

STUDENT CODE OF CONDUCT

STATEMENT OF PHILOSOPHY

As an academic community, SUNY Delhi is committed to providing an environment which encourages educational and personal growth. Students are expected to meet academic challenges. They are also expected to develop maturity, self-sufficiency, responsibility, self-understanding, and respect for the rights of others.

Academic communities differ from other communities in several ways. First, the primary mission of educational institutions is the pursuit of knowledge. The environment must be conducive to teaching, learning, thought and research. Second, campus living environments are unique. On a residential campus such as SUNY Delhi, students live in close proximity to each other and interact continuously in their day-to-day living. The potential for noise, disruptions or other infringements upon the rights of community members is always present. While SUNY Delhi strongly supports the First Amendment rights of free speech, students should be aware of the effects of abusive or hurtful language on their classmates. Civil behavior is expected at all times.

These unique differences make it imperative that members of this academic community be particularly sensitive to the rights of others, especially the right to quiet thoughtful study. Preservation of the institution for future generations, both in its facilities and its character, is essential. Rules and regulations are necessary for the orderly conduct of the educational process.

SUNY Delhi is committed to the education of the whole person. This includes social, emotional and physical, as well as, intellectual development. Consequently, the philosophy of the Code is educational in nature. Inappropriate behavior will be confronted and addressed in a positive and direct manner. Students should be well aware that behaviors which detract from the serious educational purpose of the college will not be tolerated. In particular, there are several behaviors which are considered serious enough to warrant severe disciplinary action, including suspension or expulsion from the institution. These behaviors are **physical violence, sale or distribution of controlled substances or illegal possession, sexual violence, the destruction of college property, arson, harassment and sexual harassment, domestic violence, dating violence, stalking, retaliation, biased related crimes and disrespect for those in authority at the college.**

The Student Code of Conduct also assumes the responsibility of protecting the rights of individuals accused of violating rules and regulations. This is accomplished through the establishment of procedural safeguards and counseling. Self-insight and self-initiated change of behavior are part of the disciplinary process.

Students and organizations should understand that they are subject not only to all of the rules and regulations in this Code, but are also bound by all federal, state and local laws on or off campus. The burden of proof in all student conduct cases is the preponderance of the evidence, which means it is deemed "more likely than not" that the specific policies were violated. If the evidence presented is deemed to meet this standard, then the accused is found responsible. The college reserves the right to take disciplinary action independently, regardless of the actions taken by Campus University Police and/or other police organizations. Students should also be aware that the rules and regulations found in the Student Code of Conduct are applicable to off-campus behaviors in cases where there exists a nexus with campus interests. In civil or criminal cases, the college will cooperate with both the civil authorities and the student defendant regarding background information, and no attempt will be made to protect the student from the legal consequences of their behavior.

All students and organizations are expected to abide by the following rules and regulations while on or off campus. This Code of Conduct applies equally to all mediums used to communicate (where applicable). Visitors are expected to abide by the following rules and regulations while on campus, which are based on the SUNY Trustees' Rules for the Maintenance of Public Order.

I. Fire Safety

It is considered a violation of college policy to engage in any of the following activities:

- A. Unauthorized setting of fires on college or College Association property.
- B. Possession and/or use of candles, incense, incense burners, oil burners, oil lamps, or any similar items.
- C. Tampering with any fire safety equipment, including but not limited to fire extinguishers, heat and smoke detectors, pull stations, pre-alarm covers, electrical conduit and wiring.
- D. Activation of an alarm as a result of use of an unapproved appliance or inappropriate behavior.
- E. The failure to leave the building in a timely fashion as a result of a fire alarm.
- F. In addition, residence hall staff members have the authority to confiscate any item found to have caused the activation of an alarm. Restitution and arrest (if appropriate) are also possible.
- G. Students who are found to have falsely activated a fire alarm (including a local alarm station) can expect serious disciplinary action, including suspension or expulsion from the institution.

II. Drugs

- A. The possession, use and/or sale or transfer of illegal drugs or controlled substances is prohibited on or off college property. This prohibition applies to the misuse, distribution, sale or transfer of legally obtained prescription drugs. The College will uphold laws currently in effect in New York State.
- B. Students found to be engaged in the sale of drugs or in possession of misdemeanor or felony amounts of drugs (including marijuana) will face severe disciplinary sanctions, which would likely include suspension or expulsion from the institution.
- C. Students should be aware that their presence in an area where this drug policy is in violation will result in disciplinary action, regardless of their actual involvement in the use of drugs.
- D. Drug paraphernalia is not permitted on campus.
- E. Students who are found to be in violation of this policy as a result of marijuana use or possession will be enrolled in the College's three level Alcohol and Marijuana Policy (see section XXI for a description of this program).
- F. Please see Appendices 3, 4 and 5 for a list of legal sanctions and health risks under Federal, State, and Local laws for the unlawful possession or distribution of illicit drugs.

III. Alcoholic Beverages

- A. The possession, consumption, sale or transfer of alcoholic beverages by all students (regardless of age) or visitors on College or College Association property is not permitted. Exceptions to this policy apply only to academic programs and functions sanctioned by the College President.
- B. The College also holds students accountable for violations of law related to alcoholic beverages on or off campus.
- C. Students and/or visitors should be aware that their presence in an area where this alcohol policy is in violation will result in disciplinary action, regardless of their actual involvement in the consumption of alcohol.
- D. Possession of or the display of empty or refilled alcohol containers, and the display of alcohol posters, signs or advertising outside doors and windows is not permitted.

- E. Alcohol paraphernalia is not permitted on campus.
- F. Students who are found to be in violation of this policy will be enrolled in the College's three level Alcohol and Marijuana Policy (see section XXI for a description of this program).
- G. Please see Appendix 6 for a list of legal sanctions for the unlawful possession or distribution of alcohol as well as health risks associated with alcohol.

IV. SUNY Delhi Smoking Policy

As per NYS law, smoking is prohibited in all campus buildings and residence halls. As per SUNY Delhi policy, smoking is defined as the use of a lit cigarette, cigar, electronic cigarette or any other form of smoking device. Smoking is permitted only in designated gazebos and parking lots.

V. Prohibited Items on Campus

Individuals are not permitted to use nor have in their possession the following items:

- A. Any weapon, including but not limited to, spring-fired, gas-fired, electrically-fired or explosively-fired devices or firearms, which includes rifles, pistols, BB or Pellet guns, bows, slingshots, "stun-guns", blow guns and/or darts, or use of any object with intent to harm or intimidate another individual including knives and/or any similar devices.
- B. Any ammunition associated with the devices listed in Section A (ie. paintballs, BB's, blow darts, etc.).
- C. Firecrackers, explosives, explosive ammunition, or dangerous chemicals.
- D. Knives of any sort (including "box cutters") with the exception of approved knives or tools used for academic purposes. Any tools or knives approved for academic purposes that are stored in residence hall rooms or carried on campus must be kept secure in locked tool boxes, trunks or appropriate storage units.
- E. Toy guns, water guns, cap guns or any type of imitation pistol or rifle.
- F. Skateboards and Hoverboards.

VI. Prohibited Items in the Residence Halls

Individuals found to be in violation of these policies can expect disciplinary action and confiscation of the item. Residential students and visitors are also required to abide by the policies outlined in the Housing Policy Guide.

- A. Any bed not supplied by the College, including lofts and waterbeds. Students with medical needs should contact the Director of Residence Life for an exemption to this policy.
- B. Refrigerators that are rated over 1.5 amps.
- C. All cooking appliances including but not limited to: hotpots, hotplates, George Foreman grills, rice cookers, water cookers, and any appliance that boils water.
- D. Fuel operated engines or electrically operated table tools.
- E. No barbells are permitted. Free weights up to 50 pounds each are permitted.
- F. Non-fire resistant furniture and furnishings.
- G. Halogen lamps.
- H. Pets and animals, with the exception of service animals, approved emotional support animals, and fish living in a 10 gallon tank or smaller.
- I. Air conditioners or portable heaters. The Director of Residence Life may grant exceptions.

VII. Conduct - Rules and Regulations

Students and organizations found to have committed any of the following infractions are subject to the disciplinary sanctions outlined in section XVI. The following behaviors are prohibited on or off the SUNY Delhi campus:

- A. Possession and/or use of candles, incense, incense-burners or any item that produces an open flame are prohibited in the residence halls.
- B. Structural modifications to student rooms, lounges, corridors or furniture are prohibited. Using tape or other material to seal a doorjamb is prohibited.
- C. Failure to obey a notice from the Director of Judicial Affairs or College official to appear for a meeting or hearing as part of the campus disciplinary system. Any attempt to manipulate the College judicial system, including the intentional falsification or misrepresentation of individuals or information before a judicial body or college official, or any intentional attempt to coerce or manipulate witnesses or staff members.
- D. Any violation of College policies including, but not limited to:
 1. The official Housing Policy Guide, including failure to register overnight guests. All visitors are expected to abide by all College policies, and may be removed or banned from college property for failure to abide by College policy. Students will be held judicially responsible for the behavior of their guests (overnight or not). Other violations include failure to follow policies related to Night Host check-in systems, hall closings, room assignments, keys, and damage to rooms. See the Housing Policy Guide for specifics of these policies.
 2. Greek Council policies and procedures including, but not limited to, compliance with pledging practices, hazing policies, and use of College facilities.
 3. Any Student Activities policies, including, but not limited to, use of facilities by unrecognized organizations or failure to comply with Farrell staff (building managers, etc.).
 4. Any other College published procedure or policy.
- E. Violations of quiet hour rules or excessive noise at any time.
- F. The operation of any business in any room or residence hall facility. This includes solicitation, canvassing or advertising on college property without the authorization of the Vice President for Student Life.
- G. Residency in the residence halls when closed for vacation without the approval of the Director of Residence Life.
- H. The failure to return all keys to the residence hall staff prior to scheduled college closings or when requested by college staff.
- I. Creating a safety hazard by throwing objects into or out of residence hall windows or doors.
- J. Failure to abide by disciplinary sanctions imposed by a judicial body or college official.
- K. Hanging unapproved banners, flags or displays from windows or doors of residence halls. Approval can be granted through the Residence Hall Director.
- L. Conduct which threatens or endangers the health or safety of any person, including but not limited to students, college officials, faculty, residence hall staff (which includes Residence Hall Directors, Resident Assistants, and custodial staff), and University Police Officers. These behaviors include, but are not limited to:
 1. Assault
 2. Physical abuse

3. Verbal abuse
4. Threats
5. Intimidation
6. Harassment
7. Coercion
8. Sexual Violence
9. Domestic Violence
10. Dating Violence
11. Stalking
12. Retaliation
13. Driving While Intoxicated or Ability Impaired

Listed in Appendix 1 are all New York State Laws on Sex Offenses. Appendix 2 cites all New York State penalties for violations of Stalking, Domestic Violence and Sex Offenses.

- M. The reckless, disruptive or unsafe use of recreational equipment, including but not limited to: snowboards, bicycles, roller skates, roller blades, or scooters. Reckless, disruptive or unsafe use is defined as riding at excessive speed and or performing or practicing stunts; causing noise which disrupts people; riding with undue regard for the safety of others; or riding in a manner that causes damage to SUNY Delhi property and landscaping. It is prohibited to ride recreational equipment up and down steps, stairways, access ramps, retaining walls, benches, railings or similar architectural features, or inside any college building.
- N. Acts of dishonesty, including but not limited to the following:
1. Cheating, plagiarism, or other forms of academic dishonesty. Students found in violation of this policy will be subject to the Academic Integrity Policy (see Section XXIX).
 2. Furnishing false information on any official college document or to any college official or employee.
 3. Forgery, alteration or misuse of any college document, record or instrument of identification.
 4. Tampering with the election of any college recognized student organization.
- O. Vandalism, which includes any of the following:
1. Attempted or actual damage to property of the college, or property of a member of the college community, or other personal or public property.
 2. Tampering with doors such as disabling a locking mechanism, electronic card system or entrance-phone system or propping open a door intended to be closed or locked.
 3. Tampering with or modifying any campus electrical, telephone or cable system or vending machine or recreational equipment.
 4. Failure to use proper trash and/or recycling containers or the dumping of trash in inappropriate locations.
- P. Disrespect for, or the failure to comply with the directives of a college official, faculty or staff member, or law enforcement officer acting in the performance of their duties and/or the failure to produce identification to these persons when requested to do so. This includes, but is not limited to, Night Hosts, Resident Assistants, and Custodial staff.

- Q. Attempted or actual theft of property belonging to the college, or property of a member of the college community, or other personal or public property. Persons who possess property other than his/her own without the consent of the owner or who intentionally impede recovery by the owner, or college officials acting on behalf of the owner, will be considered as knowingly participating in the use of stolen property.
- R. Occupying rooftops, open windowsills or building ledges, or suspending antenna or other items from building.
- S. Unauthorized possession, duplication or the use of keys to any college premises including but not limited to, unauthorized entry to student rooms or unauthorized sharing of any college key or SUNY Identification Card by students or their guests that compromises the security of personal or college property. All students found in possession of such items who intentionally impede recovery of same by the owner or College officials will be considered knowingly participating in the use of these unauthorized items.
- T. Violation of federal, state or local law or college regulations, on- or off-campus, including college sponsored or supervised activities and trips. A finding of a violation under this rule does not require proof of a conviction in any non-campus legal proceeding.
- U. The turning in or activation of a false fire alarm or bomb threat.
- V. Being barefoot in college cafeterias or academic buildings.
- W. Water fights in buildings.
- X. Entrance or use of bathroom or shower facilities intended for use by the opposite gender.
- Y. The opening of window security screens and/or the use of open windows for any reason other than as an emergency exit.
- Z. Disruption to or obstruction of the academic, residential or campus environment, research, administration, disciplinary proceedings or other college activities on or off campus is prohibited. This behavior includes, but is not limited to, excessive noise, abusive or obscene language in a public place and boisterous or threatening conduct which is unreasonable in the area, time, or manner in which it occurs.
- AA. Conduct that is disorderly, lewd or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace of college premises or at functions sponsored by, or participated in by the college or members of the academic community.
- BB. Any unauthorized use of electronic or other devices to make an audio or video recording or to take photos of any person while on or off college premises without his/her prior knowledge, or without his/her effective consent when such recording or photograph is likely to cause injury or distress. This includes, but is not limited to, taking pictures of another person in a gym, locker room, restroom or residence hall. Additionally, the unauthorized distribution of an audio or video recording or photograph(s) that were taken with or without consent and may cause injury or distress is prohibited.
- CC. Driving vehicles in unauthorized areas such as sidewalks and athletic fields.
- DD. Students are required to carry their SUNY Delhi Identification Card at all times. Failure to produce proper identification upon request by faculty, professional staff, or student staff in the performance of their official duties is prohibited.
- EE. Students who knowingly assist in the violation of College policy or any violation of federal, state or local law will be considered aiding and abetting.

FF. Any unauthorized use of electronic or other devices to make an audio or video recording of official college business including but not limited to: administrative meetings or hearings, judicial hearings, Student Conduct Council hearings or other proceedings is prohibited.

GG. Any unauthorized entry to or use of college premises, including residence halls.

VIII. Technology and Network Usage

It is a violation of college policy to engage in any of the following activities:

- A. The use of Campus Technology Resources to publicly display or promote obscene messages, images and/or sounds, or to send threatening, obscene or harassing messages, images and/or sounds to any individual, regardless of whether he/she is a student is prohibited. This includes not just e-mail and the Internet, but the use of any college computer facility, personal computer, or off-campus computer system. Students should be aware that the College's policies on harassment apply equally to electronic communications as well as the more traditional means of display and communication.
- B. Users should be aware that federal telecommunications legislation specifies penalties for harassment, the transmission of indecent material to all people, and the transmission and availability of indecent materials to persons under the age of 18 even at their request. Inappropriate display of offensive material may be considered harassment.
- C. This policy forbids the use of any computer to obtain access to the following: confidential information, grades, pin numbers, personal computers, or any computer system on or off campus to which students do not have access. This policy also forbids viewing or using another person's username, password, computer programs, files or data without authorized permission, and/or changing another person's password.
- D. Setting up or attempting to set up an unauthorized server, modifying any computer system or software, or engaging in any activity that would interfere with normal computing operations or networking in any unauthorized manner is prohibited. This would include any use of invasive or malicious software such as: "worms", "viruses", "spyware" and/or "SPAM".
- E. The use of Campus Technology Resources and/or facilities for private monetary gain is prohibited.
- F. Participation in any of the above activities may result in suspension of computer access privileges, college disciplinary action, and criminal or civil prosecution.
- G. The Campus Technology Resources and facilities are for the exclusive use of currently enrolled SUNY Delhi students, faculty and staff.
- H. In accordance with the Digital Millennium Copyright Act, college policy also forbids the copying, distribution, downloading, and uploading of copyrighted materials on any personal or College computer system. These items include, but are not limited to, text (including e-mails and web information), graphics, art, photographs, music, film, and software. Participation in any of the above activities will result in the following action:

1st & 2nd Violation: Warning letter will be sent to the student account.

3rd Violation: Internet account will be shut off for 3 days.

4th Violation: Internet account will be shut off for 7 days.

For continual abuse of this policy, or for violations that take place elsewhere on campus, additional penalties may be implemented.

Individuals can be prosecuted for copyright infringement and, if found liable, may face criminal or civil penalties. These penalties may include: paying either actual damages or “statutory” damages of no less than \$50 and not more than \$30,000 per work infringed. For “willful” infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense.

IX. Gambling

In accordance with New York State Penal Law 225.00, gambling, which consists of a person staking or risking something of value upon the outcome of a contest, is prohibited on College property. Offenders will be liable for campus disciplinary and/or civil action.

X. Harassment

No one shall threaten, assault, haze or otherwise physically, verbally, or psychologically abuse any other person. This includes, but is not limited to, incidents of bias, acts of assault or abuse, or incidents of verbal, physical, or psychological harassment or abuse. It is a violation of college regulations to engage in harassment, or to retaliate against anyone bringing forth an honestly perceived complaint of harassment. Students should be aware that the College’s policies on harassment apply equally to electronic communications as well as the more traditional means of display and communication.

It is also a violation of college policy to engage in a course of conduct or by repeatedly committing acts, which places a person in reasonable fear of physical injury, such as stalking or unwanted following.

XI. Retaliation

The act of retaliation and/or assisted retaliation against any individual including but not limited to students, college officials, faculty, residence hall staff, University Police, Title IX complainants or witnesses is strictly prohibited.

XII. Bias-Related Harassment

SUNY Delhi does not tolerate harassment based on an individual’s race, color, age, religion, national origin, disability, sexual orientation, gender identity or other protected characteristics. The College treats bias related incidents very seriously and any student found responsible for a bias related incident can expect severe disciplinary action (see Appendix 8). Any bias actions, verbal or physical, that a reasonable person would find intimidating, hostile or offensive or actions that may lead to personal injury are prohibited.

XIII. Sexual Harassment

Sexual harassment is a form of sexual discrimination, and it is illegal. Sexual harassment is defined as unwelcome verbal or physical sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or academic standing; (2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual’s work or academic performance, or creating an intimidating, hostile, or offensive environment.

Sexual harassment includes unsolicited and unwelcome contact of a sexual nature. This includes:

- A. Written contact, such as suggestive or obscene letters, notes, invitations, or electronic communication;
- B. Verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes about gender-specific traits, sexual propositions;
- C. Physical contact, such as intentional touching, pinching, brushing against another's body, impeding or blocking movement; and
- D. Gestures or public display of suggestive objects or pictures, cartoons, posters or magazines.

Title IX of the Education Amendments of 1972 reads "no person...shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving federal financial assistance..."

Any individual who believes he or she has been harassed should contact the Office of Student Life where staff members can help the individual explore alternatives available to him/her. The student may also wish to consult someone with special sensitivity or expertise (i.e., Counseling Services) and the Office of Student Life will facilitate a referral to such a person if desired. Both formal and informal grievance procedures are available in these cases.

XIV. Child Sexual Abuse Reporting Policy

All students must immediately report to University Police any suspected or actual sexual abuse of a child, (an individual under the age of 17) occurring on college property or while off-campus during official college business or college sponsored events.

XV. Hazing

Hazing is a serious violation of College policy and New York State law. SUNY Delhi policy specifically prohibits students from engaging collectively or individually in illegal practices in connection with initiation into or affiliation with any recognized, unrecognized organization or athletic team. This includes, but is not limited to:

- A. Forced or required participation in physical activities such as calisthenics, exercises or games;
- B. Any form of tattooing or branding;
- C. Forced, coerced or required consumption of alcohol or other drugs;
- D. Any form of physical brutality, including paddling, striking with fists, open hands or objects;
- E. Participation in illegal activities;
- F. Intentional or reckless engagement in conduct which creates a substantial risk of physical injury to another person;
- G. Forced, coerced or required consumption of any food or other substance;
- H. Creation of excessive fatigue or sleep deprivation;
- I. Any act that causes psychological harm, embarrassment, ridicule or emotional distress to any individual; or
- J. Forced or required inappropriate dress, or full or partial nudity in any situation for any reason;
- K. Any violation of approved Greek Council Hazing regulations.

SUNY Delhi will take disciplinary action against any individual, group or organization found to be in violation of this policy.

XVI. Disciplinary Sanctions

The following sanctions may be imposed upon students or organizations by various college officials and/or the Student Conduct Council:

- A. **Warning** - Verbal or written notice that student behavior has violated college policy and that the behavior is unacceptable to the campus community.
- B. **Community Service** - The student is assigned a certain number of community service hours to be completed by a reasonable date.
- C. **Social Warning** - Written notice that the student behavior has violated college rules resulting in inclusion of notice in student folder. The College reserves the right to upgrade to College Probation, Deferred Suspension or Suspension if conduct continues to be unacceptable.
- D. **Exclusion from Residence Halls** - Students may be prohibited from entering one, several or all of the residence halls should their behavior warrant such exclusion.
- E. **Removal from College Residence** - The removal, indefinitely or for a designated period of time, of resident students from college residence halls. The student would not be permitted to reside in or enter the residence hall(s) and must find accommodations to reside off-campus. The College reserves this right to revoke the Housing license at any time. The parent/guardian of financially dependent students will be notified of this sanction. Students removed from residence halls for disciplinary reasons will not receive a refund.
- F. **Residence Hall Probation** - Written notice that college rules have been violated and that a further violation of college policy will result in removal from college residence (see item E). This sanction will be issued by length of time (such as six months or one year or “until separation from the institution”). The parent/guardian of financially dependent students will be notified of this sanction.
- G. **College Probation** – This status carries a severe warning that any further violations of College regulations may result in the student going before the Student Conduct Council for consideration of suspension or expulsion. This may include restriction of privileges for a specific period of time (such as six months or one year or “until separation from the institution”). The parent/guardian of financially dependent students will be notified of this sanction.
- H. **Deferred Suspension** - Written notice that college rules have been violated and while the offense could result in suspension, circumstances exist that would mitigate that action. Deferred Suspension implies that:
 1. Any further violation of college policy will likely result in the suspension of the student from the College.
 2. Deferred suspension is usually set for a period of time such as a semester, an academic year, or until graduation or separation from the College.
 3. This sanction will be issued by length of time (such as six months or one year or “until separation from the institution”).
 4. The parent/guardian of financially dependent students will be notified of this sanction.
- I. **Interim Suspension** – A student may receive an interim suspension immediately pending a fair hearing, should the Director of Judicial Affairs or the Vice President for Student Life judge that the student’s continued presence would be a danger to him/herself or to others, or would pose an immediate threat of disruptive interference with the normal conduct of functions and activities of the institution. While awaiting a hearing, the student shall be denied access to the campus, including on campus and online classes. Every effort will be made to convene an appropriate hearing as soon as possible.

- J. Suspension - Dismissal from the College and removal from residence (if appropriate) for a period of time with the possibility of readmission. Suspensions are normally immediate, but may also be delayed until the end of a semester if found to be appropriate. Suspension will be noted on the student transcript as “suspended after the finding of responsibility for a code of conduct violation.” See the Academic Programs and Services Handbook for further information on the effect a suspension will have on semester grades. Students should contact the Financial Aid Office for information on the effect that suspension may have upon their financial aid situation. The parent/guardian of financially dependent students will be notified of this sanction. Suspended students are liable for all tuition and fees.
- K. Expulsion - Permanent removal from the College. The individual will never be permitted to apply for readmission to the institution. Expulsion will be noted on the student transcript as “expelled after a finding of responsibility for a code of conduct violation.” See the Academic Programs and Services Handbook for further information on the result an expulsion will have on semester grades. Students should contact the Financial Aid Office for information on the effect that expulsion may have upon their financial aid situation. The parent/guardian of financially dependent students will be notified of this sanction. Expelled students are liable for all tuition and fees.
- L. Persona Non Grata - Individuals may be declared Persona Non Grata and would not be permitted to enter or remain on designated college property. Students suspended or who are suspended pending a fair hearing will normally be declared Persona Non Grata.
- M. Removal of Recognition- Temporary or permanent removal of recognition of a College sanctioned club or organization.
- N. Other Sanctions - As determined by a college judicial body or individual. This could include but is not limited to restrictions upon entering particular buildings and/or participation in certain college sponsored events, activities or programs.
- O. Discretionary Sanction – Work assignments, essays, service to the College or community, or other related discretionary assignments.
- P. Restitution – Compensation for loss or damage to College or personal property. This may take the form of appropriate service and/or monetary or material replacement.
- Q. Residence Hall Relocation –The removal, indefinitely or for a designated period of time, of resident students from a specific college residence hall. The student would not be permitted to reside in or enter a specific residence hall and must find accommodations in another residence hall building.
- R. No Contact Order – Verbal or written notice banning an individual from having any form of personal contact with another person on College property. This includes utilizing any means to communicate. Failure to comply with this directive may result in further disciplinary action. No contact orders can be implemented, as a disciplinary sanction should a student be found responsible for violating College policy. It is also put in place to address concerns a complainant may have regarding retaliation, or when College officials deem it necessary. Therefore, the no contact order is utilized as a preventive measure and may be put in place for all parties regardless of role.
- S. Educational Sanction – A student may be assigned an educational sanction to assist them in making better decisions in the future. This may include any of the following: Decision Making Workshop, BASICS, REWIND, Judicial Educator, Social Responsibility Workshop or any other educational workshop.
- T. Transcript Hold – A temporary hold may be placed on a student’s record while disciplinary proceedings are pending. While on hold, a student may not register for classes or receive an official copy of his or her transcript. Students may not be eligible to graduate while a disciplinary action is pending.

XVII. Policy on Banned Organizations

Based on the college's commitment to the health and welfare of its students, the college may choose to ban an organization based on the physical and mental health risks posed to individual students associated with the organization.

- A. Banned Organizations - A group that is banned from campus is one that has committed a severe violation or has a history of repeated violations of law and University regulations such that the group's conduct is determined to have irreparable and adverse effects on the University and/or members of the University community.
- B. Affiliation with Banned Organizations - SUNY Delhi students are prohibited from joining or affiliating with any groups that have been banned by the college. For this purpose, affiliation is defined as joining, rushing, pledging, or being involved in any activity that would normally be associated with being a member of an organization. In addition, residing in facilities that are owned or controlled by a banned organization is considered affiliation.
- C. Consequences - Individual students who engage in affiliation with a banned organization (as defined in Section B) can be charged with violation of this policy and may face serious disciplinary action including suspension or expulsion from the college.

XVIII. Parental and Faculty Advisor Notification

The College will notify appropriate college offices (EOP, Athletics, Counseling, Access and Equity, Residence Life, University Police, etc.) as well as academic advisors, department chairs and division deans when students have been placed on College Probation, Deferred Suspension, Interim Suspension, Suspension, Expulsion, or when they have been removed from campus residence halls. Parents/guardians of financially dependent students (when that determination can be made) will be notified regarding the disciplinary sanctions listed above, as well as Residence Hall Probation. The College also reserves the right to contact parents/guardians in cases of medical or psychological emergencies. Such contacts will be made by the Vice President for Student Life or designee.

XIX. Violation of Law and College Policies

- A. All students are subject to the New York State Penal Law. Any violation of New York State Penal Law, including a charge of violation of the Penal Law, whether occurring on or off campus, may be processed as a violation of the Student Code of Conduct.
- B. College disciplinary proceedings may be instituted against a student charged with violation of a law, which is also a violation of this Student Code, for example, if both violations result from the same factual situation, without regard to any off-campus civil or criminal proceedings. Proceedings under this Student Code may be carried out prior to, simultaneously with or following civil or criminal proceedings.
- C. Proceedings under this Student Code of Conduct are not subject to challenge simply because civil or criminal proceedings involving the same incident have been dismissed.

XX. Personal Misconduct not on College Property

The College may discipline a student for acts of personal misconduct that are not committed on College property, if the misconduct undermines the security of the College community or the integrity of the educational process, or where there exists a nexus with campus interests. Such acts include, but are not limited to:

- A. Noise Violations.
- B. Alcohol and Marijuana Violations.
- C. Driving While Intoxicated or Ability Impaired.
- D. Assault and/or Battery, including group violence.

- E. Drug Trafficking.
- F. Verbal or Physical Harassment of a student, as defined in section XXXI of this document.
- G. Sexual Violence or Sexual Harassment, Dating Violence, Domestic Violence, and Stalking as defined in section XXXI of this document.
- H. Hazing, as defined in section XV of this document.
- I. Felony charges of Fraud, Forgery or Counterfeiting.

XXI. Alcohol and Other Drug Sanctions

College sanctions for alcohol and marijuana violations on and off campus are as follows:

Three Level Alcohol and Marijuana Policy

An alcohol or marijuana violation is defined as any violation of college policy or state law with respect to possession or use of alcohol or marijuana and related paraphernalia including disruptive behavior that results from alcohol or drug use. Students should be aware that their presence in an area where the alcohol and/or marijuana policy is found to be in violation may be held accountable, regardless of their use. Such violations may include possession of small or legally defined violation amounts, the use of marijuana, or being present in a location where marijuana is found. Note that the sale or distribution or possession of misdemeanor or felony amounts of the drug will likely result in suspension and are not covered by this policy. These three levels in no way preclude the possibility of arrest by University Police or other police agencies. The following penalties will be imposed after a judgment of or admission of responsibility is made by the Residence Hall Director, Vice President for Student life, Director of Judicial Affairs or designee when hearing the case.

A. Policy for Alcohol and/or Drug Use Amnesty in Sexual and Interpersonal Violence Cases

The health and safety of every student at the State University of New York and its State-operated and community colleges is of utmost importance. SUNY Delhi recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. SUNY Delhi strongly encourages students to report incidents of domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to SUNY Delhi officials or law enforcement will not be subject to SUNY Delhi's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

THE COLLEGE RESERVES THE RIGHT TO PLACE ANY STUDENT ON ANY OF THE FOLLOWING LEVELS AND TO MANDATE ALCOHOL OR DRUG COUNSELING IF IT IS DEEMED TO BE APPROPRIATE.

LEVEL 1, First violation

The student will meet with the Residence Hall Director, Director of Judicial Affairs and/or designee and this three-level policy will be explained. The student will receive written notification of their sanction that will include the Decision-Making Workshop. Students who violate the alcohol and/or marijuana policy with a prior Level I violation that is no longer active will be assigned to Level I and BASICS (Brief Alcohol Screening and Intervention for College Students.) Students should note that there will be a fee for attendance to BASICS.

LEVEL 2, Second violation

The student will meet with the Residence Hall Director again to discuss the incident. Furthermore, the student will meet with the Director of Judicial Affairs and will be assigned to REWIND (Rethinking Experiences With Substances, Including New Decision-Making). Students are instructed of this requirement verbally and a follow-up letter is sent. The REWIND sessions are comprised of up to 6 hours of alcohol and other drug education assessment sponsored by Counseling Services. Attendance is considered mandatory and any student who does not attend can expect further disciplinary action. Failure to attend any of the REWIND sessions without prior approval will result in permanent removal from the residence halls, in addition to Deferred Suspension. Students should be aware that there is a mandatory fee required for participation in these sessions. In addition, students are placed on Deferred Suspension and informed that any other violation of college policy will likely result in their suspension from the institution. The college will inform the parent/guardian of financially dependent students to provide information regarding the violation and this disciplinary situation.

LEVEL 3, Third violation

The third violation will likely result in an administrative suspension from the institution by the Director of Judicial Affairs or designee.

XXII. Disciplinary Procedures

The Director of Judicial Affairs, in conjunction with the Vice President for Student Life, is responsible for the consistent application of discipline on-campus. The Residence Life staff is also actively involved in the administration of college discipline. Academic integrity cases will be handled through the procedures outlined in Section XXIX.

- A. **Time Frame-** All campus investigations and disciplinary cases will be handled in as timely a manner as possible and will be completed within a 60 day time frame except in the case of extraordinary circumstances. An estimated timeline will be communicated to the accused student and to any complainant as necessary. Once a hearing is scheduled, each party may request a single delay or extension of up to five business days, so long as the state of default (Section XXII, D.) has not taken effect. No further extensions will be granted, under any circumstances.
- B. **Serious Disciplinary Cases -** The Director of Judicial Affairs will investigate such cases and make a recommendation to the Vice President for Student Life for appropriate judicial action. Such action may then require a student to participate in one of the following options to determine responsibility and sanctioning. Students facing serious disciplinary charges will receive timely written notice of the charges they are facing, and instructions to contact the College to arrange a hearing date within a reasonable period of time. Students choosing not to respond will be considered to be in a state of default (see XXII, D.). Students who respond, and schedule a hearing date will be expected to attend the scheduled hearing. If a student fails to attend the scheduled Administrative Hearing or Student Conduct Council Hearing, it will take place in their absence.
 1. **Pre-Hearing Conference** – A student involved in a serious disciplinary case will receive a formal charge letter from the Director of Judicial Affairs, Vice President of Student Life or designee. During this conference, the student will be informed of the next steps in the disciplinary process and would not be eligible to review the investigative file at this time. Should a student fail to attend this pre-hearing conference, an Administrative Hearing or Student Conduct Council hearing may be scheduled.

In some cases, the pre-hearing conference may or may not produce a settlement offer. When it does produce a settlement offer and a student decides to accept the settlement offer, they will waive their right to an Administrative or Student Conduct Council hearing. Students who accept a settlement offer would not be eligible to appeal the outcome. If the student declines a settlement offer, the recommendation of the Student Conduct Council is final, pending any possible appeals.

2. **Administrative Hearing** - The student(s) will participate in a hearing in front of the Director of Judicial Affairs and/or the Vice President for Student Life or his or her designee(s). All available evidence and input from staff and students will be used to make such a decision.

OR

3. **Student Conduct Council Hearing Board** - This disciplinary board will meet to hear and make recommendations in serious disciplinary cases where (1) there is a discrepancy over the actual behavioral incident or (2) where deemed appropriate by the Director of Judicial Affairs or the Vice President for Student Life or designee. In Student Conduct Council hearings involving more than one accused student, the Director of Judicial Affairs, at his or her discretion, may permit the hearing concerning each student to be conducted either separately or jointly. For a more detailed description of the Student Conduct Council, see section XXIV.
- C. **Waiver of Hearing** - Upon admission of responsibility for the violation of college policy, a student may be offered the choice to waive his or her right to a hearing and accept a sanction from the Director of Judicial Affairs or the Vice President for Student Life or designee. A student who so chooses would also waive the right to appeal this sanction (section XXII, item E) and would agree to abide by the decision. The Director of Judicial Affairs, Vice President for Student Life, or designee, and the student must agree to this waiver in writing.
 - D. **Default** - The failure of a student to respond to written notice of charges and instructions to schedule a hearing date within 30 days will be considered in a state of default, resulting in an administrative hearing of the case in the student's absence. Students who are in a state of default are not eligible to appeal their administrative hearing outcome.
 - E. **Appeals** - Students are entitled to a fair review of disciplinary decisions made by Residence Hall Directors, the Director of Judicial Affairs, the Vice President for Student Life and the Student Conduct Council. Such appeals must be based on violations of due process procedure, new evidence or a lack of substantial evidence to support the original decision. Appeals of initial sanctions by the Residence Hall Directors should be directed to the Director of Judicial Affairs, appeals of initial sanctions given by the Director of Judicial Affairs should be directed to the Vice President for Student Life, appeals of initial sanctions given by the Vice President of Student Life and the Student Conduct Council should be directed to the President of the College. Any appeal must be made in writing, within five (5) business days upon receipt of this original disciplinary decision. Appeals in cases of sexual violence including rape, sexual assault, sexual abuse, sexual harassment, dating violence, domestic violence, and stalking are covered in section XXIII F.
 - F. **Restriction on Withdrawals** - Students may not be permitted to withdraw from the college to circumvent assumed disciplinary action in pending investigations.

- G. **Transcript Notation Appeal** – Individuals may appeal to the Vice President for Student Life in writing requesting removal of their suspension notation, no earlier than one year after the suspension period is completed. Individuals will be notified in writing by the Vice President for Student Life of the final decision regarding their transcript notation appeal. Expulsion notations are not subject to removal and therefore may not be appealed.

XXIII. Disciplinary Procedures for Allegations of Sexual Violence

Cases of alleged sexual violence including rape, sexual assault, sexual abuse, sexual harassment, dating violence, domestic violence, and stalking are covered by the procedures listed below, and are defined in Section XXXI-Definition of Terms.

A. Policy for Alcohol and/or Drug Use Amnesty in Sexual and Interpersonal Violence Cases

The health and safety of every student at the State University of New York and its State-operated and community colleges is of utmost importance. SUNY Delhi recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. SUNY Delhi strongly encourages students to report incidents of domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to SUNY Delhi officials or law enforcement will not be subject to SUNY Delhi's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

B. Burden of Proof

The burden of proof in all student conduct cases is the preponderance of the evidence, which means it is deemed “more likely than not” that the specific policies were violated. If the evidence presented is deemed to meet this standard, then the accused is found responsible.

C. Protections and Accommodations

1. When the accused is a student, to have the college issue a “No Contact Order,” consistent with college policy and procedure, meaning that continuing to contact the protected individual is a violation of college policy subject to additional conduct charges; if the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person. Both the accused/respondent and reporting individual may request a prompt review of the need for and terms of a No Contact Order, consistent with SUNY Delhi's policy. Parties may submit evidence in support of their request.
2. To have assistance from the University Police Department or other college officials in initiating legal proceedings in family court or civil court, including but not limited to obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.
3. To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a college official who can explain the order and answer questions about it, including information from the Order about the accused's responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).

4. To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
5. To have assistance from University Police in effecting an arrest when an individual violates an Order of Protection or, if outside of New York State, an equivalent protective or restraining order within the jurisdiction of University Police or, if outside of the jurisdiction to call on and assist local law enforcement in effecting an arrest for violating such an order.
6. When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to interim suspension pending the outcome of a conduct process. Parties may request a prompt review of the need for and terms of an interim suspension.
7. When the accused is not a student but is a member of the college community and presents a continuing threat to the health and safety of the community, to subject the accused to interim measures in accordance with applicable collective bargaining agreements, employee handbooks, and SUNY Delhi policies and rules.
8. When the accused is not a member of the college community, to have assistance from the University Police Department or other college officials in obtaining a persona non grata letter, subject to legal requirements and college policy.
9. To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them. While reporting individuals may request accommodations through any of the offices referenced in this policy, the following office can serve as a point to assist with these measures:
 - Judicial Affairs Director, Bush Hall 127, 607-746-4443
 - Title IX Coordinator, Bush Hall 103, 607-746-4430
 - Title IX Deputy Coordinator, Foreman Hall 114, 607-746-4692

D. Student Conduct Process

1. To request that student conduct charges be filed against the accused. Conduct proceedings are governed by the procedures set forth in the Student Handbook at www.delhi.edu/campus_life/pdfs/planner.pdf as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.
2. Throughout conduct proceedings, the respondent and the reporting individual will have:
 - a. The same opportunity to be accompanied by an advisor of their choice who may assist and advise the parties throughout the conduct process and any related hearings or meetings. Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct;
 - b. The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial, timely, and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the respondent, including the right to a presumption that the respondent is “not responsible” until a finding of responsibility is made, and other issues related to sexual assault, domestic violence, dating violence, and stalking.

- c. The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality, and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest.
- d. The right to receive advance written or electronic notice of the date, time, and location of any meeting or hearing they are required to or are eligible to attend. Accused individuals will also be told the factual allegations concerning the violation, a reference to the specific code of conduct provisions alleged to have been violated, and possible sanctions.
- e. The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
- f. The right to offer evidence during an investigation and to review available relevant evidence in the case file (or otherwise held by SUNY Delhi).
- g. The right to present evidence and testimony at a hearing, where appropriate.
- h. The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.
- i. The right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in college disciplinary stage that determines responsibility. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanction.
- j. The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.
- k. The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
- l. The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanction(s), and the rationale for the decision and any sanctions.
- m. The right to written or electronic notice about the sanction(s) that may be imposed on the accused based upon the outcome of the conduct proceeding. For students found responsible for sexual assault, the available sanctions are suspension with additional requirements and expulsion/dismissal.
- n. Access to at least one level of appeal of a determination before a panel which includes the College President, the Provost and the Vice President for Business & Finance, or their designees that is fair and impartial and does not include individuals with a conflict of interest. The decision of the appeal panel is final.
- o. The right to have access to a full and fair record of a student conduct hearing, which shall be preserved and maintained for at least five years.
 - Judicial Affairs Office, 607-746-4443, Bush Hall 127, 454 Delhi Drive, Delhi, NY 13753

- p. The right to choose whether to disclose or discuss the outcome of a conduct hearing.
- q. The right to have all information obtained during the course of the conduct or judicial process be protected from public release until the appeals panel makes a final determination unless otherwise required by law.

E. Retaliation

The act of retaliation and/or assisted retaliation against any individual including but not limited to students, college officials, faculty, residence hall staff, University Police, Title IX complainants or witnesses is strictly prohibited.

F. Appeals

After receiving notice of the disciplinary hearing decision, both the complainant and accused student, in cases of sexual harassment and sexual violence, dating violence, domestic violence and stalking, may request an appeal within 5 business days upon receipt of the original disciplinary decision. Appeals must be based on violations of due process procedure, new evidence or a lack of substantial evidence to support the original decision. The non-requesting party will receive notice of the appeal and may submit either his or her own appeal or a written response to the requesting party's appeal within 5 business days of notice. Both the appeal and response will be considered together by the appeals officer. The decision of the appeal officer is final.

XXIV. Student Conduct Council Hearing Board

The Student Conduct Council is made up of faculty, staff and students and is charged with hearing and providing recommendations in serious disciplinary cases. To hear a case, the Council will have between five and nine members. The members will be chosen from appointed or volunteer faculty, staff and students, and are provided with all appropriate information upon which to base their recommendations. The Director of Judicial Affairs will coordinate the proceedings, and all recommendations will be given to the Vice President for Student Life.

There shall be a single verbatim record, such as a tape recording, of all Student Conduct Council hearings (not including deliberations). Deliberations shall not be recorded. The entire record of the hearing and all associated materials shall be the property of the College and will not be released with the exception of compliance with court ordered purposes. Accused students and complainants may request an official written transcript of the hearing at their expense. When transcripts are requested, the College will provide the audio recording to a licensed court reporter who will furnish the written transcripts at the requesting party's expense.

If a student is to be brought before the Conduct Council, he/she will be notified in writing of the charges and the time and date of the hearing in a timely fashion. Every effort will be made to schedule the Hearing so as not to interfere with the students' or witnesses' academic schedule. However, in such cases where this is unavoidable, the individuals will be required to attend the Hearing. Students who are charged are required to attend and give testimony to the Student Conduct Council, and may, if desired, ask a reasonable number of witnesses to attend, as well. Such witnesses will be permitted to provide testimony but are not permitted to ask questions. Students may be required to give testimony.

Accused students and complainants are entitled to review reports and statements that will be used against them in the hearing if requested. This information will be made available for review upon request by the accused or complainant involved in the hearing. Accused students and witnesses must provide written statements to be used in Conduct Council Hearings to the Director of Judicial Affairs 24 hours prior to the hearing.

Cases involving sexual violence including rape, sexual assault, sexual abuse, sexual harassment, dating violence, domestic violence, and stalking are covered in section XXIII F.

Accused students and complainants may, if they so desire, have counsel or an advisor (faculty, staff, family member, etc.) present during the actual hearing. Counsel or an advisor may provide support and information to the students, but may not ask questions or provide testimony. Any such information must be voiced through the student. The Student Conduct Council Hearing Board is not bound by technical rules of evidence, but may hear or receive testimony that is relevant and will contribute to a full and fair consideration of the charges. The student charged may examine and question all witnesses or staff present at the Hearing. The Adjudicator may cut off any testimony that is deemed inappropriate or irrelevant to the consideration of the charges. Student(s) shall be found responsible or not responsible based on a preponderance of evidence. Recommendations from the Student Conduct Council Hearing Board will be made in a closed executive session immediately after the actual hearing and will be made on a majority basis. Recommendations will be made to the Vice President for Student Life, who will deliver the decision and sanctions to the student in writing within a reasonable period of time.

If a student fails to attend the scheduled Conduct Council hearing, the hearing will take place nonetheless.

XXV. Privacy

College Officials (including Resident Assistants) may enter a student room without prior notification to determine compliance with federal, state and local laws and ordinances, and college policies when there is reasonable cause to believe that a violation has occurred or is occurring. College staff may also enter student rooms without notice to make inspections for reasons of health and safety. In addition, College officials may enter student rooms after students vacate the residence halls prior to scheduled college closings to determine damage and compliance with safety and other college regulations.

XXVI. Off-Campus Addresses

All students living off campus are required to notify the College of their off-campus addresses and phone numbers by September 15 of the fall semester or February 15 of the spring semester immediately thereafter following any moves. Students should update their addresses on the Web or by completing a form in the Registrar's Office. Failure to abide by this regulation will result in holds being placed on a student's account.

XXVII. College Communications

All SUNY Delhi students are required to check their SUNY Delhi mailboxes in Farrell, campus email, and campus voicemail to regularly stay informed about college policies and updates, important information and notifications from various college departments.

XXVIII. College Visitors

All College visitors are expected to abide by College policies and may be removed or banned from college property for failure to abide by college policy.

XXIX. Academic Integrity Policy

If a faculty member discovers that a student has committed an academic integrity violation that warrants a sanction beyond a verbal warning, the following process will likely be followed.

HOWEVER, THE COLLEGE RESERVES THE RIGHT TO PLACE A STUDENT ON ANY OF THE FOLLOWING LEVELS GIVEN THE SEVERITY OF THE VIOLATION.

- A. **FIRST VIOLATION:** The faculty member will discuss the situation with the student, explaining the nature of the violation, and the nature of the sanction, or sanctions, to be applied as per the course policy. The faculty member will also discuss the potential consequences of further violations. This discussion should be documented. If the faculty member imposes a sanction as per course policy, the incident **MUST** be reported to the Director of Academic Advisement via the academic warning system. The report must include the details of the offense, the sanction given, failure of the assignment, etc., and the nature of supporting evidence, hard copies of which must be forwarded to the Director of Academic Advisement when possible.

In response to the **FIRST** violation, the Director of Academic Advisement will likely:

1. Place details of the violation in a file prepared for that student.
2. Communicate the violation, consequences for further violations, and the appeal process for the current violation to the student via letter.
3. Communicate the violation to the Director of Judicial Affairs for cross referencing with any student life violations on record for that student.

- B. **SECOND VIOLATION:** Will be discussed with the student and reported to the Director of Academic Advisement in the same manner as the first violation.

In response to a **SECOND** violation the Director of Academic Advisement will likely:

1. Place details of the violation in the student's file.
2. Communicate the second violation to the Director of Judicial Affairs.

In response to the second violation the Director of Judicial Affairs will likely:

1. Place the student on **DEFERRED SUSPENSION**, and so communicate in writing to the student.
2. Communicate the violation and sanction to the parents/guardians of financially dependent students in writing.

- C. **THIRD VIOLATION:** Will be discussed with the student and reported to the Director of Academic Advisement in the same manner as the first violation.

In response to the **THIRD** violation the Director of Academic Advisement will likely:

1. Place details of the violation in the student's file.
2. Communicate the violation to the Director of Judicial Affairs.

In response to the third violation the Director of Judicial Affairs will likely:

1. Convene either a **STUDENT CONDUCT COUNCIL** or administrative hearing, according to established guidelines (Sections XXII and XXIII.), to determine responsibility for the current violation. If found responsible, the student will likely be **SUSPENDED** or **EXPELLED** from the college.
2. Communicate a summary of the hearing to the College Provost.

In response to the findings of the Student Conduct Council the College Provost will inform the student in writing of the determination of the Student Conduct Council, indicating that a final appeal of that determination can be made to the College President. (Section XXII., E.)

- D. **APPEAL PROCESS:** At any step, the student may appeal a decision.

1. Appeal of first and second violation sanctions can be made to the Dean of the division through which the course is offered, and then to the College Provost who will render the final decision.
2. Appeal of Student Conduct Council Hearing sanctions can be made to the College President, who will render the final decision.

XXX. Rules for Maintenance of Public Order

The SUNY Delhi Student Code of Conduct and Behavior is in addition to, the Rules for Maintenance of the Public Order on the Premises of the State-operated Institutions of the State University of New York, which is on file in the Vice President for Student Life Office. The College reserves the right to decide on appropriate disciplinary action based on either of these documents.

XXXI. Definition of Terms:

- A. The term “college” refers to the State University of New York College of Technology at Delhi.
- B. The term “student” includes all persons taking courses at the State University of New York College of Technology at Delhi, including on-line or off-site students, both full and part-time, pursuing undergraduate studies and those who attend other institutions who reside in college residence halls. Persons who are not officially enrolled for a particular term, but who have a continuing relationship with the College are considered to be students.
- C. The term “faculty” refers to any person hired by the College to conduct classroom activities.
- D. The term “college official” or “college staff” refers to any person hired by the College to perform assigned administrative or professional responsibilities.
- E. The term “college property” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the State University of New York College of Technology at Delhi, the College Foundation, or the College Association at Delhi, Incorporated, including adjacent streets and sidewalks.
- F. The term “recognized organization” refers to any number of persons who have applied for, complied with the formal requirements and been approved for college recognition.
- G. The term “financially dependent student” refers to all students age 24 or younger at SUNY Delhi who are claimed as a dependent on their parent(s) or guardian(s) Federal or State Income Tax.
- H. The term “accused student” refers to any student accused of violating the Student Code of Conduct.
- I. The term “complainant” refers to any individual who submits a statement alleging that a student violated the Student Code of Conduct.
- J. “Affirmative consent” is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression.
- K. The term “force” is the use of physical violence and/or physically imposing on an individual to gain sexual access. Force also includes threats, intimidation and coercion that overcome resistance or produce consent.
- L. The term “non-consensual sexual contact” is any intentional sexual touching, however slight, with any object, by any individual upon another individual that is without consent and/or by force.
- M. The term “non-consensual sexual intercourse” is any sexual intercourse, however slight, with any object, by any individual upon another individual that is without consent and/or by force.

- N. The term “sex discrimination” includes all forms of: sexual harassment, sexual assault, and sexual violence by employees, students, or third parties against employees, students, or third parties. Students, college employees, and third parties are prohibited from harassing other students and/ or employees whether or not the incidents of harassment occur on the College campus and whether or not the incidents occur during working hours.
- O. The term “sexual exploitation” occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not constitute as another sexual misconduct offense.
- P. The term “sexual violence” refers to physical sexual acts perpetrated against an individual without their affirmative consent or where an individual is incapable of giving consent, including but not limited to rape, sexual battery, and sexual coercion.
- Q. The term “retaliation” refers to an adverse action taken against an individual as a result of complaining about unlawful discrimination or harassment, exercising a legal right, and/or participating in a complaint investigation as a third-party witness.
- R. The term “unrecognized organization” refers to a group or organization or any number of persons who are acting on behalf of a group or organization who are not formally recognized by the College.
- S. The term “banned organization” refers to a group that has committed a severe violation or has a history of repeated violations of law and University regulations such that the group’s conduct is determined to have irreparable and adverse effects on the University and/or members of the University community (see Section XVII).
- T. The term “harassment” is unwelcome conduct that is so severe, pervasive, or persistent that it substantially interferes or effectively denies an individual’s reasonable access to University resources or opportunities or that such conduct creates an intimidating, hostile or offensive environment.
- U. The term “dating violence” refers to violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is based on a consideration of the length, and type of relationship and frequency of interaction between the persons involved in the relationship.
- V. The term “domestic violence” refers to violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, or by a person similarly situated to a spouse of the victim.
- W. The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others and/or suffer substantial emotional distress.
- X. The term “transcript notation” refers to the institution placing a notation on the transcript of students found responsible after a conduct process that they were “suspended after a finding of responsibility for a code of conduct violation” or “expelled after a finding of responsibility for a code of conduct violation.”

APPENDIX 1

New York State Law and Penalties on Sex Offenses

The following represent all sections of the New York State Penal Law which are sex offenses:

Sec. 130.20 Sexual Misconduct

A person is guilty of sexual misconduct when:

- being a male, he engages in sexual intercourse with a female without her consent; or
- he engages in deviate sexual intercourse with another person without the latter's consent; or
- he engages in sexual conduct with an animal or a dead human body.

Sexual misconduct is a class A misdemeanor.

Sec. 130.25 Rape in the third degree

A person is guilty of rape in the third degree when:

- he or she engages in sexual intercourse with another person to whom the actor is not married who is incapable of consent by reason of some factor other than being less than seventeen years old; or
- being twenty-one years old or more, he or she engages in sexual intercourse with another person to whom the actor is not married less than seventeen years old.

Rape in the third degree is a class E felony.

Sec. 130.30 Rape in the second degree

A person is guilty of rape in the second degree when, being eighteen years old or more, he or she engages in sexual intercourse with another person to whom the actor is not married less than fourteen years old.

Rape in the second degree is a class D felony.

Sec. 130.35 Rape in the first degree

A male is guilty of rape in the first degree when he engages in sexual intercourse with a female:

- by forcible compulsion; or
- who is incapable of consent by reason of being physically helpless; or
- who is less than eleven years old.

Rape in the first degree is a class B felony.

Sec. 130.40 Sodomy in the third degree

A person is guilty of sodomy in the third degree when:

- he engages in deviate sexual intercourse with a person who is incapable of consent by reason of some factor other than being less than seventeen years old; or
- being twenty-one years old or more, he engages in deviate sexual intercourse with a person less than seventeen years old.

Sodomy in the third degree is a class E felony.

Sec. 130.45 Sodomy in the second degree

A person is guilty of sodomy in the second degree when, being eighteen years old or more, he engages in deviate sexual intercourse with another person less than fourteen years old.

Sodomy in the second degree is a class D felony.

Sec. 130.50 Sodomy in the first degree

A person is guilty of sodomy in the first degree when he engages in deviate sexual intercourse with another person:

- by forcible compulsion;
- or who is incapable of consent by reason of being physically helpless; or
- who is less than eleven years old.

Sodomy in the first degree is a class B felony.

Sec. 130.55 Sexual Abuse in the third degree

A person is guilty of sexual abuse in the third degree when he subjects another person to sexual contact without the latter's consent; except that in any prosecution under this section, it is an affirmative defense that (a) such other person's lack of consent was due solely to incapacity to consent by reason of being less than seventeen years old, and (b) such other person was more than fourteen years old, and the defendant was less than five years older than such other person.

Sexual abuse in the third degree is a class B misdemeanor.

Sec. 130.60 Sexual Abuse in the second degree

A person is guilty of sexual abuse in the second degree when he subjects another person to sexual contact and when such other person is:

- incapable of consent by reason of some factor other than being less than seventeen years old; or
- less than fourteen years old.

Sexual abuse in the second degree is a class A misdemeanor.

Sec. 130.65 Sexual Abuse in the first degree

A person is guilty of sexual abuse in the first degree when he subjects another person to sexual contact:

- by forcible compulsion; or
- when the other person is incapable of consent by reason of being physically helpless; or
- when the other person is less than eleven years old.

Sexual abuse in the first degree is a class D felony.

Sec. 130.66 Aggravated Sexual Abuse in the third degree

A person is guilty of aggravated sexual abuse in the third degree when he inserts a foreign object in the vagina, urethra, penis or rectum of another person:

- by forcible compulsion; or
- when the other person is incapable of consent by reason of being physically helpless; or
- when the other person is less than eleven years old.

Conduct performed for a valid medical purpose does not violate the provision of this section.

Aggravated sexual abuse in the third degree is a class D felony.

Sec. 130.67 Aggravated Sexual Abuse in the second degree

A person is guilty of aggravated sexual abuse in the second degree when he inserts a finger in the vagina, urethra, penis or rectum of another person causing physical injury to such person:

- by forcible compulsion; or
- when the other person is incapable of consent by reason of being physically helpless; or
- when the other person is less than eleven years old.

Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the second degree is a class C felony.

Sec. 130.70 Aggravated Sexual Abuse in the first degree

A person is guilty of aggravated sexual abuse in the first degree when he inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person:

- by forcible compulsion; or
- when the other person is incapable of consent by reason of being physically helpless; or
- when the other person is less than eleven years old.

Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the first degree is a class B felony.

Sec. 130.75 Course of Sexual Conduct against a child in the first degree

- a person is guilty of course of sexual conduct against a child in the first degree when, over a period of time not less than three months in duration, he or she engages in two or more acts of sexual conduct, which includes at least one act of sexual intercourse, deviate sexual intercourse or aggravated sexual contact, with a child less than eleven years old.
- A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.

Course of sexual conduct against a child in the first degree is a class D felony.

Sec. 130.80 Course of Sexual Conduct against a child in the second degree

- A person is guilty of course of sexual conduct against a child in the second degree when, over a period of time not less than three months in duration, he or she engages in two or more acts of sexual conduct with a child less than eleven years old.
- A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.

Course of sexual conduct against a child in the second degree is a class D felony.

Penalties for Violations of New York State Law – Sex Offenses

Sex offenses which are committed in violation of the New York State Penal Law are subject to the following penalties:

Class A misdemeanor – fine of up to \$1,000 and/or imprisonment up to one year.

Class B misdemeanor – fine of up to \$500 and/or imprisonment up to three months.

Class E felony – fine of up to \$5,000 and/or imprisonment up to four years.

Class D felony – fine of up to \$5,000 and/or imprisonment up to seven years.

Class C felony – fine of up to \$5,000 and/or imprisonment up to 15 years.

Class B felony – fine of up to \$5,000 and/or imprisonment up to 25 years.

**APPENDIX 2
NEW YORK STATE LAW AND PENALTIES ON
DOMESTIC VIOLENCE**

STATUTE (all references to NYS Penal Law)	PENALTIES*
STALKING	
<ul style="list-style-type: none"> • First Degree (§ 120.60) • Second Degree (§ 120.55) • Third Degree (§ 120.50) • Fourth Degree (§ 120.45) 	<ul style="list-style-type: none"> • Class D Felony • Class E Felony • Class A Misdemeanor • Class B Misdemeanor
SEXUAL ASSAULT	
Rape <ul style="list-style-type: none"> • First Degree (§ 130.35) • Second Degree (§ 130.30) • Third Degree (§ 130.25) 	<ul style="list-style-type: none"> • Class B Felony • Class D Felony • Class E Felony
Criminal Sexual Act <ul style="list-style-type: none"> • First Degree (§ 130.50) • Second Degree (§ 130.45) • Third Degree (§ 130.40) 	<ul style="list-style-type: none"> • Class B Felony • Class D Felony • Class E Felony
Aggravated Sexual Abuse <ul style="list-style-type: none"> • First Degree (§ 130.70) • Second Degree (§ 130.67) • Third Degree (§ 130.60) • Fourth Degree (§ 130.65) 	<ul style="list-style-type: none"> • Class B Felony • Class C Felony • Class D Felony • Class E Felony
Course of Sexual Conduct Against a Child <ul style="list-style-type: none"> • First Degree (§ 130.75) • Second Degree (§ 130.80) 	<ul style="list-style-type: none"> • Class B Felony • Class D Felony
Predatory Sexual Assault (§ 130.95)	<ul style="list-style-type: none"> • Class A-11 Felony
Predatory Sexual Assault Against a Child (§ 130.96)	<ul style="list-style-type: none"> • Class A-11 Felony
Sexual Abuse <ul style="list-style-type: none"> • First Degree (§ 130.65) • Second Degree (§ 130.60) • Third Degree (§ 130.55) 	<ul style="list-style-type: none"> • Class D Felony • Class A Misdemeanor • Class B Misdemeanor
Persistent Sexual Abuse (§ 130.53)	<ul style="list-style-type: none"> • Class E Felony
Forcible Touching (§ 130.52)	<ul style="list-style-type: none"> • Class A Misdemeanor
Sexual Misconduct (§ 130.20 (1)) (§ 130.20 (2))	<ul style="list-style-type: none"> • Class A Misdemeanor

DOMESTIC VIOLENCE **	
Disorderly Conduct (§ 240.20) Harassment <ul style="list-style-type: none"> • First Degree (§ 240.25) • Second Degree (§ 240.26) Aggravated Harassment <ul style="list-style-type: none"> • Second Degree (§ 240.30) Stalking <ul style="list-style-type: none"> • First Degree (§ 120.60) • Second Degree (§ 120.55) • Third Degree (§ 120.50) • Fourth Degree (§ 120.45) Criminal Mischief <ul style="list-style-type: none"> • First Degree (§ 145.12) • Second Degree (§ 145.10) • Third Degree (§ 145.05) • Fourth Degree (§ 145.00) Menacing <ul style="list-style-type: none"> • Second Degree (§ 120.14) • Third Degree (§ 120.15) Reckless Endangerment <ul style="list-style-type: none"> • First Degree (§ 120.25) • Second Degree (§ 120.20) Assault <ul style="list-style-type: none"> • Second Degree (§ 120.05) • Third Degree (§ 120.00) Attempted Assault <ul style="list-style-type: none"> • First Degree (§ 110.00; §120.10) • Second Degree (§ 110.00; §120.05) • Third Degree (§ 110.00; §120.00) Sexual Misconduct (effective 12/09) (§ 130.52) Forcible Touching (effective 12/09) (§ 130.52) Sexual Abuse (effective 12/09) <ul style="list-style-type: none"> • Second Degree (§ 130.60) • Third Degree (§ 130.55) 	<ul style="list-style-type: none"> • Violation • Class B Misdemeanor • Violation • Class A Misdemeanor • Class D Felony • Class E Felony • Class A Misdemeanor • Class B Misdemeanor • Class B Felony • Class D Felony • Class E Felony • Class A Misdemeanor • Class A Misdemeanor • Class B Misdemeanor • Class D Felony • Class A Misdemeanor • Class D Felony • Class A Misdemeanor • Class C Felony • Class E Felony • Class B Misdemeanor • Class A Misdemeanor • Class A Misdemeanor • Class A Misdemeanor • Class A Misdemeanor • Class A Misdemeanor

(*) Penalties and Sentencing Guidelines:

Penalty Classification	Sentence / Fine
Class A-1 Felony	15 yrs to Life in Prison / \$100,000 fine
Class A – 11 Felony	10 yrs to Life in Prison / \$50,000 fine
Class B Felony	5 yrs – 25 yrs / \$30,000 fine
Class C Felony	3 ½ yrs - 15 yrs / \$15,000
Class D Felony	2 yrs – 7 yrs
Class E Felony	1 ½ yrs - 4 yrs
Class A Misdemeanor	Max of 1 year / \$1,000 fine
Class B Misdemeanor	Max of 3 months / \$500 fine

APPENDIX 3

SUMMARY OF APPLICABLE NEW YORK STATE DRUG LAWS AND PENALTIES

As stated in Article 33, Sections 3300 and 3304 of the New York State Public Health Law, it shall be unlawful for any person to manufacture, sell, prescribe, distribute, dispense, administer, possess, have under his control, abandon, or transport a controlled substance (except as expressly allowed by the article).

Articles 220 and 221 of the New York State Penal Law describe the sanctions for offenses involving controlled substances and marijuana. These articles set forth criminal penalties for possession or sale of drugs considered harmful or subject to abuse. The seriousness of the offense and penalty imposed upon conviction depends upon the individual drug and amount held or sold.

New York State Penal Law defines a misdemeanor as a crime punishable by imprisonment for more than 15 days but not more than one year.

A felony is a crime punishable by imprisonment for more than one year.

- Possession of a narcotic drug (e.g., Cocaine, Heroin, Opium), no matter how small is a misdemeanor; possession of 1/8 ounce or more is a felony with the exception of cocaine. Criminal possession of cocaine, including crack, is a Class D felony if in possession of 1/2 ounce or more. Sale of any amount is a felony.
- Possession of an unprescribed depressant drug is a misdemeanor.
- Possession of 10 ounces or more of any depressant listed as a "Dangerous Depressant" (e.g., Barbiturates, Methaqualone) is a felony.
- Possession of 50 milligrams or more of phencyclidine (Angel Dust) is a felony.

The Marijuana Reform Act of 1977 has classified possession of lesser amounts of marijuana up to 25 grams (25-30 cigarettes), as a violation with penalties ranging from a \$100 to \$250 fine and/or up to 15 days in jail, depending on whether it is the first, second, or third offense.

- Possession of any amount of marijuana in public view or of any amount of burning marijuana in a public place is a misdemeanor.
- Possession of more than 25 grams of marijuana but not more than 8 ounces is a misdemeanor.
- Possession of 8 ounces or more of marijuana is a felony. Sale of 25 grams or less is a misdemeanor; Sale of more than 25 grams of marijuana is a felony.
- Sale of any amount of marijuana to a minor is a felony.
- The penalties for sale or possession of hashish are more severe. Possession of any amount, no matter how small is a misdemeanor and possession of 1/4 ounce is a felony; sale of any amount of hashish, no matter how small, is a felony.

APPENDIX 4

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)				
Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Cocaine 5 kilograms or more mixture	First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 20 yrs, and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture	PCP 100 grams or more pure or 1 kilogram or more mixture		
Substance/Quantity	Penalty			
Any Amount Of Other Schedule I & II Substances	First Offense: Not more that 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.			
Any Drug Product Containing Gamma Hydroxybutyric Acid	Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.			
Flunitrazepam (Schedule IV) 1 Gram	First Offense: Not more than 10 yrs. If death or serious bodily injury, not more that 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.			
Any Amount Of Other Schedule III Drugs	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.			
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.			

Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances

<p>Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants</p>	<p>First Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p>Second Offense: Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>
<p>Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants</p>	<p>First Offense: Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p>Second Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>
<p>Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants</p>	<p>First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</p>
<p>Hashish More than 10 kilograms</p>	<p>Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
<p>Hashish Oil More than 1 kilogram</p>	
<p>Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)</p>	<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
<p>1 to 49 marijuana plants</p>	
<p>Hashish 10 kilograms or less</p>	
<p>Hashish Oil 1 kilogram or less</p>	

APPENDIX 5 HEALTH RISKS

DRUGS OF ABUSE/Uses and Effects

U.S. Department of Justice Drug Enforcement Administration		Dependence									
Drugs	CSA Schedules	Trade or Other Names	Medical Uses	Physical	Psychological	Tolerance	Duration (Hours)	Usual Method	Possible Effects	Effects of Overdose	Withdrawal Syndrome
Narcotics											
Heroin	Substance I	Diamorphine, Horse, Smack, Black tar, <i>Chiva</i> , <i>Negra (black tar)</i>	None in U.S., Analgesic, Antitussive	High	High	Yes	3-4	Injected, snorted, smoked	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
Morphine	Substance II	MS-Contin, Roxanol, Oramorph SR, MSIR	Analgesic	High	High	Yes	3-12	Oral, injected			
Hydrocodone	Substance II, III, V	Hydrocodone w/ Acetaminophen, Vicodin, Vicoprofen, Tussionex, Lortab	Analgesic, Antitussive	High	High	Yes	3-6	Oral			
Hydro-morphine	Substance II	Dilaudid	Analgesic	High	High	Yes	3-4	Oral, injected			
Oxycodone	Substance II	Roxicet, Oxycodone w/ Acetaminophen, OxyContin, Endocet, Percocet, Percodan	Analgesic	High	High	Yes	3-12	Oral			

Codeine	Substance II, Products III, V	Acetaminophen, Guafenesin or Promethazine w/Codeine, Fiorinal, Fioricet or Tylenol w/ Codeine	Analgesic, Antitussive	Moderate	Moderate	Yes	3-4	Oral, injected			
Other Narcotics	Substance II, III, IV	Fentanyl, Demerol, Methadone, Darvon, Stadol, Talwin, Paregoric, Buprenex	Analgesic, Antidiarrheal, Antitussive	High-Low	High-Low	Yes	Variable	Oral, injected, smoked			
Depressants											
<i>gamma</i> Hydroxybutyric Acid	Substance I, Product III	GHB, Liquid Ecstasy, Liquid X, Sodium Oxibate, Xyrem®	None in U.S., Anesthetic	Moderate	Moderate	Yes	3-6	Oral	Slurred speech, disorientation, drunken behavior without alcohol, impaired memory of events, interacts with alcohol	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	Anxiety, insomnia, tremors, delirium, convulsions, possible death
Benzodiazepines	Substance IV	Valium, Xanax, Halcion, Ativan, Restoril, Rohypnol (Roofies, R-2), Klonopin	Antianxiety, Sedative, Anticonvulsant, Hypnotic, Muscle Relaxant	Moderate	Moderate	Yes	1-8	Oral, injected			
Other Depressants	Substance I, II, III, IV	Ambien, Sonata, Meprobamate, Chloral Hydrate, Barbiturates, Methaqualone (Quaalude)	Antianxiety, Sedative, Hypnotic	Moderate	Moderate	Yes	2-6	Oral			

Stimulants	Cocaine	Substance II	Coke, Flake, Snow, Crack, <i>Coca, Blanca, Perico, Nieve, Soda</i>	Local anesthetic	Possible	High	Yes	1-2	Snorted, smoked, injected	Increased alertness, excitation, euphoria, increased pulse rate & blood pressure, insomnia, loss of appetite	Agitation, increased body temperature, hallucinations, convulsions, possible death	Apathy, long periods of sleep, irritability, depression, disorientation
	Amphetamine/Methamphetamine	Substance II	Crank, Ice, Cristal, Krystal Meth, Speed, Adderall, Dexedrine, Desoxyn	Attention deficit/ hyperactivity disorder, narcolepsy, weight control	Possible	High	Yes	2-4	Oral, injected, smoked			
	Methylphenidate	Substance II	Ritalin (Illy's), Concerta, Focalin, Metadate	Attention deficit/ hyperactivity disorder	Possible	High	Yes	2-4	Oral, injected, snorted, smoked			
	Other Stimulants	Substance III, IV	Adipep P, Ionamin, Prelu-2, Didrex, Provigil	Vaso-constriction	Possible	Moderate	Yes	2-4	Oral			
Hallucinogens	MDMA and Analogs	Substance I	(Ecstasy, XTC, Adam), MDA (Love Drug), MDEA (Eve), MBDB	None	None	Moderate	Yes	4-6	Oral, snorted, smoked	Heightened senses, teeth grinding and dehydration	Increased body temperature, electrolyte imbalance, cardiac arrest	Muscle aches, drowsiness, depression, acne

LSD	Substance I	Acid, Microdot, Sunshine, Boomers	None	None	Unknown	Yes	8-12	Oral	Illusions and hallucinations, altered perception of time and distance	(LSD) Longer, more intense "trip" episodes	None
Phencyclidine and Analogs	Substance I, II, III	PCP, Angel Dust, Hog, Loveboat, Ketamine (Special K), PCE, PCPy, TCP	Possible	High	Yes	Yes	1-12	Smoked, oral, injected, snorted	Unable to direct movement, feel pain, or remember	Drug seeking behavior *Not regulated	
Other Halucinogens	Substance I	Psilocybe mushrooms, Mescaline, Peyote Cactus, Ayahuasca, DMT, Dextromethorphan* (DXM)	None	None	Possible		4-8	Oral			
Cannabis											
Marijuana	Substance I	Pot, Grass, Sinsemilla, Blunts, <i>Mota</i> , <i>Yerba</i> , <i>Grifa</i>	Unknown	Moderate	Yes	Yes	2-4	Smoked, oral	Euphoria, relaxed inhibitions, increased appetite, disorientation	Fatigue, paranoia, possible psychosis	Occasional reports of insomnia, hyperactivity, decreased appetite
Tetrahydrocannabinol	Substance I, Product III	THC, Marinol	Yes	Moderate	Yes	Yes	2-4	Smoked, oral			
Hashish and Hashish Oil	Substance I	Hash, Hash oil	Unknown	Moderate	Yes	Yes	2-4	Smoked, oral			

Anabolic Steroids													
Testosterone	Substance III	Depo Testosterone, Sustanon, Sten, Cypt	Hypogonadism	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Possible depression
Other Anabolic Steroids	Substance III	Parabolan, Winstrol, Equipoise, Anadrol, Dianabol, Primabolin-Depo, D-Ball	Anemia, Breast cancer	Unknown	Yes	Unknown	Variable	Oral, injected	Virilization, edema, testicular atrophy, gynecomastia, acne, aggressive behavior	Unknown	Unknown	Unknown	
Inhalants													
Amyl and Butyl Nitrite		Pearls, Poppers, Rush, Locker Room	Angina (Amyl)	Unknown	No	1	Inhaled	Inhaled	Flushing, hypotension, headache	Methemoglobinemia	Agitation		
Nitrous Oxide		Laughing gas, balloons, Whippets	Anesthetic	Unknown	Low	0.5	Inhaled	Inhaled	Impaired memory, slurred speech, drunken behavior, slow onset	Vomiting, respiratory depression, loss of consciousness, possible death	Trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, convulsions		
Other Inhalants		Adhesives, spray paint, hair spray, dry cleaning fluid, spot remover, lighter fluid	None	Unknown	High	0.5-2	Inhaled	Inhaled	Impaired memory, slurred speech, drunken behavior, slow onset	Vomiting, respiratory depression, loss of consciousness, possible death	Trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, convulsions		
Alcohol		Beer, wine, liquor	None	High	High	1-3	Oral	Oral	Impaired memory, slurred speech, drunken behavior, slow onset	Vomiting, respiratory depression, loss of consciousness, possible death	Trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, convulsions		

APPENDIX 6
NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW (ABC)
(from New York State Legislature web site: public.leginfo.state.ny.us

<p><u>NYS ABC</u> Law Special Provisions Relating to Liquor</p>	<p style="text-align: center;">Specifics</p>	<p style="text-align: center;">Sentence</p>
<p>§ 65-a. Procuring alcoholic beverages for persons under the age of 21 years</p>	<p>Any person who misrepresents the age of a person under the age of 21 years for inducing the sale of any alcoholic beverage, as defined in the <u>alcoholic beverage control law</u>, to such person.</p>	<p>A fine of not more than \$200, or imprisonment up to five days, or both.</p>
<p>§ 65-b. Offense for one under age of 21 years to purchase or attempt to purchase an alcoholic beverage through fraudulent means.</p>	<p>No person under the age of 21 years shall present or offer to any licensee, or to the agent or employee of such licensee, any written evidence of age, which is false, fraudulent, or not actually his own, for the purpose of purchasing or attempting to purchase any alcoholic beverage.</p>	<p>1st violation: a fine of not more than \$100 and/or up to 30 hours of community service. Also may order completion of an alcohol awareness program.</p> <p>2nd violation: a fine of \$50 to \$350 and/or up to 60 hours of community service. Also shall order completion of an alcohol awareness program if not previously completed.</p> <p>3rd and subsequent violations: a fine of \$50 to \$750 and/or up to 90 hours of community service, shall order evaluation by an appropriate agency to determine whether the person suffers from the disease of alcoholism or alcohol abuse. Payment for such evaluation shall be made by such person. If person elects to participate in recommended treatment, the court shall order that payment of such fine and community service be suspended pending the completion of such treatment.</p> <p>In addition to these penalties, the court may suspend such person's license to drive a motor vehicle and the privilege of an unlicensed person of obtaining such license: 1st violation: a three month suspension; 2nd violation: a six month suspension; 3rd or subsequent violation: a one year suspension or until the holder reaches the age of 21, whichever is the greater period.</p>
<p>§ 65-c. Unlawful possession of an alcoholic beverage with the intent to consume by persons under the age of 21 years.</p>	<p>No person under the age of 21 years shall possess any alcoholic beverage with the intent to consume such beverage.</p>	<p>A fine up to \$50 and/or completion of an alcohol awareness program and/or up to 30 hours of community service.</p>

NYS VEHICLE AND TRAFFIC LAW (VAT)

(from New York State Legislature web site: public.leginfo.state.ny.us)

<p align="center"><u>NYS</u> <u>VAT</u> <u>Law</u> Alcohol & Drug-related Offenses</p>	<p align="center">Specifics</p>		<p align="center">Sentence</p>	
<p>§ 1192. Operating a motor vehicle while under the influence of alcohol or drugs.</p>	<p>1. Driving while ability impaired: No person shall operate a motor vehicle while the person's ability to operate such motor vehicle is impaired by the consumption of alcohol.</p>		<p>A fine of \$300 to \$500 or imprisonment in a penitentiary or county jail for up to 15 days, or both.</p> <p>If convicted of a violation of §1192 within the preceding 5 years: a fine of \$500 to \$750 or imprisonment up to 30 days, or both.</p> <p>If convicted 2 or more times of a violation of §1192 within the preceding 10 years, misdemeanor: a fine of \$750 to \$1,500 or imprisonment of up to 180 days, or both.</p> <p>See also additional penalties and license sanctions.</p>	
	<p>2. Driving while intoxicated; per se: No person shall operate a motor vehicle while such person has .08 of one per centum or more by weight of alcohol in the person's blood as shown by chemical analysis of such person's blood, breath, urine or saliva.</p>		<p>Misdemeanor: a fine of \$500 to \$1,000 imprisonment in a penitentiary or county jail for up to one year, or both.</p> <p>Installation of an ignition interlock device in any motor vehicle owned or operated by such person during the term of probation or conditional discharge, for a period of no less than 12 months.</p> <p>Class E Felony: A violation after having been convicted of a violation of subdivision 2, 2-a, 3, 4 or 4-a of §1192 or of vehicular assault in the second or first degree and aggravated vehicular assault or of vehicular manslaughter in the second or first degree and aggravated vehicular homicide within the preceding 10 years: a fine of \$1,000 to \$5,000 or a period of imprisonment as provided in the penal law, or both.</p>	
	<p>3. Driving while intoxicated. No person shall operate a motor vehicle while in an intoxicated condition.</p>			
	<p>2-a. (a) Aggravated driving while intoxicated; per se: No person shall operate a motor vehicle while such person has .18 of one per centum or more by weight of alcohol in such person's blood</p>		<p>Misdemeanor: a fine of \$1,000 to \$2,500 or imprisonment in a penitentiary or county jail for up to one year, or both.</p>	

<p>as shown by chemical analysis of such person's blood, breath, urine or saliva.</p>				<p>Class D Felony: A violation after having been convicted of a violation of subdivision 2, 2-a, 3, 4 or 4-a of §1192 or of vehicular assault in the second or first degree and aggravated vehicular assault or of vehicular manslaughter in the second or first degree and aggravated vehicular homicide twice within the preceding 10 years or three or more times within the preceding 15 years: a fine of \$2,000 to \$10,000 or a period of imprisonment as provided in the penal law, or both.</p>
<p>2-a. (b) Aggravated driving while intoxicated; with a child: No person shall operate a motor vehicle in violation of this section while a child who is fifteen years of age or less is a passenger in such motor vehicle.</p>			<p>Class E Felony: a fine of \$1,000 to \$5,000 or a period of imprisonment as provided in the penal law, or both.</p>	<p>See also additional penalties and license sanctions.</p>
<p>4. Driving while ability impaired by drugs: No person shall operate a motor vehicle while the person's ability to operate such a motor vehicle is impaired by the use of a drug as defined in this chapter.</p>				<p>Class E Felony: A violation after having been convicted of a violation of subdivision 2, 2-a, 3, 4 or 4-a of §1192 or of vehicular assault in the second or first degree and aggravated vehicular assault or of vehicular manslaughter in the second or first degree and aggravated vehicular homicide within the preceding 10 years: a fine of \$1,000 to \$5,000 or a period of imprisonment as provided in the penal law, or both.</p>
<p>4-a. Driving while ability impaired by the combined influence of drugs or of alcohol and any drug or drugs. No person shall operate a motor vehicle while the person's ability to operate such motor vehicle is impaired by the combined influence of drugs or of alcohol and any drug or drugs.</p>			<p>Misdemeanor: a fine of \$500 to \$1,000 imprisonment in a penitentiary or county jail for up to one year, or both.</p>	<p>Class D Felony: A violation after having been convicted of a violation of subdivision 2, 2-a, 3, 4 or 4-a of §1192 or of vehicular assault in the second or first degree and aggravated vehicular</p>

			<p>assault or of vehicular manslaughter in the second or first degree and aggravated vehicular homicide twice within the preceding 10 years or three or more times within the preceding 15 years: a fine of \$2,000 to \$10,000 or a period of imprisonment as provided in the penal law, or both.</p> <p>See also additional penalties and license sanctions.</p>
<p>§ 1192-a. Operating a motor vehicle after having consumed alcohol; under the age of 21; per se.</p>	<p>No person under the age of 21 shall operate a motor vehicle after having consumed alcohol (if such person has .02 to .07 of one per centum by weight of alcohol in his/her blood, as shown by chemical analysis of his/her blood, breath, urine or saliva).</p>		<p>See license sanctions.</p>
		<p>For a violation of §1192, the court may require the defendant to attend a single session conducted by a victims impact program.</p>	
<p>Additional penalties.</p>	<p>1.</p>	<p>2. A violation of subdivision 2 or 3 after having been convicted of a violation of subdivision 2 or 3 of such §1192 within the preceding 5 years: in addition to any other penalties, imprisonment of 5 days or be required to perform 30 days of service for a public or not-for-profit corporation, association, institution or agency, except when sentenced to a term of imprisonment of 5 days or more.</p> <p>3. A violation of subdivision 2 or 3 after having been convicted of a violation of subdivision 2 or 3 of such §1192 on two or more occasions within the preceding 5 years: in addition to any other penalties, imprisonment of 10 days or be required to perform 60 days of service for a public or not-for-profit corporation, association, institution or agency, except when sentenced to a term of imprisonment of 10 days or more.</p> <p>4. A court sentencing a person pursuant to (1) or (2) above shall (a) order the installation of an ignition interlock device... during any period of license</p>	

		<p>revocation and (b) order that such person receive an assessment of the degree of their alcohol or substance abuse. Where such assessment indicates the need treatment, the court is authorized to impose treatment as a condition of such sentence.</p>
<p>License sanctions.</p>		<p>Suspensions:</p> <ol style="list-style-type: none"> 1. Driving while ability impaired: Ninety days, where the holder is convicted of a violation of subdivision one of §1192; 2. Persons under the age of 21; driving after having consumed alcohol: Six months, where the holder has been found to have operated a motor vehicle after having consumed alcohol in violation of § 1192-a of an article where such person was under the age of 21 at the time of commission of such violation. <p>Revocations:</p> <p>A license shall be revoked and a registration may be revoked for the following minimum periods:</p> <ol style="list-style-type: none"> 1. Driving while ability impaired; prior offense: 6 months, where the holder is convicted of a violation of subdivision one of § 1192 committed within 5 years of a conviction for a violation of any subdivision of §1192. 2. Driving while ability impaired; misdemeanor offense: 6 months, where the holder is convicted of a violation of subdivision one of §1192 committed within 10 years of two previous convictions for a violation of any subdivision of §1192. 3. Driving while intoxicated or while ability impaired by drugs or while ability impaired by the combined influence of drugs or of alcohol and any drug or drugs; aggravated driving while intoxicated: 6 months, where the holder is convicted of a violation of subdivision two, three, four or four-a of §1192. One year where the holder is convicted of a violation of subdivision two-a of §1192. 4. Driving while intoxicated or while ability impaired by drugs or while ability impaired by the combined influence of drugs or of alcohol and any drug or drugs; aggravated driving while intoxicated; prior offense: One year, where the holder is convicted of a violation of subdivision two, three, four or four-a of §1192 committed within 10 years of a conviction for

a violation of subdivision two, three, four or four-a of §1192. 18 months, where the holder is convicted of a violation of subdivision two-a of §1192 committed within ten years of a conviction for a violation of subdivision two, two-a, three, four or four-a of §1192; or where the holder is convicted of a violation of subdivision two, three, four or four-a of §1192 committed within ten years of a conviction for a violation of subdivision two-a of §1192.

5. Persons under the age of 21: One year, where the holder is convicted of or adjudicated a youthful offender for a violation of any subdivision of §1192, or is convicted of or receives a youthful offender or other juvenile adjudication for an offense consisting of operating a motor vehicle under the influence of intoxicating liquor where the conviction, or youthful offender or other juvenile adjudication was had outside this state, and the person was under the age of 21 at the time of commission of such violation.
6. Persons under the age of 21; prior offense or finding: One year or until the holder reaches the age of 21, whichever is the greater period of time, where the holder has been found to have operated a motor vehicle after having consumed alcohol in violation of §1192-a, or is convicted of, or adjudicated a youthful offender for, a violation of any subdivision of §1192, or is convicted of or receives a youthful offender or juvenile adjudication for an offense consisting of operating a motor vehicle under the influence of intoxicating liquor where the conviction, or youthful offender or other juvenile adjudication was had outside this state, when the person was under the age of 21 at the time of commission of such violation and has previously been found to have operated a motor vehicle after having consumed alcohol in violation of §1192-a, or has previously been convicted of, or adjudicated a youthful offender for, any violation of §1192 not arising out of the same incident, or has previously been convicted of or received a youthful offender or juvenile adjudication for an offense consisting of operating a motor vehicle under the influence of intoxicating liquor when the conviction, or youthful offender or other juvenile adjudication was had outside this state and not arising out of the same.
7. Out-of-state offenses: except as provided in (5) or (6) above, (1) 90 days, where the holder is convicted of an offense consisting of operating a motor vehicle under the influence of intoxicating liquor where the conviction was had outside this state and (2) 6 months, where the holder is convicted of, or receives a youthful offender or other juvenile adjudication, which would have been a misdemeanor or felony if committed by an adult, in connection with, an

		offense consisting of operating a motor vehicle under the influence of or while impaired by the use of drugs where the conviction or youthful offender or other juvenile adjudication was had outside this state.
Notice of charges to parent or guardian.		Upon the first scheduled appearance of any person under eighteen years of age who resides within the household of his or her parent or guardian upon a charge of a violation of subdivision one, two and/or three of §1192, the local criminal court shall forthwith transmit written notice of such appearance or failure to make such appearance to the parent or guardian of such minor person...

**APPENDIX 7
HEALTH RISKS ASSOCIATE WITH THE USE OF ALCOHOL**

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse.

Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

APPENDIX 8 BIAS CRIMES PREVENTION

Hate Crimes and the Law

It is a State University of New York at Delhi (SUNY Delhi) University Police mandate to protect all members of the Delhi community by preventing and prosecuting bias or hate crimes that occur within the campus's jurisdiction. Hate crimes, also called bias crimes or bias-related crimes, are criminal activity motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their race, religion, ethnicity, gender, sexual orientation, or disability. Hate/bias crimes have received renewed attention in recent years, particularly since the passage of the federal Hate/Bias Crime Reporting Act of 1990 and the New York State Hate Crimes Act of 2000 (Penal Law Article 485). Copies of the New York law are available from University Police or the Office of Judicial Affairs.

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, SUNY Delhi University Police also assist in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and defined by the University as acts of bigotry, harassment, or intimidation directed at a member or group within the Delhi community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status, may be addressed through the State University's Discrimination Complaint Procedure or the campus conduct code. Bias incidents can be reported to University Police as well as to Affirmative Action/Equal Opportunities Office at (607) 746-4495.

If you are a victim of, or witness to, a hate/bias crime on campus, report it to University Police in an emergency, using a Blue Light or other campus emergency phone, by calling 4700, or stopping by North Hall. University Police will investigate and follow the appropriate adjudication procedures. Victims of bias crime or bias incidents can avail themselves of counseling and support services from the Office of Health and Counseling Services. The Counseling Center offers confidential services free of charge to all students at SUNY Delhi and all discussions with the Counselors are confidential.

For general information on SUNY Delhi security procedures see the SUNY Delhi University Police website, or call (607) 746-4700. More information about bias-related and bias crimes, including up-to-date statistics on bias crimes is available from University Police at (607) 746-4700.