discrimination is continuing ()

