You can go anywhere from here!

SUNY BROOME

STUDENT HANDBOOK

2018 - 2019
SUNY Broome is committed to providing an environment which is conducive to learning and civility. Civility is a commitment to respect one another and encourage professional and academic growth with open communication, honesty, and empathy. Civility is a dedication to provide these values to everyone within this community. The College wishes to promote civility through these core values in every aspect of campus affairs:

- Respect one another and property
- Significance of every person’s right to be heard
- Help one another to succeed
- Be accepting of all people
- Open communication between; administration, faculty, staff and students
- Honesty
- Personal integrity
- Acting with kindness and consideration towards others
- Safety
- Promoting social responsibility
- Professional and academic growth
- Non-violence
- Pride of institutional and collegiate community
- Promotion of Shared Governance

SUNY Broome commits to producing well rounded students who are not only educated, but skilled and prepared for challenges of the future. While this civility statement cannot guarantee the principled and considerate conduct we all would hope for, it can serve as a guideline for all members of this academic community. All members of the SUNY Broome community are expected to uphold the above outlined commitments to promote civility amongst one another.

Endorsed by Student Assembly on November 19, 2013
Endorsed by Council for Academic Issues on December 18, 2013
Endorsed by Council for Operational Issues on December 19, 2013
Endorsed by College Assembly on January 27, 2014
Endorsed by Executive Council on March 10, 2014
Endorsed by Board of Trustees on March 20, 2014
A MESSAGE FROM THE PRESIDENT OF SUNY BROOME COMMUNITY COLLEGE

WELCOME – AND WELCOME BACK

College is an important time for learning in many ways. Of course, you need to learn a subject or field that will allow you to enter the workforce, or transfer to a college or university as you work toward a bachelor’s degree. College is also about learning to learn and learning to live. At SUNY Broome, you will have many opportunities to learn both in and out of the classroom. Studies show that students who are actively involved in campus life are more likely to earn their degree -- and are better prepared for their future career.

We at SUNY Broome are here to help you succeed with your goals. In this handbook, you will find numerous opportunities to get involved: from academic and social clubs and organizations, to Common Hour programs, athletic events, game shows, lectures and panel discussions, ice skating, and more. Most of them are funded through your Activity Fee and, therefore, are offered to you at little or no cost to participate. Please join in!

And above all, get involved! You will do better academically and in your job, have more fun, and make cherished memories. Best of all, your time at SUNY Broome will be among the best of your life.

Sincerely,

Kevin E. Drumm, Ph.D.
President
SUNY Broome Community College
GETTING INVOLVED!

Start your semester off the right way! This Student Handbook and Calendar will help you keep on top of everything from your class assignments to your work schedule. Organization is the key to success in college. We hope this calendar will help you become more organized and successful here at SUNY Broome.
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For more information visit: www.sunybroome.edu
Each Academic Tips and Information subsection will cover a specific resource that can aid you with individual concerns that might arise. Please note that of all the resources at your disposal, your professor is one of the most valuable. We encourage you to always keep your professor in the loop about concerns you may have. There are also many administrators on campus whose job may not be directly related to your concern, but will be able point you in the right direction.

**ACAD TIPS – CHANGING YOUR SCHEDULE – DROPPING/ADDING CLASSES**

Please be sure to have all of your schedule changes completed before the start of classes.

Please observe these deadlines: Contact the Registrar's Office for forms.

**FALL 2018**
Last Day for Web Registration - August 26, 2018

August 27 - August 31, 2018 Students may register as long as the class has not met for the first time and has seats available.

**Last Day to DROP** a full term course with a “W” grade
If you want to drop a full-term class with a “W” grade (withdrawal), you must do it no later than Wednesday, November 7, 2018

**SPRING 2019**
Last Day for Web Registration - January 27, 2019

January 28 – February 1, 2019 – Students may register as long as the class has not met for the first time and has seats available.

**Last Day to DROP** A full term course with a “W” grade
If you want to drop a full-term class with a “W” grade (withdrawal), you must do it no later than Tuesday, April 9, 2019.

**Location:** Student Services, Room 105; Telephone: 607-778-5027
ACAD TIPS – CLASS ATTENDANCE

You are expected to attend all classes, labs, field trips, and other activities as assigned by your instructor. Attendance at, and participation in, class activities may be factored into your final course grade. Poor attendance also prevents you from participating in varsity sports. Your attendance record in class may affect your eligibility for Financial Aid. Do yourself a favor -- go to class.

ACAD TIPS – WITHDRAWAL FROM COLLEGE

If unforeseen circumstances occur, and you need to withdraw from your classes, contact the Registrar’s Office or the Advising Office immediately. You will need to complete the appropriate paperwork to make your withdrawal official. Don’t forget to call the Student Accounts and Financial Aid Offices as well. Let these folks know as soon as possible that you will be leaving, since your finances and refunds may be at stake. You will be held responsible for all unpaid bills after leaving SUNY Broome. A visit to your academic advisor can make a difference for your future academic plans at the College. And don’t worry! When you’re ready to return to college, we’re here to help.

ACAD TIPS - TRANSCRIPTS

Do you need to prove to an employer or another college/university that you were a student here? Or do you need an official record of the courses you took here, and the grades you received in those courses? To get your transcript, go to http://www2.sunybroome.edu/registrar/transcripts/. There is a charge of $2.50 for an electronic transcript, and $5.00 for a hard copy transcript. If you need to have your transcript faxed (as opposed to mailed), there is an additional $5.00 fee. You may also request transcripts in-person at the Registrar’s Office.

Location: Student Services Building, Room 105; Telephone: 607-778-5267

ACAD TIPS – GRADES

If you would like to view your grades, go to MyCollege at http://mycollege.sunybroome.edu. Final grades are posted at the end of each semester. Midterm grades may also be viewed online. Please note that only “D” or “F” grades are required to be reported.

Location: Student Services Building, Room 105; Telephone: 607-778-5027
ACAD TIPS – GRADUATION

Such a tremendous achievement calls for pomp, circumstance, ceremony, and an arena full of flying mortarboards. But before you hear any exciting commencement speeches, you’ll need to file an Intent to Graduate form with the Registrar’s Office, and purchase academic regalia to wear on your big night. All potential graduates must have a final high school transcript or a GED / TASC on file. You must observe the following deadlines for application for Graduation:

Fall 2018 Potential Graduates must file by October 15, 2018.

Applications for graduation are available in the Registrar’s Office. You may also apply online by visiting: http://www2.sunybroome.edu/registrar/.

Your record will be reviewed to determine if you will become an official graduate. Diplomas will be mailed in February for fall graduates, July for spring graduates, and October for summer graduates.

Attendance at the Spring Graduation ceremony on May 23rd is optional; however, it is a once-in-a-lifetime ceremony, and you are invited to attend because of your success in college. For more information go to: Student Services Building, Room 105; Telephone: 607-778-5027
ACAD TIPS - PLANNING YOUR SCHEDULE AND REGISTERING FOR FUTURE SEMESTERS

Try SUNY Broome’s new Student Schedule Planner!

This simple interface revolutionizes student schedule planning by assisting in selection of preferred classes, blocking off breaks or conflicts, and generating the best possible schedules for registration. Optimization of schedules increases credit hours as you progress towards degree completion.

How to Access Schedule Planner:
1. Log into MyCollege at http://mycollege.sunybroome.edu
2. Click on the “Registration” button in Quicklaunch on the left under “Students.”
3. Acknowledge the Financial Responsibility Agreement on the screen that comes up and click “Return to Registration.”
4. Select “Schedule Planner New!!!” from the menu to enter Scheduler Planner.

For more info please visit http://www.sunybroome.edu/schedule-planner

ACCESSIBILITY RESOURCE OFFICE
Are you a student with a disability? If so, you may benefit from supportive services and appropriate accommodations. Please call or stop by the Accessibility Resources Office to make an appointment to discuss how we can help you reach your goals. Our friendly staff is waiting to assist you in realizing your full potential.

Location: Library, Room 017; Telephone: 607-778-5150

ALUMNI AFFAIRS
Stay in touch with SUNY Broome and your fellow classmates. The Office of Alumni Affairs will keep you connected through the Broome website, e-mails, and the alumni magazine BROOME. We will keep you up-to-date as to alumni events happening on campus, as well as those gatherings in other areas of the country. Don't forget to keep us posted as your information changes over the years (address, e-mail, name, further education, career, marriage, kids, etc.).

E-mail: alumni@sunybroome.edu

Location: Wales Building, Room 213; Telephone: 607-778-5477

SCHOLARSHIPS
It's easy to apply for a number of scholarships through the BCC Foundation. Students can apply seamlessly to hundreds of scholarships through one online application accessible through PC, mobile, or tablet devices. The system automatically applies the student to scholarships they qualify for through set criteria. Visit www.sunybroome.edu/scholarshipsonline for information.
APPLIED LEARNING & CAREER CENTER

The new ALCC is here to assist students to successfully transition from classroom to career! We work with students at any point in their SUNY Broome experience, offering assistance with resume creation, interview coaching, job search strategies, and information on Applied Learning opportunities. Students are encouraged to use the “Hornet Hub,” our drop-in computer lab, for job search activities. For more information, or to schedule an appointment with our Career Coach or Applied Learning Career Specialist, stop by the ALCC. Email us at careercenter@sunybroome.edu or visit our website http://www.sunybroome.edu/careercenter. We look forward to working with you!

Location: Applied Technology, Room 101; Telephone: 607-778-5207

ATHLETICS

The following is a list of SUNY Broome athletic teams which regularly compete against other NJCAA teams. Please contact the Athletics Office to obtain further information on eligibility requirements and sport tryouts.

Women’s Athletic Teams: Basketball, Cross Country, Soccer, Softball, Tennis, Volleyball

Men’s Athletic Teams: Baseball, Basketball, Cross Country, Lacrosse, Soccer, Tennis

Co-Ed Team: Cheerleading

Location: Student Center, Room 101; Telephone: 607-778-5003
Website: www.broomehornets.com
ATHLETICS – FITNESS LAB
As a SUNY Broome student with a valid student ID card, you enjoy the privilege of using the exercise equipment in our Fitness Lab and Weight Room.

Location: Fitness Lab – Student Center, Room 104;
Weight Room – Student Center, Room 105
Telephone: 607-778-5003   Fitness Lab Hours: To Be Announced

BUSES
B.C. Transit buses run from locations all over Broome County to campus. Up-to-date information on bus passes, schedules, and rates can be found at http://www.ridebctransit.com/. Make sure you get your student ID early in the semester to take advantage of student rates, and keep the number of a friend or taxi service on hand, in case you miss your bus.

Telephone: 607-763-4464

CAREER/TRANSFER COUNSELING
Counseling Services provides a variety of information regarding career exploration, career opportunities, and transfer to four-year colleges. Our office has numerous college and university catalogs, college guidebooks, and computerized college information, as well as SUNY applications and transfer guides. Workshops and individual transfer counseling sessions are also available.

Location: Student Services Building, Room 210; Telephone: 607-778-5210

CHILD CARE
Did you know that child care is available to SUNY Broome students at The B.C. Center? Scholarships are available to students who meet eligibility requirements. To find out more about what this program has to offer, call the office and ask for the Director or Program Coordinator.

Location: BC Center; Telephone: 607-778-5437
CLOSINGS
To ensure that SUNY Broome students and employees receive critical communications, including weather cancellations and delays, in the most timely manner possible, the college is now using an emergency alert system called Rave Alert. Rave Alert has a proven track record of quickly and reliably delivering emergency communications, which has led to its adoption by more than 1,000 colleges and universities.

Need to update your contact information for alerts? Students, faculty, and staff can update their contact information by logging into the MyCollege Portal (http://mycollege.sunybroome.edu) and selecting the Rave Alert icon from the Quicklaunch menu.

Information is also available through local radio and television stations. In addition, closings and cancellations can be accessed through the Press & Sun-Bulletin website at www.pressconnects.com. Whenever the College decides to close or delay opening due to weather problems, that message is given to all area radio and television stations as early as possible. Notices will also appear on the front page of MyCollege, http://mycollege.sunybroome.edu.

DENTAL HYGIENE CLINIC
Could you use a dental cleaning or X-rays? Are you running low on cash or afraid dental work is too painful? Not to worry. Services at our Dental Hygiene Clinic are free to SUNY Broome students with SUNY Broome ID, and friendly as well. Call or stop for an appointment.

Location: Decker Building, Room 101; Telephone: 607-778-5015

EDUCATIONAL OPPORTUNITY PROGRAM (EOP)
EOP has proudly served New York State students for 50 years! This program has assisted thousands of students in accomplishing their academic goals and degree completion. For more information on the program, eligibility requirements, and benefits, please visit our webpage at: http://www.sunybroome.edu/eop

Location: Learning Resource Center, Room 017; Telephone: 607-778-5220

HEALTH INFORMATION/ASSISTANCE
Being healthy can make physical and even mental tasks easier, all of which can improve your performance in the classroom and your quality of life. So, if you need assistance related to health matters, stop by or call the professional staff at Student Health Services, where a friendly staff member is ready to help you.

For further information about clinical services and other health-related information, go to the SUNY Broome Web Page at Student Health Services, listed under the Student Services menu.

Location: Science Building, Room 102; Telephone: 607-778-5181
Medical Requirements
Meningitis Response Signature and MMR Immunization Records are required before registration

New York State Public Health Law 2167 – Meningococcal Meningitis

New York State Public Health Law 2167 took effect on August 15, 2003. It requires that all colleges inform their students about meningococcal meningitis and the meningitis vaccine. It further requires you to do the following:

Obtain the vaccine at your own expense

OR

Decide not to obtain the vaccination and sign a required waiver stating such

Meningitis is rare. However, when it strikes, its flu-like symptoms make diagnosis difficult. Symptoms can include high fever, severe headache, stiff neck, and rash. If not treated early, meningitis can lead to swelling of the fluid surrounding the brain and spinal column, as well as severe and permanent disabilities, such as hearing loss, brain damage, seizures, limb amputations, and even death.

Meningitis is spread through the air via respiratory secretions, such as coughing, sneezing, kissing or sharing personal items like utensils, cigarettes and drinking glasses. Certain college students, particularly first-year students living in residence halls, have been found to have an increased risk for meningitis.

Two meningococcal vaccines are available in the US:

1.) Meningococcal polysaccharide vaccine (MPSV4) has been available since the 1970s.

2.) Meningococcal conjugate vaccine (MCV4) was licensed in 2005.

Both vaccines can prevent four (4) types of meningococcal diseases, including two (2) of the three (3) types most common in the US and a type that causes epidemics in Africa. Meningococcal vaccines cannot prevent all types of the disease, but they do protect many people who might become sick if they didn’t get the vaccine. Both vaccines work well and protect about 90% of those who get it. MCV4 is expected to give better, longer-lasting protection. MCV4 should also be better at preventing the disease from spreading from person to person.

To learn more about meningitis and the vaccine and other immunizations for college students, please feel free to contact Student Health Services, S102, (607) 778-5181, and/or consult your physician.
You can also find information about the disease at the New York State Department of Health Website: www.health.state.ny.us; the Center for Disease Control and Prevention (CDC) Website: www.cdc.gov/ncidod/dbmd/diseaseinfo; or the American College Association (ACHA) Website: www.acha.org.

**New York State Public Health Law 2165—Measles, Mumps, Rubella**

If you were born after December 31, 1956, you are required by state law to prove you are immune to measles, mumps, and rubella in order to attend college. Acceptable proof of immunity includes: immunization cards from childhood, immunization records from high school or other schools you attended or records from your doctor or clinic. If you do not have proof of immunizations, you must be immunized again or have a blood test (MMR titer) to show you are immune to all three diseases.

MMR vaccines are available at Student Health Services, S102, (607) 778-5181 or Broome County Department of Health. Blood testing is also available, but requires medical insurance or payment by the student. Medical waiver: Any student with a medical condition that prohibits vaccination may submit a doctor's statement on letterhead for exemption. (Temporary medical conditions, such as pregnancy, require blood titer clearance).

* You do not need proof of vaccinations if you were born on or before December 31, 1956.

**INTERNATIONAL STUDENTS**

As an international student, you have specific needs regarding visa and immigration matters, adjusting to a new culture, success in the U.S. academic environment, and/or being so far from your home and family. At SUNY Broome, the International Student Advisor is here to assist you with all your immigration and personal concerns.

The International Student Advisor is located in the Wales Building, Room 108C. To make an appointment with the International Student Advisor, please visit the office or call 607-778-5187. Walk-in hours are available during the school year; please call for current dates and times.

**Location: Wales Building, Room 102; Telephone: 607-778-5001**

**JOBS ON CAMPUS**

Getting a job on campus is easy! Just go to the “Life at SUNY Broome” tab of the campus site and look under the “Student Employment & Careers” section. You will find many campus jobs listed; click on the listing for detailed descriptions.
LEARNING ASSISTANCE DEPARTMENT
The SUNY Broome Learning Assistance Department located in LI 017 is here to help you achieve your goals. Programs and services in this department promote educational opportunity and provide academic support for you to be successful. All services are FREE!

Accessibility Resources Office (ARO): 607-778-5150
Program for Deaf & Hard of Hearing: 607-778-5398, 607-238-2714
Literacy & Study Skills Support: 607-778-5563
Math Lab: 607-778-5236
Supplemental Instruction: 607-778-5162
Testing Center: 607-778-5038
Tutoring: 607-778-5333
Writing Center: 607-778-5632

LIBRARY (LEARNING RESOURCES CENTER)
The library is more than a storage house of information; today’s library acts as an information hub, accessing sources around the globe through the internet from electronic databases, and through media technology (such as streaming video and DVDs), while providing traditional resources, including books and magazines. Librarians are here to assist you in meeting your information needs, and can play an essential role in managing information technology, not only to locate materials, but to critique their validity. In addition to acquiring resources, the Library is also a quiet place to come and study, obtain research information, and to learn.

Our online databases are available from off-campus to students with valid SUNY Broome computer accounts. Many of our research guides and style sheets are available on our website. In addition, you may use Ask Us 24/7, a chat service that is available 24 hours a day, 7 days a week. You will not necessarily be chatting with a librarian from the SUNY Broome Library, but you will be chatting with a reference librarian.

Need a resource not available in the SUNY Broome Library? Make your request through our interlibrary loan service called ILLiad at https://broome.illiad.oclc.org/illiad/illiad.dll. Here is what you need to know:

- You must create a personal account to use the service
- IDS requests for books will be delivered within 72 hours
- IDS requests for articles will be delivered within 48 hours
- IDS requests for articles will be delivered via the Web

Website: www.sunybroome.edu/library

Library Hours (Fall & Spring Semesters)
Monday through Thursday ..........................................7:30AM to 10:00PM
Friday .................................................................7:30AM to 5:00PM
Saturday .................................................................1:00PM to 5:00PM
Sunday .................................................................3:00PM to 7:00PM

FOR MORE INFORMATION VISIT: www.sunybroome.edu
PERSONAL COUNSELING CONCERNS
Students may experience social, personal, and family concerns while attending college. They often turn to our professionally trained counselors for help in regaining perspective and purpose. Through individual and confidential meetings, a counselor can help students to explore, understand, and deal with unique personal issues, and regain balance between personal and educational goals. To make an appointment to speak with a counselor, contact Counseling Services.

Location: Student Services Building, Room 210; Telephone: 607-778-5210

PUBLIC SAFETY
If you have a crime to report or need non-emergency help, contact our Public Safety Office. In the event of an emergency, dial 911 (or 9911 from any campus phone). Also, emergency call boxes are located around campus. Look for the blue light near a yellow or silver box, or a red phone.

Location: Public Safety Building; Telephone: 607-778-5083

PUBLIC SAFETY – CAR PROBLEMS
Has your engine lost the will to live? Call Public Safety to notify them if your vehicle needs to remain on campus overnight. Unfortunately, Public Safety cannot jumpstart your car or unlock vehicles, but they can provide you with the phone number of a car service that can assist you.

Location: Public Safety Building; Telephone: 607-778-5083

PUBLIC SAFETY – ID CARDS
Your SUNY Broome Student ID Card serves as your SUNY Broome Library Card, and also allows you access to the Fitness Center and Weight Room, so get it early in the semester to avoid delays in taking out material you need for your classes. The card is also good for discounts all over the area – from movie tickets to fast food discounts. The sooner you get it, the sooner you can use it!

Location: Public Safety Building; Telephone: 607-778-5083
(Hours change weekly. Look for the current hours on MyCollege, http://mycollege.sunybroome.edu)

PUBLIC SAFETY – LOST AND FOUND
Whether you find or lose something, contact the main office of the building where you found or misplaced the item. If you are missing an item that cannot be located in the building, try the Public Safety Office. The Public Safety Office organizes those items being dropped off and picked up, so put yourself and the umbrella you found in their capable hands.

Location: Public Safety Building; Telephone: 607-778-5083
PUBLIC SAFETY – PARKING

In order to park your vehicle on campus, you must register it online at http://mycollege.sunybroome.edu. Then, visit the Office of Public Safety to pick up your decal and a map of campus parking lots in which you may park. Failure to observe parking regulations may result in a ticket, fines, and/or a tow. You may appeal tickets online at the same website you registered the vehicle. Appeals must be filed within seven (7) class days after the ticket is issued. Motorcycle parking is located next to Lot 16, near the Student Services Building, in the loading dock area.

Location: Public Safety Building; Telephone: 607-778-5083

STUDENT ACTIVITIES

Campus activities, such as Open Mic nights, Spring Fling, and Giving of the Toys, are all here to keep you engaged and successful at SUNY Broome. Make sure to jot them in your planner, so you can make the most of your time. You can check out all SUNY Broome events on The Swarm, accessed through your MyCollege account. We are also on social media on Facebook (SUNY Broome), Instagram (@SUNYBroomecc), and Twitter (@SUNYBroome).

STUDENT ACTIVITIES – COMMON HOUR

Each Thursday at 11:00AM, most departments schedule no classes. This is due to a deeply held belief that other experiences help enhance your academic success. You will find a variety of opportunities, from lectures and discussion sessions, to club meetings and magicians.

STUDENT ACTIVITIES – CLUBS, ORGANIZATIONS, AND HONOR SOCIETIES

Would you like to share your interests in a curriculum, hobby, or sport? Would you like to focus your energies on some new, exciting activity? Would you like to meet new, interesting people? Join a club!

Go to our online home for clubs and organizations at https://sunybroome.collegiate(link.net/). Browse through the list of clubs and advisors. You’re sure to find an activity of interest to you. You can also stop into the Student Activities Office in the Old Science Building, Room 224.

STUDENT ACTIVITIES – INTRAMURALS

Would you like to form an intramural team with friends, or meet some new ones? Contact the Student Activities Office about participating in the following events:

Basketball 
Ultimate Frisbee 
Badminton 
Volleyball 
Free-Throw Contest 
Flag Football 
Indoor Soccer 
3-Point Contest 
Fitness Contest

Location: Old Science Building, Room 224 
Telephone: 607-778-5033

FOR MORE INFORMATION VISIT: www.sunybroome.edu
STUDENT ASSEMBLY
Want to impact the campus and take charge of your SUNY Broome experience? Join Student Assembly! You will benefit from lots of experience in leadership and teamwork. Student leadership provides opportunities to travel and meet new friends, as well as campus and community leaders. If you have a concern or idea, stop in and see your Student Assembly! That’s what we’re here for.

Location: Old Science Building, Room 107; Telephone: 607-778-5152

STUDENT SUCCESS SQUAD
Student Success Squad (SSS) is a program designed to support students who are first-generation, low-income, and/or disabled. Through an array of services, SSS students earn a certificate or an associate’s degree, and transfer to a 4-year college to complete a bachelor’s degree.

Program Requirements
- Meet regularly with your assigned SSS Counselor
- Attend workshops focused on academic, career, and transfer planning; college success skills; and financial aid and scholarships
- Class attendance

Additional Eligibility Requirements
- Be a first-generation college student
- Meet federal low-income guidelines
- Or have a documented disability
- Meets U.S. citizenship and/or residency requirements

Benefits of Participation
- Specialized orientation and check-in sessions
- Academic coaching and intervention
- Priority tutoring
- Study skills assistance
- Personal guidance
- Academic success workshops
- Course selection assistance
- Academic and degree planning assistance
- Student advocacy skills training
- Financial aid/literacy counseling
- Career exploration, planning, and development
- Cultural enrichment activities
- Referral services
Current and Future SUNY Broome Students
Applications are accepted for Fall, Winter, Summer, and Spring semesters.

Students may come to the office and fill out an application packet. SSS staff will then schedule an intake appointment with prospective students. Only completed applications will be considered.

Location: Library, Room LI-017; Telephone: 607-778-5150

PERFORMING ARTS AT SUNY BROOME THEATER
The SUNY BROOME Theater invites you to experience classic works, as well as new plays and laboratory productions. Under the direction of Associate Professor Katherine Bacon and expert theater faculty, our students receive professional training in Stanislavski-based Method Acting and a wide range of acting methodologies. Students also study stage management, directing, stagecraft, announcing for TV and radio, stage movement, and other performance skills. The Acting I class continues to be popular with students from all disciplines. SUNY Broome’s theater students prove “there’s no business like show business.” A wide array of music concerts, including Choral, Contemporary, Jazz Band, Concert Band, and other recitals from our talented music students, are presented every semester. The Program is Coordinated by Associate Professor Brenda Dawe. Join us in the Angelo Zuccolo Little Theatre for enriching and entertaining performances.

Location: Student Center, Telephone: 607-778-5191 for Theater, 607-778-5061 for Music

SUNY BROOME CAMPUS SHOP
The SUNY Broome Campus Shop is located in the Student Center, and stocks all course materials for courses at SUNY Broome. We offer an assortment of options to purchase your books, whether it be traditional new or used, rental, or digital textbooks. We also offer a wide range of school supplies, backpacks, computers, software, and school spirit clothing and gifts. There is plenty of parking, and the Broome County Transit drops off outside the Student Center. We are on Facebook, so please like us to keep up-to-date with store events and promotions. Search “Bookstore” in the campus website search bar.

Telephone: 607-724-0696. For online ordering and more information, visit our website: www.sunybroomeshop.com

CAMPUS SHOP – FOR RENT – TEXTBOOKS
We know that going to college costs more now than ever before, and books are big-ticket items. To help ease the burden, we now offer you the ability to rent your textbooks in store and online through www.sunybroomeshop.com.
Why should you rent? It’s an upfront, low-cost option. You can save more than 50% by choosing to go with rental. You are able to highlight and note-take throughout the book. Rental books are due back to us the last day of the semester. If you decide you would like to keep your rented book, you are able to convert your rental book to a purchase any time before the check-in due date.

How does it work? First, find out if your textbook is a rental eligible title. Just look for the special red tags on the bookshelves or search online. Next, complete the short rental agreement. Registration is easy with express registration. All you need is a government-issued ID and a major credit card.

Get more information about Rent-A-Text: Visit the bookstore; we’ll be glad to tell you more about it. You can also find us on www.facebook.com/RentAText or visit www.rent-a-text.com.

CAMPUS SHOP – DIGITAL COURSE MATERIALS

Digital textbooks, or eBooks, are digital versions of the printed textbook, and can save you up to 60% off the cost of a new textbook. Some eBooks are simply a replica of the printed page, while others offer built-in study tools and multimedia features. For example, BryteWave™ Digital Textbooks allow you to search, highlight, take notes, and create custom study guides. Many eBooks are accessible on computers, tablets, and mobile devices. Certain digital textbooks are available to rent, and others are available with partial book purchase options, creating savings in classes where the whole book may not be necessary. The bookstore offers a wide variety of affordable digital learning solutions.
If you’d like to receive updates from the bookstore about the latest information on required textbooks, the newest collegiate gear, and upcoming store events, we invite you to sign up for our e-mail list at www.sunybroomeshop.com/email.

**CAMPUS SHOP – PRICE MATCHING**

The Bookstore now offers students the option of price matching to further reduce the cost of course materials. We price-match against several competitors, with students saving up to 80%! Please contact the Campus Shop for details. www.bkstr.com/sunybrommeccstore/shop/books/information-529756-1/price-match-guarantee

**TUTORING**

Students can receive FREE academic support in any and all of their classes! Depending on availability and needs, three modes of tutoring are available:

- Long-term individual tutoring
- Short-term drop in tutoring
- Online tutoring via Blackboard

Tutors are available to support and guide students with course content and study strategies for course and college success.

Looking for a part-time job while sharing your expertise and understanding with others? Apply to become a tutor! A GPA of 3.0 or above and a professor recommendation are required. Call or stop by for an application and interview. **Location: Library, Room 215; Telephone: 607-778-5333**
VETERANS & MILITARY AFFAIRS

SUNY Broome is approved by the Department of Veterans Affairs (VA) as a training facility for veterans and other eligible students. We currently coordinate services for more than 200 veterans who are attending classes and receiving veteran's benefits, including tutorial assistance; referrals for counseling for financial, vocational, and academic problems; and important information about resources available to them at the College. This office acts as a liaison between SUNY Broome and the Veterans Administration Regional Office in Buffalo.

Please note that the SUNY Broome Veterans & Military Affairs Office is responsible for certifying and monitoring enrollment, academic progress, and other academic information. It is the responsibility of the U.S. Department of Veterans Affairs to approve applications and to make decisions regarding payment, issuance of checks, and eligibility.

Location: Student Services Building
Telephone: 607-778-5148
Academic Advising: Health Sciences –
  Individual Studies, SS-210 ................................................................. 607-778-5210
Academic Advising: Liberal Arts, SS-210 ................................................. 607-778-5421
Accessibility Resources Office, LI-017 .................................................. 607-778-5150
Admissions Office, WC-102 .................................................................... 607-778-5001
Alumni Affairs, WC-213 ......................................................................... 607-778-5477
Applied Learning and Career Center, AT-206 ....................................... 607-778-5207
Art and Design, TH-210 ......................................................................... 607-778-5087
Assistance and Information ..................................................................... 607-778-5000
Athletics Office, SC-101 ......................................................................... 607-778-5003
Biology, NSC-207 .................................................................................... 607-778-5114
Bookstore, Campus Shop, SC ................................................................. 607-724-0696
Business & Public Services, BB-104 ....................................................... 607-778-5008
Chemistry, NSC-207 ............................................................................... 607-778-5114
Civic Engagement Office, SB-104 .......................................................... 607-778-5042
Clinical Lab Technologies, DH-217 ....................................................... 607-778-5495
Communications and Media Arts, TH-210 .......................................... 607-778-5087
Computer Science, AT-011 .................................................................... 607-778-5022
Continuing Education, WC-115 ............................................................. 607-778-5012
Counseling Services:
  Academic/Career/Personal/Transfer, SS-210 ....................................... 607-778-5210
Criminal Justice & Emergency Services, BB-104 .................................... 607-778-5008
Day Care (B.C. Center), BC .................................................................... 607-778-5437
Deaf & Hard of Hearing Office, LI-017 .................................................... 607-778-5398
Dean of Students, SB-227 ..................................................................... 607-778-5681
Dental Hygiene Clinic, DH-101 ............................................................... 607-778-5015
Dental Hygiene Department, DH-217 .................................................... 607-778-5149
Educational Opportunity Program (EOP), LI-017 .................................. 607-778-5220
Emergency Medical Tech. (EMT)/Paramedic, BB-104 ....................... 607-778-5008/5462
Engineering Technologies, MB-117 ..................................................... 607-778-5010
English, TH-210 ..................................................................................... 607-778-5087
Fast Forward/Early College, AT-201 ...................................................... 607-778-5619
Finance Office, SS-113 .......................................................................... 607-778-5053
Financial Aid, SS-111 ............................................................................. 607-778-5028
Foreign Language, ESL & Speech, TH-210 .......................................... 607-778-5094
Foundation, WC-201 .............................................................................. 607-778-5182
Health Information Technology, DH-217 ............................................. 607-778-5495
Health Services (Student), SB-102 ......................................................... 607-778-5181
History, Philosophy & Soc. Sci., TH-210 ............................................... 607-778-5094
Homeland Security, BB-104 ................................................................. 607-778-5008
Human Resources, WC-103 .................................................................. 607-778-5319
### IMPORTANT PHONE NUMBERS

<table>
<thead>
<tr>
<th>Department</th>
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<tbody>
<tr>
<td>Housing - Student Village, SB-223</td>
<td>607-778-5307</td>
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<tr>
<td>Ice Center, IC</td>
<td>607-778-5423</td>
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<td>Information &amp; Assistance</td>
<td>607-778-5000</td>
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<tr>
<td>Information Technology Services, BB-121</td>
<td>607-778-5011</td>
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<tr>
<td>International Admissions/ISSS</td>
<td>607-778-5187</td>
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<td>International Education, WC-204</td>
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<td>Job Placement Center, WC-115</td>
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<td>Learning Assistance Department, LI-017</td>
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<td>Liberal Arts Division, TH-210</td>
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<tr>
<td>Library (LRC) Circulation</td>
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<td>Mathematics, AT-011</td>
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<td>Mathematics Lab, LI-010</td>
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<td>Medical Assisting &amp; Health Studies, DH-217</td>
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<td>Music Office, CS</td>
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<td>Nursing, DH-217</td>
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<td>Paralegal, BB-104</td>
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<td>Performing Arts, TH-210</td>
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<td>Physical Education and Sport Studies, SC</td>
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<td>Physical Therapist Assistant, DH-217</td>
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<td>President’s Office, WC-107</td>
<td>607-778-5100</td>
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<td>Psychology &amp; Human Services, TH-210</td>
<td>607-778-5087</td>
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<td>Public Safety, PS</td>
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<td>Radiologic Technology, DH-217</td>
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<td>Registrar’s Office, SS-105</td>
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<td>Student Accounts, SS-113</td>
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<td>Student Activities, SB-227</td>
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<td>Student Assembly, SB-107</td>
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<td>Student Health Services, SB-102</td>
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<td>Student Success Squad, LI-017</td>
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<td>Teacher Education/Early Childhood, TH-210</td>
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<td>Testing Center, LI-015</td>
<td>607-778-4024</td>
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<td>Theater Office, SC</td>
<td>607-778-5191</td>
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<td>Transfer Counseling, SS-210</td>
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<td>Tutoring Services, LI-017</td>
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<td>Veterans’ Services, SS-102</td>
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<td>EVP and Chief Academic Officer, WC-107</td>
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<td>VP Administrative &amp; Financial Affairs, WC-107</td>
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<td>VP Student Development &amp; CDO, WC-107</td>
<td>607-778-5199</td>
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<tr>
<td>Writing Center, LI-012</td>
<td>607-778-5632</td>
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<tr>
<td>CALENDAR DATES FOR FALL 2018</td>
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<tr>
<td>First Day of Classes ........................................... August 27</td>
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<tr>
<td>Labor Day (No Classes) ..................................... September 3</td>
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<tr>
<td>Mid-Semester Break (No Classes) ..................... October 8-9</td>
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<tr>
<td>Thanksgiving Break (No Classes) .................... November 21-23</td>
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<td>Last Day of Classes ........................................... December 17</td>
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<tr>
<th>CALENDAR DATES FOR WINTER 2019</th>
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<tr>
<td>First Day of Classes ..................................... January 7</td>
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<tr>
<td>Martin Luther King, Jr. Day (No Classes) ...... January 21</td>
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<td>Last Day of Classes ....................................... January 25</td>
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<th>CALENDAR DATES FOR SPRING 2019</th>
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<tr>
<td>First Day of Classes ..................................... January 28</td>
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<tr>
<td>Mid-Semester Break (No Classes) .................. February 18</td>
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<td>Spring Break (No Classes) ........................ April 15-19</td>
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<td>Convocation Day (No Classes) ..................... April 9</td>
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<td>Last Day of Classes ...................................... May 21</td>
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<td>Graduation ..................................................... May 23</td>
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<th>CALENDAR DATES FOR SUMMER – FULL TERM</th>
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<tbody>
<tr>
<td>First Day of Classes ..................................... June 3</td>
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<tr>
<td>Last Day of Classes ....................................... August 9</td>
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<tr>
<th>CALENDAR DATES FOR SUMMER TERM I</th>
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<tr>
<td>First Day of Classes ..................................... June 3</td>
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<tr>
<td>Last Day of Classes ...................................... July 5</td>
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<th>CALENDAR DATES FOR SUMMER TERM II</th>
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<td>First Day of Classes ..................................... June 17</td>
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<td>Last Day of Classes ....................................... August 9</td>
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<th>CALENDAR DATES FOR SUMMER TERM III</th>
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<td>First Day of Classes .................................... July 8</td>
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<td>Last Day of Classes ...................................... August 9</td>
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<th>CALENDAR DATES FOR SUMMER TERM IV</th>
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<td>First Day of Classes .................................... July 1</td>
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<td>Last Day of Classes ...................................... August 9</td>
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STUDENT RIGHTS AND RESPONSIBILITIES

I. STUDENT FREEDOMS
   A. Admissions and Access
   B. Non-Discrimination Commitment
   C. The Classroom Environment
   D. Student Records and Property
   E. Student Organizations
   F. Freedom of Inquiry and Expression
   G. Educational Rights and Privacy Act (Buckley Amendment)
   H. Amorous Relationships

II. STUDENT COMMUNICATION POLICY

III. ACADEMIC HONESTY

IV. STUDENT ACADEMIC APPEALS PROCEDURE

V. STUDENT CONDUCT STANDARDS AND EXPECTATIONS

VI. SEXUAL VIOLENCE PREVENTION AND RESPONSE GUIDE
I. STUDENT FREEDOMS

A. ADMISSIONS AND ACCESS

The admissions policy of SUNY Broome Community College is consistent with the purpose and role of an open-door higher education institution. Admission standards are stated clearly in the general catalog and are based on the capacity of students to contribute to, or profit from, the particular educational programs they desire. The College makes clear to students the characteristics and expectations which it considers relevant to success in a chosen program. Admission to the College is not granted or denied on the basis of ethnic origin, race, religion, sex, sexual orientation, age, nationality, political belief or affiliation. Thus, within the limits of its facilities, SUNY Broome Community College is open to all students who are qualified according to its admission standards.

B. NON-DISCRIMINATION COMMITMENT

SUNY Broome Community College does not discriminate on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, sexual orientation, gender identity, transgender status, pregnancy, predisposing genetic characteristics, domestic violence victim status, military status or status as a disabled veteran or veteran of the Vietnam era in the recruitment of students; the recruitment and employment of faculty and staff; or the operation of any of its programs and activities. This also incorporates sexual discrimination, including sexual harassment and sexual violence (see “Definitions” of this handbook). Where relevant, state and federal laws apply.

Students have the right to pursue their academic programs and to seek services on campus without being subjected to illegal discrimination or discrimination that is in violation of SUNY Broome policy. They should be free of discrimination across campus, including, but not limited to, the following areas: admissions, financial aid allocations, student employment, educational programs, athletic programs, student activities, counseling, and placement services.

The designated coordinator for compliance with Title IV and VII of the Civil Rights Act of 1964, as amended, Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, as amended, and Section 402 of the Vietnam Era Veterans’ Readjustment Assistance Act of 1974, as amended, is the Affirmative Action Officer. Students who believe that they are being subjected to illegal discrimination or discrimination that is in violation of SUNY Broome policy may contact the Associate Vice President & Dean of Students (Title IX Coordinator) Scott Schuhert, at 778-5681, schuhertsm@sunybroome.edu, or in the Dean of Students Office, Room 227 in the Old Science Building. Students may

C. THE CLASSROOM ENVIRONMENT

Free and open discussion, speculation, and investigation are basic to the academic process. Student performance is evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic matters.

Students are free to take reasoned exception to views presented in any course of study and to reserve judgment on matters of opinion, but they are responsible for learning the content of any course of study in which they are enrolled.

Students do have orderly procedures to follow in order to be protected against prejudiced or capricious academic evaluation. They, at the same time, are responsible for maintaining standards of academic performance established for each course in which they are enrolled. An instructor may exclude from his/her course, any student who, in the instructor’s judgment, has seriously impaired the ability of the class to achieve the objectives of the course, or who is guilty of offensive conduct toward the instructor or other members of the class. The student may appeal the instructor’s action to the department chairperson who will, when necessary, detail the full grievance procedure to the student. (Copies of this procedure are available from department chair-people and other administrative offices).

D. STUDENT RECORDS AND PROPERTY

Students have a right to expect that institutional records will be safeguarded; that no information will be made available to unauthorized persons; that no information will be misused by College authorities; and information not pertinent to the students’ role in the College not be recorded.

E. STUDENT ORGANIZATIONS

It is recognized that students bring to the campus a variety of interests previously acquired and develop many new interests as members of the academic community. Within College guidelines, they are free to organize and join associations to promote their common interests. Affiliation with an extramural organization does not of itself disqualify a student organization from institutional recognition. Campus advisors are required for student organizations. Full details on campus procedures for clubs or organizations are available from the Director of Student Activities. It must be remembered that the College will disallow any association that threatens its openness, receptivity to free inquiry, and the overall learning process.
F. FREEDOM OF INQUIRY AND EXPRESSION
Students and student organizations are free to examine and discuss all questions of interest to them, and to express opinions publicly and privately. They are free to support causes by orderly means which do not disrupt the regular and essential operation of the institution. At the same time, it will be made clear to the academic and the larger community that in their public expressions or demonstrations students or student organizations speak only for themselves.

Students are allowed to invite and to hear any person of their own choosing. Routine procedures required by the College before a guest speaker is invited to appear on campus are designed only to ensure that there is orderly scheduling of facilities and adequate preparation for the event, and that the occasion is conducted in a manner appropriate to an academic community. Institutional control of campus facilities will not be used as a device of censorship. It should be made clear to the academic and larger community that student sponsorship of guest speakers does not necessarily imply approval or endorsement of the views expressed, either by the sponsoring group or the College.

No student or authorized visitor is subject to any limitation or penalty solely for the expression of his/her views, nor for having assembled with others for such purpose. Peaceful picketing and other orderly demonstrations in public areas will not be interfered with. Public areas include sidewalks and parking lots but not areas such as lobbies, corridors, and rooms in buildings.

In order to afford maximum protection to the participants and to the institutional community, students or student groups will give the College administration reasonable advance notice of any planned assembly, picketing, or demonstration upon the grounds of the institution, its proposed locale, and intended purpose.

The peddling of newspapers or handbills which convey a point of view in the public areas of the College campus is protected by the First Amendment. Harassment or intimidation of members of the campus community by persons distributing literature supporting points of view or causes may require the removal of those persons from College property. It is recommended that any student group planning to distribute literature notify the College administration of its plans so that the administration is aware of the group activities. (If an off-campus group wishes to come on campus and distribute literature supporting a point of view or cause, it shall seek permission to do so from the College administration).

G. EDUCATIONAL RIGHTS AND PRIVACY ACT (BUCKLEY AMENDMENT)
The Family Educational Rights and Privacy Act of 1974, as amended, establishes specific rights for students and/or their parents and prevents the release of certain information without the written consent of the student. Generally, this federal law gives students, former students, and alumni the right to review, in the presence of College personnel, their own personal records maintained
by the College, including academic and financial records. FERPA permits a post-secondary institution to tell parents of students under the age of twenty-one (21) when the student has violated any law or policy concerning the use or possession of alcohol or a controlled substance.

Specific information, such as the name of the student, full-time or part-time status, dates of attendance, SUNY Broome e-mail address, honors and degree earned, date of graduation, photograph, participation in officially recognized sports, and weight and height of members of athletic teams are available to the public. This will constitute the total amount of information given to any individual making inquiry at SUNY Broome Community College, unless the student or eligible parent refuses to permit the disclosure.

- Any student or eligible parent not wishing to disclose this information must notify the Registrar within two (2) weeks of the beginning of semester that such personally identifiable information is not to be designated as directory information with respect to that student.

Parents of dependent students, as defined by the Internal Revenue Service, may have access to the College records of their dependent sons or daughters without student consent. Parents may have access to their child’s information in the event of a health or safety emergency involving their child, without their child’s consent.

At SUNY Broome Community College, the repository for student records is the Office of the Registrar (SS-105).

In keeping with the spirit of Section 438 of the Act, the Registrar has been appointed as Records Access Officer. The following procedures have been developed for the benefit of the student and eligible parent:

- A student in attendance at SUNY Broome Community College shall, upon request, be able to view his/her educational records at the Office of the Registrar within 45 days of the date of said request. This request must be made in the Office of the Registrar.
- A parent or guardian of a student in attendance at SUNY Broome Community College who claims a student as a dependent on his/her Federal Income Tax Form, shall, upon proper presentation of the dependency condition, be afforded the same rights as set forth in Paragraph 1a. Further, in cases of divorce, the school may give access to either parent (custodial or non-custodial) unless there is a court order, state statute or other legally binding document prohibiting such.

Access to personally identifiable information about a student without the consent of the student may be provided by the College to the following individuals or agencies only:

- School officials with a legitimate educational interest. A school official is defined as a person employed by the College in an administrative,
supervisory, academic or support staff position (including law enforcement unit and health staff); SUNY System Administration officials; a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities

- School officials of educational institutions to which a student might transfer.
- Authorized state and federal government officials of educational and funding agencies.
- Educational research agencies, with the provision that they release only non-personally identifiable data.
- Accrediting organizations.
- The U.S. Department of Defense under the Solomon Amendment.

Disclosure Without Approval of Student or Eligible Parent:

- Upon receipt of a Judicial Subpoena of the records of a student, a reasonable attempt will be made to notify the student or the parent of the existence of the order of the subpoena in advance compliance therewith, unless subpoena states otherwise.
- In the event of an emergency involving the health or safety of a student, or other individuals, the Registrar may disclose information to Federal and State officials or to the student's parents.
- SUNY Broome Community College shall, on request, provide an opportunity for a hearing in order to challenge the content of a student’s education records to insure that information in the education records of the student is not inaccurate, misleading, or otherwise in violation of the rights of privacy or other rights of students. The request for a hearing will be directed to the Registrar.

H. AMOROUS RELATIONSHIPS

The following policy has been adopted by the SUNY Broome Community College Board of Trustees:

Members of the College community, regardless of gender or sexual orientation, are prohibited from being romantically or sexually involved with a person over whom they are in a position of direct, indirect, or implied power. Additionally, members of the College community, regardless of gender or sexual orientation, are prohibited from being in a position of direct, indirect, or implied power over someone with whom they are romantically or sexually involved. This includes, but is not limited to, persons whom one teaches, advises, coaches, counsels, mentors, evaluates, or supervises in any way.
Individuals in positions of authority must avoid making sexual overtures to students or employees whom they supervise or over whom they have another form of power. If a student or subordinate employee makes such overtures to a SUNY Broome employee who is in a position of power over the student or employee, the employee in the position of power must not allow a romantic relationship to develop.

Exemptions to this policy may be granted if full severance of the College relationship would create undue academic or financial hardship for the student or subordinate employee. However, if an exemption is granted, supervisory duties must be assigned to another employee to the extent possible.

**CAMPUS PROCEDURE**

Romantic or sexual relationships between college employees and students currently enrolled in their classes or under their direct or indirect supervision, or between supervisory employees and people whom they supervise (directly or indirectly), violate accepted standards of professional conduct. Such relationships are problematic for a variety of reasons:

- Conflict of interest issues arise. It is difficult, if not impossible, to evaluate objectively the work of a student or employee with whom one is or has been romantically involved.
- So-called “voluntary consent” is suspect, given the fundamentally asymmetric nature of power in a teacher-student or supervisor-subordinate relationship. If a charge of sexual harassment is subsequently lodged, it will be exceedingly difficult for the accused to sustain a defense on the grounds of mutual consent voluntarily given. This is a concern even if the faculty member or supervisor makes arrangements to eliminate the conflict of interest after the relationship has begun.
- The potential for abuse and exploitation is high during any such relationship. The potential for retaliatory harassment is strong when an affair ends.
- Other students or employees may be negatively affected by the real or apparent favoritism of an employee toward the person with whom he or she is involved.
- Because of the asymmetry of the power relationship, the employee in the position of power will always be presumed to bear a higher level of responsibility. However, because such relationships pose a variety of potential problems, students and subordinate employees are also strongly advised to avoid initiating or becoming involved in such relationships.
A. FOR EMERGING CONFLICTS OF INTEREST

If a relationship posing the conflict of interest described above may be developing, the employee in the position of power over the student or subordinate employee must report the situation within thirty (30) days and seek advice and counsel from his or her immediate supervisor, the Affirmative Action Officer, or the Human Resources Officer. The employee in the position of power must work with his or her supervisor, the Affirmative Action Officer and the Human Resources Officer, to make a plan to eliminate the conflict of interest, or must apply for an exemption from the policy. The plan for eliminating the conflict or the exemption must be put in writing, with a copy to the parties involved, to the immediate supervisor, and to the Affirmative Action Officer and the Human Resources Officer.

B. APPLYING FOR EXEMPTION

The preferable course of action for employees in positions of power is always to prevent a conflict of interest or to eliminate a conflict of interest immediately if one arises. If the conflict of interest cannot be entirely eliminated, however, and if fully severing the college relationship would create undue academic or financial hardship to the student or subordinate employee, then the supervisory employee must request an exemption from this policy. Such a request must be made to the immediate supervisor, the Human Resources Officer or the Affirmative Action Officer. The supervisor, the Affirmative Action Officer and the Human Resources Officer must meet to consider the request and make a recommendation to the President. If granted, the exemption must include a plan for assuring that, to the extent possible, supervisory duties are assigned to another employee to assure unbiased supervision or evaluation of the student or subordinate employee. The exemption must be put in writing, with a copy to the parties involved, to the immediate supervisor, and to the Affirmative Action Officer and the Human Resources Officer.

C. REPORTING VIOLATIONS

Violations of this policy should be reported to the violator’s immediate supervisor, the Affirmative Action Officer, the Human Resources Officer, or the College President. Members of the College community who receive such a complaint should report the complaint to the Affirmative Action Officer and/or the Human Resources Officer. The complaint will be investigated and recommendations will be made to the President who will then make the final determination on a course of action.

Complaints against the Affirmative Action Officer or the Human Resources Officer may be brought to the College President and must be investigated by appointees of the College President, who must then recommend an appropriate administrative course of action to the President. Complaints against the College President may be brought to the Chair of the Board of Trustees and must be
investigated by appointees of the Chair of the Board of Trustees, who must then investigate the complaint and recommend an appropriate administrative course of action to the Chair of the Board of Trustees. Complaints against Trustees may be brought to the Affirmative Action Office at SUNY Central.

VIOLATIONS OF THE POLICY OR PROCEDURE
Violations of the policy or procedure may result in disciplinary action, up to and including termination of employment.

II. STUDENT COMMUNICATION POLICY

A. OFFICIAL MEANS OF COLLEGE-WIDE COMMUNICATION
For College-wide communication, the official means of communicating with students will be via the MyCollege Portal (mycollege.sunybroome.edu). The MyCollege Portal is the official location for student self-service access to email, targeted messages, and information about grades, transcripts, financial aid status, registration status, and account balances.

B. OFFICIAL MEANS OF EMAIL COMMUNICATION
For individualized communication, students are provided with a College, Google-based, acad.sunybroome.edu email address. For example, email may be used for direct communication with faculty, advisors, and campus departments.

C. EMERGENCY NOTIFICATION
The College uses RAVE Alert to communicate immediate notifications regarding weather related closures, early dismissals, and other urgent messages to the campus community. In order to receive emergency notifications from this service, students should update their contact information in the RAVE Alert app via the MyCollege portal.

D. EXPECTATION REGARDING STUDENT USE
Students are expected to check the MyCollege Portal and their official email address, and to update their contact information in RAVE Alert for emergency notifications. The College will send official communications to registered students using these outlets, and this information may be time sensitive. Students who fail to check the MyCollege Portal or official email address several times a week are responsible for any resulting consequences.

E. EDUCATIONAL USE OF ELECTRONIC COMMUNICATION
Faculty will determine the means of electronic communication used in their classes. Faculty may use additional means of communication related to individual courses and will notify students of course communication expectations. Students should refer to course syllabi for particular details.

Questions about MyCollege Portal access, email account access, or emergency alert should be directed to Information Technology Services (ITS).
III. ACADEMIC HONESTY

PURPOSE

The purpose of this policy is to

• clearly define to all students the College standards regarding cheating, plagiarism, and other dishonest conduct and to protect the academic integrity of the institution and,
• ensure that grades earned by a student reflect the skills, knowledge and abilities acquired by the student.

TERMS

Bribery – Offering or receiving any service or article with the purpose or effect of receiving a grade or other academic benefit that was not earned on the merits of the academic work 1.

Cheating – Obtaining or giving unfair advantage over another, or receiving or giving unauthorized help before, during, or after an examination, quiz, or other graded assignment. Examples include 1:

• Unauthorized collaboration of any sort during an examination
• Reading of an exam before it has been given
• Unauthorized use of notes, books, tapes, computers, or other aids during an examination
• Allowing another person to take an examination in one’s place
• Looking at someone else’s examination during the examination period
• Allowing another person to use one’s own examination during the examination period
• Passing examination information to students who have not yet taken the exam

Facilitating Academic Dishonesty – Intentionally or knowingly helping or attempting to help another violate any provision of this Policy. Examples include but are not limited to:

• Allowing another student to view and/or copy answers during an examination
• Providing to other students one’s own work or that of others with the reasonable expectation that these will be used for the purpose of cheating or plagiarism
• Maintaining a file of exams or papers with the reasonable expectation that these will be used for the purpose of cheating or plagiarism
• Theft of other students’ notes, papers, homework, or textbooks for academic gain
• Placing another person’s work on the internet without his or her permission for academic gain
Fabrication and Misrepresentation – Misrepresenting or fabricating material, including misleading citation of sources, as well as falsified or fabricated data or results from experiments or other analyses; misrepresenting facts related to academic performance, including the justification of absences, late assignments, and other activities 1.

Forgery – Imitating another person’s signature on academic documents (for example, an academic advising form or one’s own paper that is signed with respect to the time of submission) or other official documents that have an effect on academic credit (for example, a medical form submitted in support of taking a make-up exam) or the altering of any writing, symbol, or object on a document, work of art, or project with the intent to defraud or deceive another 1.

Multiple Submissions – Submitting substantial portions of the same work for credit more than once, unless there is prior explicit consent of the instructor(s) to whom the material is being or has been submitted 1.

Plagiarism – Presenting the work of another person as one's own work (including papers, words, ideas, information, computer code, data, evidence, method, organizing principles, music, art, or style of presentation of someone else taken from the internet, books, periodicals, or other sources). Plagiarism includes, but is not limited to:  
- Quoting, paraphrasing, or summarizing of even a few phrases without acknowledgement of the source or failing to acknowledge the source of an idea
- Relying on another person’s data, evidence, or method without credit or permission
- Submitting another person’s work as one’s own work
- Failure to acknowledge the original source

Sabotage – Deliberately impairing, destroying, damaging, or stealing another’s work or working material. Examples include, but are not limited to:  
- Destroying, stealing, or damaging another’s lab experiment, computer program, paper, exam, or project
- Defacing, damaging, hoarding, displacing or unauthorized removal of library resources with the effect that others cannot use them or others have undue difficulty using them
- Interfering with the operation of a computer system so it has an adverse effect on the academic performance of others
- Altering materials on which others may rely to correctly complete their work

Unauthorized Collaboration – Collaborating on projects, papers, computer programs, or other academic assignments when prohibited by the instructor 1.
POLICY

It is the policy of SUNY Broome Community College to educate students about academic honesty standards, encourage adherence to the standards, and enforce the practice of acting with the highest standards of honesty and personal integrity in all aspects of their academic career.

STUDENT RESPONSIBILITIES

Students share the responsibility for maintaining academic honesty. Students are expected to:

• Refrain from acts of academic dishonesty
• Refuse to aid or abet any form of academic dishonesty
• Notify instructors and/or appropriate administrators about observed incidents of academic dishonesty
• Encourage other students to adhere to the standards of academic honesty

FACULTY RESPONSIBILITIES

Faculty members have the responsibility to support academic honesty in their classrooms. Faculty members are expected to:

• Explain the meaning of academic honesty to their students and refer them to the campus policy
• Conduct their classes in a way that makes academic dishonesty difficult
• Address students suspected of academic dishonesty and take appropriate disciplinary action in a timely manner

PROCEDURE

1. An instructor has the prerogative of failing a student who has violated the Academic Honesty Policy on an exam, paper, project, report, or other assignment for that exercise only.

2. An instructor has the prerogative of failing a student in the course when the student has violated the Academic Honesty Policy a second time. A grade of “F” assigned to a student for academic dishonesty is final and shall be placed on the transcript. If the student withdraws from the course, a “W” will not replace an “F” assigned for academic dishonesty. Academic disciplinary actions taken by the instructor based on alleged cheating may be appealed as specified in the College’s Academic Appeals Procedure.

3. If the disciplinary actions described in steps 1 and 2 are inappropriate, the instructor, with his/her department chairperson’s approval, can recommend an alternative action to the Dean and the Executive Vice President and Chief Academic Officer (EVP/CAO).

4. An instructor who fails a student on an assignment or in a course must file a report of the action with the following:
   a. The instructor’s chairperson
   b. The instructor’s dean
   c. The student’s chairperson
d. The student’s dean

e. The Executive Vice President and Chief Academic Officer

In addition, the instructor must notify the student in writing immediately after taking such action and shall provide the student with a copy of the action report. 7.

5. When an allegation of a violation of the Academic Honesty Policy leads to the failure of a course and has been upheld, the EVP/CAO may administratively suspend or dismiss the student from the College. 7.

6. The student and instructor’s deans and EVP/CAO shall maintain records of Academic Honesty Policy violations.

7. The EVP/CAO shall place a permanent notation in the file of any student who has been dismissed from the College for a violation of the Academic Honesty Policy.

8. An instructor shall be prepared to defend the disciplinary action in the event the student feels he/she has been falsely accused of violating the Academic Honesty Policy and appeals the instructor’s action by means of the Student Academic Appeals Procedure. 7.

9. Nothing in this policy shall prohibit a Department or Division from applying stricter standards for academic honesty as outlined in their respective policy manuals and approved by the Division Dean.

10. Any disciplinary action taken against a student for an alleged violation of this Academic Honesty Policy may be appealed by the student under the College’s Student Academic Appeals Procedure.

REFERENCES


IV. STUDENT ACADEMIC APPEALS PROCEDURE

PURPOSE
The purpose of this procedure is to guarantee the student ability to appeal academic decisions made on the part of instructors at SUNY Broome Community College, believed by a student to have been made in violation of Student Rights.

INTRODUCTION
SUNY Broome Community College’s Student Academic Appeals Procedure has its origins in the Joint Statement on Rights and Freedoms of Students¹, and subscribes to the spirit of that Statement. To protect the rights and freedoms of students and faculty members consonant with that document and to signal the College’s commitment to the mutual obligation of respect and civility fundamental to an academic community, the College establishes the following procedures to provide for the orderly, fair, and prompt resolution of student academic grievances. These procedures are intended to ensure due process and the equitable treatment and protection of all parties involved in academic appeals.

WHAT IS AN ACADEMIC GRIEVANCE?
An Academic Grievance is a complaint by a student that alleges a violation of student academic rights. A student may file an academic grievance when the following rights of the student are alleged to have been violated.

STUDENT RIGHTS
Students have the right to:

- Be evaluated fairly and in accordance with the policies established for the course. Both in the classroom and in conferences with students, the instructor should encourage free discussion, inquiry, and expression.
- Take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion. They are, however, responsible for learning the content of any course of study in which they are enrolled.

STUDENT RESPONSIBILITIES
Students have the responsibility to:

- Fulfill course requirements as presented by the instructor.
- Comply with course and classroom regulations established by the instructor and by the College relative to attendance, punctuality, and personal behavior.
- Treat instructors and fellow students with respect, and ensure that behavior in and out of class does not interfere with the learning of their classmates.
Academic grievances may not be used to challenge policies or procedures of general applicability.

**TERMS**

**Academic year:** Five (5) days prior to the beginning of the fall semester classes through two (2) days after graduation

**College:** SUNY Broome Community College

**Grievant:** A student who complains that a violation of student rights has occurred

**Instructor:** Refers to any person or persons hired by the College to provide academic instruction

**Principals:** Refers to the grievant and the instructor

**Semester:** Refers to the fall and spring semesters and specifically excludes the summer term

**Teaching day:** Any weekday that classes are in session during the academic year. (Saturdays, Sundays, holidays, scheduled breaks, and closures of the College as directed by the College are not considered teaching days for purposes of this procedure)

**WHO MAY GRIEVE?**

A student currently enrolled at the College who thinks that his/her academic rights have been violated or that a wrong action has been taken or a wrong decision made concerning a grade may grieve. The person initiating the grievance must be the alleged victim of unfair treatment; a grievance cannot be filed on behalf of another person.

**TIME LIMITS IN GENERAL**

- Every effort should be made to resolve the grievance as soon as possible. The student has sixty (60) calendar days after the beginning of the following semester to file a formal written academic grievance. Summer calendar days are not counted.
- All academic grievance procedures must occur during the academic year unless all parties are willing to meet outside the academic year to resolve the grievance.
- Grievances can only be initiated after the final grade for the course has been posted to the student’s transcript by the Registrar’s Office.
- If College personnel fail at any step to review and/or respond to a student’s grievance within the time limits provided, the grievance may proceed to the next step.
- Since the burden of proof lies with the grievant, if the student fails to respond to any resolution or finding within the time limits provided, the grievance shall be deemed to have been withdrawn.
- Time limits may be extended due to unforeseen circumstances if all parties are in agreement. Requests to extend time limits must be submitted in writing and signed by all parties involved in the grievance.
PROCEDURE

All parties involved in a student academic grievance will follow the procedure and steps described herein. During the time that a grievance is in progress, the student may attend classes; however, if the grievance involves a safety issue or disruptive student behavior, continued attendance of the student will be at the discretion of the instructor involved.

Both the student and the instructor must be present for Steps 1 and 2 proceedings. All meetings will be conducted on campus during regular business hours. In the case of evening, weekend, or online classes, alternative meeting arrangements can be made as agreed upon by all parties. Both principals have the right to the presence of an advisor of their choice commencing with Step 2. The advisors will not be attorneys, nor act in the capacity of attorneys. The principals may consult freely with their advisors, but their advisors will not be permitted to speak during the Step 1 and Step 2 Meetings. Both principals and their advisors are entitled to review all written documents pertaining to the grievance. Both principals will be accorded equal time for statements and rebuttals. In order to prevail at any of the meetings after an informal resolution attempt has been made, the student must show clear and convincing evidence that he/she has been subjected to a violation of his/her student rights. In keeping with the intent and spirit of the Academic Appeals Procedure, it is incumbent upon all parties involved to show respect, restraint, and responsibility in their efforts to resolve grievances and to participate in good faith during all meetings and conferences. In consideration for all parties involved, efforts should be made to resolve grievances and communicate decisions as expeditiously as possible.

INFORMAL RESOLUTION

The student and the instructor meet to discuss and attempt to resolve the grievance within a reasonable period of time after the action that gives rise to the complaint. If the student and the instructor are unable to resolve the complaint, the student is entitled to initiate a formal grievance.

STEP 1. MEETING WITH THE DEPARTMENT CHAIR

If after meeting informally with the instructor, the student elects to initiate a formal grievance, he/she must notify both the instructor and the department chair. The student will do so by completing and submitting an Academic Grievance Notification Form, available in the appropriate divisional dean's office. The dean's office will forward copies of the completed form to the department chair and instructor. The chair will then schedule a meeting with the instructor and the student in a venue determined by the department chair. This meeting must take place within ten (10) teaching days of the student's submission of the Academic Grievance Notification Form.
The student, the instructor, and the department chair meet to discuss the grievance. The student proceeds first, outlining his/her grievance and allegations of violations of student rights. At the conclusion of the student’s presentation, the instructor and the department chair are entitled to ask the student questions. The instructor is then entitled to present information concerning the grievance. At the conclusion of the instructor’s presentation, the student and the department chair are entitled to ask the instructor questions. The department chair then leads a discussion in an attempt to resolve the grievance. If no resolution can be reached, the department chair issues a finding to the principals and the dean, in writing, within five (5) teaching days of the meeting.

**STEP 2. APPEAL TO THE DEAN**

If the student, the instructor, and the department chair are unable to resolve the grievance at Step 1, and the student disagrees with the department chair’s finding and wishes to appeal the department chair’s finding, the student must put the grievance in writing and forward it to the appropriate dean, with copies to the instructor and the department chair, within five (5) teaching days after receiving written notice of the finding from the department chair.

The written grievance statement submitted by the student should include:

- The name of the instructor involved and the course number and title, and the time and place of the alleged action(s) that led to the grievance, if applicable.
- A description of the alleged action(s) that led to the grievance.
- A statement of how the decision or action is unfair and/or harmful to the grievant. The statement may reference those policies, rules, or regulations that have been violated, misapplied, or misinterpreted, if known.
- A list of documents related to the grievance.
- A statement of a desired outcome requested by the student to resolve the grievance.
- The grievance will be dated and include the student’s signature, student identification number, local telephone number, residential address and email address.

The instructor shall provide a written response to the student, department chair, and dean within five (5) teaching days of receipt of the written grievance statement from the student. The dean will arrange and conduct a meeting within five (5) teaching days of receipt of the written position of the instructor and department chair, in a venue determined by the dean, to be held with the student, the instructor, and the department chair. Advisors to the student and the instructor are welcome to attend this meeting.

In the Step 2 Meeting, the student, instructor, department chair, and dean meet to discuss the grievance. The student proceeds first, outlining his/her grievance and allegations of violations of student rights. At the conclusion of the student’s
presentation, the instructor and the dean are entitled to ask the student questions. The instructor then has the right to present information concerning the grievance. At the conclusion of the instructor’s presentation, the student and the dean are entitled to ask the instructor questions. The department chair then is entitled to present information in support of the finding from the Step 1 Meeting. The dean then leads a discussion in an attempt to resolve the grievance. If no resolution can be reached, the dean issues a finding within five (5) teaching days of the meeting to the student, the instructor, and the department chair.

**STEP 3. APPEAL TO THE EXECUTIVE VICE PRESIDENT AND CHIEF ACADEMIC OFFICER**

If the student, the instructor, the department chair, and the dean are unable to resolve the grievance at Step 2, and the student disagrees with the dean’s finding and desires to appeal the dean’s finding to the Executive Vice President and Chief Academic Officer (EVP/CAO), the student must notify the dean of this fact, in writing, within five (5) teaching days. The dean will forward all written materials and the dean’s written resolution or finding to the EVP/CAO within five (5) teaching days of receipt of the student’s notice to the dean that he/she disagrees with the dean’s finding. The EVP/CAO will then refer the matter and forward all pertinent information to the Standing Academic Grievance Committee, which will recommend within five (5) teaching days, membership of an Ad Hoc Hearing Committee to the EVP/CAO. The Ad Hoc Hearing Committee will have the representation stipulated below.

- One teaching faculty member with Continuing Appointment who is from the same division as the instructor named in the grievance but not from the same department.
- One academic department chair from a different academic division.
- One non-classroom faculty member with Continuing Appointment.
- Two students selected from a list of students provided by the Student Assembly. The students will not be current members of the course section at issue or of the course.

The principals involved in the grievance, namely the student and the instructor, are entitled to review the membership of the committee and request, in writing, the replacement of any individual. If there is a request by either party to replace one or more committee members, it will be reviewed by the EVP/CAO. The EVP/CAO may approve or deny such a request, in writing, within five (5) teaching days of the receipt of the request. If the EVP/CAO approves the request, he or she will direct the Standing Academic Grievance Committee to appoint another member to the Ad Hoc Hearing Committee. The principals involved in the grievance are entitled to review the membership of the committee again as outlined in this paragraph and until a full Ad Hoc Committee is established following the procedure in this paragraph.
Either the teaching faculty member or academic department chair member of the Ad Hoc Hearing Committee will be designated Committee chairperson and will have the responsibility of reporting the recommendation of the Committee, in writing, to the EVP/CAO.

The Committee will have ten (10) teaching days from the date on which its members were approved to complete its business. The final recommendation of the Committee is to be presented, in writing, to the EVP/CAO within five (5) teaching days after the completion of its deliberations.

The Committee’s final written recommendations to the EVP/CAO should include a statement asserting:

- That the appeal procedures have or have not been followed, and
- That the student has or has not been treated fairly in accordance with course guidelines.
- That the previous recommendations of the department chair or the dean should be followed or,
- That a previous recommendation be modified with said modifications enumerated or,
- That the previous recommendations be abandoned and substituted with the Committee’s own recommendations, or
- That no action should be taken.

After preparing the written report for the EVP/CAO, the Committee chairperson will have each member review the recommendation and sign it. The Committee chairperson will forward the signed recommendation to the EVP/CAO within five (5) teaching days after the completion of the Committee’s deliberations.

**STEP 4. EXECUTIVE VICE PRESIDENT AND CHIEF ACADEMIC OFFICER ACTION**

The EVP/CAO will review the recommendation of the Ad Hoc Grievance Committee. If the EVP/CAO finds the recommendation and the proceedings complete, reasonable, and just, the EVP/CAO will declare the Committee’s recommendation binding upon both principals. If there is some cause to question the recommendation or the proceedings of the Committee, the EVP/CAO will send his/her statements of concern, in writing, back to the Committee for further deliberation and resolution. The Committee will submit its response to the concerns of the EVP/CAO, in writing, within five (5) teaching days of receipt of these concerns from the EVP/CAO. The EVP/CAO will then make the final decision in accordance with all the recommendations.

The final decision and supportive rationale will be communicated, in writing, by the EVP/CAO within five (5) teaching days (which may be extended for due cause) to the principals, the appropriate department chair, the dean, and the chair of the Committee. This written decision constitutes the final step in the resolution of the grievance within the institution.
STEP 5. RECORDING
After receiving the final decision, the principals will have the right to file a statement with the EVP/CAO. Any statement filed will be included in the record of the proceedings.

REFERENCES

V. STUDENT CONDUCT STANDARDS AND EXPECTATIONS

A. COMMUNITY LIVING UNDERSTANDING AND EXPECTATIONS
Every student is a member of the living and learning community of SUNY Broome. As a member of this community, each individual has certain rights as a student. Each individual must recognize that other members of this community are affected by their actions, and great care should be given in creating an open and accepting environment. For this reason, it will be important that each individual learn to compromise with others in order to maintain an environment in which all members of the community may grow as individuals, and may pursue learning as a fundamental part of the campus experience. Students should conduct themselves in a respectful and dignified manner. As a member of this community, students agree to abide by local, state, and federal laws, as well as by the SUNY Broome Conduct Standards and Expectations at all times.

B. STUDENT CONDUCT PHILOSOPHY
The student conduct process is designed to enforce college policy and residence hall regulations while reinforcing the College’s educational mission. Community living requires standards of conduct, cooperation, negotiation, and respect for all community members, including students and staff. The student conduct process functions cooperatively with Academic Affairs, Athletics, the Office of Housing, Counseling Services, the SUNY Broome Department of Public Safety, and local police and emergency response agencies. A student may be referred to a Student Conduct Administrator for an alleged policy violation.

C. GOOD SAMARITAN POLICY
On July 20, 2011, Governor Cuomo signed a “Good Samaritan” law, designed to encourage individuals to call 911 for help in an alcohol or other drug emergency.

The primary reason people do not call 911 in the event of an overdose is fear of getting arrested. The law protects people who witness an overdose, suffer one, and those who call 911 from being arrested, charged, or prosecuted for possession of drugs/paraphernalia or under-age alcohol possession.
In believing that there is great value in this law and in making sure students know that we hold student safety and well-being as the highest priority, SUNY Broome will NOT bring conduct charges against those seeking assistance for someone in need of medical attention if they are in possession of drugs or alcohol. This law does not protect against arrest, charge, or prosecution for other offenses, such as drug trafficking. For more information visit: http://www.health.ny.gov/diseases/aids/general/opioid_overdose_prevention/index.htm

D. RULES OF STUDENT CONDUCT

All individuals are responsible for their behavior while a member of the SUNY Broome community. This includes students, guests, and/or visitors. Individuals will be held responsible for their behavior both on and/or off campus.

The following behaviors are prohibited. Students engaging in, attempting to engage in, or assisting in the following are subject to student conduct action. Students are also accountable for the actions of others they deliberately incite to commit a violation of policy. Students may also be responsible for being aware of a policy violation and not reporting it to a SUNY Broome staff member. Students are expected to contact SUNY Broome Community College staff, including Public Safety, should they be a witness to any of the following behaviors.

Students, who have guests and/or visitors not affiliated with SUNY Broome, must inform them of the rules and regulations. Students may be held accountable for their guest’s actions.

1. Sexual assault, rape, any form of sexual violence, domestic violence and/or dating violence
2. All forms of harassment, including sexual harassment, bullying, and cyberbullying
3. Making unauthorized video or photographic images of a person in a location in which that person has a reasonable expectation of privacy
4. Stalking and/or engaging in an ongoing pattern of communication likely to cause injury, distress, or emotional or physical discomfort that serves no legitimate purpose, including the distribution of nude or sexually explicit video or photographic images of a person
5. Endangering, threatening, or causing physical harm to any person(s) or causing reasonable apprehension of such harm
6. Any behavior, actual or perceived, which demonstrates disrespect for others based on age, ancestry, color, religion, disability, gender identity, gender expression, national origin, race, sex (including pregnancy), sexual orientation, or any other protected class of an individual or group of individuals. Commonly referred to as a Hate Crime
7. Possession of weapons, dangerous chemicals, explosives, or items that are replicas or have been altered to appear as a real weapon, such as a toy gun being painted black to appear as though it is an actual gun
8. Disorderly conduct
9. Hazing
10. Damaging property
11. Tampering with safety alarms or equipment, those devices in place for the protection of the residents or security of the building
12. Causing a fire, regardless of size or intent, on the SUNY Broome campus without prior authorization
13. Theft, abuse, or unauthorized use of personal or public property, including presence on building roof areas, balconies, window ledges and other unauthorized areas, possession of stolen property, littering, vandalism, and/or unauthorized entrance to college facilities
14. Providing false identification, refusing to provide identification when requested by a SUNY Broome official, or failure to render reasonable cooperation with SUNY Broome staff
15. Possession, use, manufacture, sale, or distribution of any false, fraudulent, stolen, otherwise illegal, or ill-gotten currency, identification card, credit/debit (or similar) card, or document
16. Violation of maintenance regulations, including, but not limited to, physically altering a residential room or suite, it's amenities, connections, or implements in any fashion other than that which is approved by the Department of Housing
17. Intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other emergency
18. Drugs/Controlled Substances
   1. Possession, personal use, purchasing, or distribution of controlled substances, illegal drugs, or prescription drugs prescribed to another person; Salvia or other hallucinogenic; or possession of drug paraphernalia containing drug residue
   2. Attendance at a gathering where illegal drugs have been used
   3. If, in on-campus housing, marijuana (odor or material) is positively identified by trained law enforcement personnel and (a) no one opens the door for SUNY Broome Public Safety Officer or Housing Staff or (b) no residents of that suite take responsibility for the behavior if found in a common/shared space, all residents of that living space will be held responsible for violating Code 18.2.
19. Consumption or possession of alcoholic beverages, with the only exception being for individuals of the age 21 or older at a SUNY Broome sponsored event
20. Computer and technology misuse
21. Failure to comply with the lawful directions of any college official, staff member, or student employee who is acting in performance of duties of position or is explicitly assuming responsibility on behalf of the College in the absence of a particular official
22. Abuse of the Conduct System, including the following:

1. Failure to obey the summons of a Student Conduct Administrator College official
2. Falsification, distortion, or misrepresentation of information before a Student Conduct Administrator
3. Disruption or interference with the proceeding of a student conduct hearing
4. Attempting to discourage an individual’s proper participation in, or use of, the student conduct system
5. Attempting to influence the impartiality of a panel member prior to and/or during the course of the student conduct proceeding
6. Harassment and/or intimidation of a panel member, witness, or complainant prior to, during, and/or after a student conduct proceeding
7. Influencing or attempting to influence another person to commit an abuse of the student conduct system

23. Unauthorized gambling on campus or at organized student activities

24. Violation of the laws of the United States, the State of New York, Broome County, City of Binghamton, the Town of Dickinson, or any other civil jurisdiction

25. Violation of published SUNY Broome regulations or policies

26. Knowingly acting or planning to act in concert to violate SUNY Broome Community College policy and/or knowingly allowing another person to violate SUNY Broome policy without reporting to a college official (Joint Responsibility)

E. DEFINITIONS

The following definitions are meant to guide the reader as to the intent behind certain words and phrases. No policy can be so precisely written as to address all possible situations. When this Student Code of Conduct does not address a specific behavior, students are expected to conduct themselves in the spirit of this Code and with respect for the dignity and well-being of others.

1. The terms “SUNY Broome” and “College” mean SUNY Broome, State University of New York Community College.
2. The term “preponderance of evidence” is defined as having enough information to support that the act “more likely than not” occurred.
3. The term “sexual assault” is defined as sexual acts that include, but are not limited to, unwanted touching of an intimate part of another person such as sexual organ, buttocks or breast; sodomy; oral copulation; and rape by foreign object by a friend, acquaintance or stranger
   a. that is forced, manipulated, or coerced through use of verbal coercion, intimidation (emotional and/or physical), threats, physical restraint and/or physical violence; and/or
b. where no consent was given due to the victim's being unconscious, asleep, or unable to communicate, or to the victim's saying nothing; and/or

c. where the victim is temporarily incapable of appraising or controlling his or her conduct owing to the influence of alcohol or other drugs he or she consumed, or to any other act committed upon him or her without his or her consent.

4. The term “rape” is defined as sexual intercourse with a friend, acquaintance, or stranger:
   a. that is forced, manipulated, or coerced through use of verbal coercion, intimidation (emotional and/or physical), threats, physical restraint, and/or physical violence; and/or
   b. where no consent was given due to the victim's being unconscious, asleep, or unable to communicate, or to the victim's saying nothing; and/or
   c. where the victim is temporarily incapable of appraising or controlling his or her conduct owing to the influence of alcohol or other drugs he or she consumed, or to any other act committed upon him or her without his or her consent.

5. The term “sexual violence” means physical sexual acts perpetrated against a person's will, or where a person is incapable of giving consent due to the victim's use of drugs or alcohol, or due to an intellectual or other disability. Acts of sexual violence include rape, sexual assault, sexual battery, and sexual coercion.

6. “Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
   a. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the individuals involved in the relationship.
   b. For the purpose of this definition:
      i. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
      ii. Dating violence does not include acts covered under the definition of domestic violence.

7. “Domestic violence” means a felony or misdemeanor crime of violence committed:
   a. By a current or former spouse or intimate partner of the victim;
   b. By a person with whom the victim shares a child in common;
   c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
d. By a person similarly situated to a spouse of the victim under the
domestic or family violence laws of the jurisdiction in which the
crime of violence occurred, or
e. By any other person against an adult or youth victim who is
protected from that person's acts under the domestic or family
violence laws of the jurisdiction in which the crime of violence
occurred.

8. “Harassment” is unwelcome conduct by any means, including
electronic, directed against a person which is so severe or pervasive that
it interferes with an individual’s employment, academic performance,
or participation in SUNY Broome programs or activities, and creates a
working, learning, program or activity environment that a reasonable
person would find intimidating, hostile or offensive. Harassment
includes bullying and cyberbullying.

a. The term “sexual harassment” means unwelcomed sexual advances,
requests for sexual favors, and/or other unwelcomed verbal or
physical conduct of a sexual nature that substantially interferes with a
person's performance or creates an intimidating, hostile, or offensive
environment.

9. The term “stalking” means intentionally, and for no legitimate purpose,
engaging in a course of conduct directed at a specific person and which
one knows or should reasonably know is likely to distress, intimidate, or
threaten. Such conduct creates reasonable fear of material harm to the
physical, mental or emotional health, safety, or property of the targeted
individual, a member of their immediate family, or a third party with
whom the individual is acquainted.

10. “Hate Crime” is a crime reported to local police agencies or to a
campus security authority that manifests evidence that the victim
was intentionally selected because of the perpetrator’s bias against the
victim.

11. “Disorderly conduct” is prohibited and/or disruptive behavior on SUNY
Broome premises or at off campus sponsored activities which interfere
with the activities of others, including the normal operations of SUNY
Broome as an institution. This includes, but is not limited to, obscene,
indecent, or grossly inconsiderate behavior; exposure of others to highly
offensive conditions; and disregard for the privacy of self or others.

12. The term “hazing” is defined as any action taken, or situation created,
involving prospective or new members of a group, or as a condition
of continued membership in a group (team, club, or other association
or organization), which would be perceived by a reasonable person
as likely to produce mental or physical discomfort, harm, duress,
embarrassment, harassment, or ridicule. This definition of hazing
applies whether or not the participants consent to such activity or
perceive the behavior as voluntary.
13. The term “weapon” includes, but is not limited to, (a) firearms, such as handguns, shotguns, rifles, pellet guns, machine guns, stun guns, tasers, or electronic stun weapons; (b) explosives, such as bombs, grenades, blasting caps, or other containers containing explosive substances; and (c) other equipment, material, and devices that, in the manner they are used could ordinarily cause harm, or are readily capable of causing serious bodily injury.

14. “Computer and technology misuse” includes, but is not limited to: unauthorized entry into a file, to use, read, change the contents, or for any other purpose; unauthorized transfer of a file including violation of the Digital Millennium Copyright Act (DMCA); unauthorized use of another individual’s identification and password; use of computing facilities to interfere with the work of another student, faculty member, or College official; use of computing facilities to send obscene or abusive messages; or use of computing facilities to interfere with normal operation of the SUNY Broome’s computing system.

F. HOW TO FILE A REPORT OF MISCONDUCT

Any person, department, organization, or entity may file a report of misconduct involving a student or campus visitor for violation of the Student Code of Conduct. To file an incident report online, individuals can utilize the online reporting system at https://publicdocs.maxient.com/incidentreport.php?SUNYBroome.

In addition to the online reporting form above, reports of misconduct concerning academic conduct matters can also be made to the Dean or Chair responsible for that particular academic program. If the misconduct is of a non-academic nature, reports can also be made to a Public Safety or a Housing staff member. The staff member shall assist the individual with the required documentation and refer the complaint immediately to the appropriate Student Conduct Administrator.

In the event that the misconduct is an emergency, individuals should immediately call 911. Nothing in this procedure shall prevent the reporting individual from contacting Public Safety directly where there is a risk of harm or criminal activity.

If the misconduct involves sexual assault, domestic violence, dating violence, and/or stalking, additional resources for reporting can be found in the SUNY Broome Community College Sexual and Interpersonal Violence Prevention and Response Guide portion of this booklet. Federal, state, local, and SUNY guidelines are set so that all those impacted by sexual violence can be supported throughout the process. Information concerning the applicability of Title IX can be obtained from the U.S. Department of Education Office of Civil Rights, http://www2.ed.gov/about/offices/list/ocr/docs/howto.html.

If a student wishes to file an academic grievance, they must do so by following their departmental guidelines. This information can be found at https://www.sunybrome.edu/student-academic-appeals-procedure.
G. STUDENT CONDUCT PROCEDURES

The SUNY Broome conduct system manages all incidents where there has been an alleged violation of the Code of Conduct. The process emphasizes the well-being of all students involved and strives to create an environment where education about impact limits recidivism. The determination of responsibility will be made on whether there is a preponderance of evidence/information that the student(s) violated the Code of Conduct.

The following process is used to adjudicate all conduct cases with the exception of those incidents deemed Title IX complaints, which include sexual harassment, sexual assault, rape, sexual violence, dating violence, domestic violence, and stalking. The process for adjudicating Title IX cases can be found at http://www2.sunybroome.edu/dos/title-ix-conduct-process/ or in the SUNY Broome Community College Sexual and Interpersonal Violence Prevention and Response Guide portion of this booklet.

The following is the structure in which student conduct cases are heard and ruled upon.

1. When a Student Conduct Administrator (SCA) receives notice of a possible violation of a college policy or residence hall regulation, the SCA will determine if the report requires further attention which may lead to disciplinary charges and sanctions.

2. If the SCA determines that there may have been a violation of the Code of Conduct, the SCA will schedule to meet the referred student(s) for a student conduct hearing to discuss the incident.
   a. Advisors
      i. Any student may be accompanied by an advisor at any point in the process
      ii. Advisors are not permitted to participate in the conduct process
         1. If the student and advisor wish to speak to each other, they may ask for a moment to confer
   3. At this hearing, the referred student(s) will be provided a description of the incident and the alleged violation(s). The student(s) will be given an opportunity to hear the allegations and offer their description of what happened. During this hearing, the student is expected to be honest and encouraged to ask questions.
      a. If a student fails to attend the conduct hearing with the SCA, the hearing may take place in the absence of the student. The student is responsible for completing all assigned sanctions, and maintains the right to appeal the decision to the Dean of Students.
   4. The SCA shall render a decision based on statements and evidence presented in the hearing. The decision will consist of the following options:
a. Find the student “responsible” for violation of one or more allegations.
b. Find the student “not responsible” for violation of one or more allegations.
c. Dismiss one or more allegations based on insufficient evidence.

Information for Students Who Leave SUNY Broome Before Their Case is Heard or Concluded (One Year Rule):

Students who leave SUNY Broome with an outstanding conduct case being open against them will have a hold has been placed on their account requiring the resolution of this case prior to their return to SUNY Broome Community College.

Effective Fall 2018, should the accused student not attempt to re-enroll within one year from the date of incident, SUNY Broome Community College staff will move forward with adjudicating the case regardless of their student status. At that time, they will be invited to participate in the hearing, and although not required, we would appreciate their participation.

Important Additional Information:

*Exceptions to the Conduct Process may be made for instances where there are concerns for the safety of the SUNY Broome Community College community. During those instances, the student(s) accused will be granted due process by proceeding directly to the appeals process for final adjudication.

**Cases involving Interpersonal Violence, including Sex or Gender Discrimination, will be adjudicated as described in the Sexual and Interpersonal Violence Response Guide.

***Students will be notified via the SUNY Broome e-mail system, unless a preferred e-mail address has been submitted by the student, of all scheduled student conduct matters (incident reports being filed, hearings, decisions, appeals, etc.). It is the responsibility of each student to check their email daily. If a student is unable to access their email or has a problem viewing any correspondence, it is their responsibility to seek the assistance of the SCA or Housing staff member.

H. SANCTIONS

SUNY Broome assigns sanctions to students found responsible for violations of the Code of Conduct with the aim of producing an educational outcome, while also taking into consideration the well-being of the victim and the SUNY Broome community.
All sanctions are intended to deter future violations. The following sanctions may be imposed:

1. *Educational Conversation* – A verbal warning to the student that he/she has violated residence hall or College policy. This warning should include the nature of the violation and the consequences of further offense.

2. *Written Warning* - A written statement to the student that further violations of the Code of Student Conduct will be followed by an escalated response in conduct action and sanctions by the College. Censures shall become a part of the College’s student conduct file and the student’s educational record.

3. *Restitution* - In all student conduct violations involving theft and/or damage to college/residence hall property, restitution may be required. The form and/or amount of this restitution are to be determined by the Student Conduct Administrator hearing the case.

4. *Fines* - Fines of varying amounts may be imposed for certain violations. Fines issued to students for misconduct will be added to the student’s financial obligations to the college and billed through the SUNY Broome Student Accounts Office. Fines must be paid prior to the end of the current term, otherwise a student’s registration privileges may be withheld or prior registration canceled.

5. *Community Service* - Community Service is a student conduct sanction which requires a student to perform unpaid work of benefit to the College community. Community Service provides an opportunity for the student to contribute positively to their community. The tasks support and supplement services existing on campus.

6. *Educational Project* - An educational project, designed to assist the student in better understanding the overall impact of their conduct decision may be required. Such assigned projects may include, but are not limited to, research papers, the creation of educational materials, or the planning and/or presentation of educational programs related to the policy infraction. Assigned projects may not include physical labor unless they are directly related to the violation(s) and are not designed to cause humiliation or degradation to the student.

7. *Loss of Privilege* - Any privilege offered to the student may be suspended or revoked, such as hosting visitors in housing, being a guest or visitor in housing, attending functions, or borrowing campus/hall equipment, participating in open gym, etc.

8. *Referral* - A student may be referred to any college/community resource deemed necessary for the assistance of the student.

9. *Residence Hall Relocation* - An official action moving a student from one room to another within the residence halls. Students relocated to another room may be restricted from entering a specified room, suite, floor, or building. Such written statements shall become a part of the College’s student conduct file and the student’s educational record.
10. **Residence Hall Summary Suspension** - Immediate eviction/removal from the residence halls while a student conduct hearing or appeal is in process. Students summarily suspended from the residence halls may not return to the halls or surrounding grounds as a guest, and may be arrested for trespassing. Students will receive written notification of the outcome of their student conduct hearing or appeal, their standing in the residence halls, and that of their housing agreement. Such written statements shall become a part of the College’s student conduct file and the student’s educational record.

11. **Residence Hall Removal** - Eviction/removal from the residence halls and termination of the student’s housing license. Students removed from the residence halls may not return to the halls or surrounding grounds. Students found in violation of the terms of their Residence Hall Removal may be arrested for trespassing. Such written statements shall become a part of the College’s student conduct file and the student’s educational record.

12. **College Disciplinary Probation** - An official action informing the student that the violation of any College regulation during the probationary period may result in suspension or expulsion. During this specified period, the student may be excluded from acting as a representative of, or participant in, any College co-curricular activity or program, and may be restricted or denied the use of or participation in certain College facilities and/or activities. During this specified period, residence hall privileges (if appropriate), such as hosting guests/visitors or borrowing hall equipment, may be revoked. Such written statements shall become a part of the College’s disciplinary file and the student’s educational record.

13. **Summary Suspension** - Suspension from classes and other privileges set forth in the notice of suspension for a specified period of time. A student summarily suspended has the right to a timely hearing with the Vice President for Student and Economic Development or designee. Such written statements shall become a part of the College’s disciplinary file and the student’s educational record.

14. **College Suspension** - Suspension from classes and other privileges or activities set forth in the notice of suspension for a specified period of time. Such written statements shall become a part of the College’s disciplinary file and the student’s educational record.

15. **Expulsion** - Termination of student’s status at the College. Such written statement shall become a part of the College’s disciplinary file and the student’s educational record.

Once the sanctions have been assigned, the student is responsible for completing all assigned sanctions or further action may be taken. The student also maintains the right to appeal the decision to the Dean of Students.
Notwithstanding the above disciplinary procedure, the College reserves the right to protect the learning environment by responding immediately to threatening or inappropriate behavior. This includes instituting an immediate Summary Suspension mandating that the student(s) vacate the campus until the conclusion of the conduct process.

Students suspended or expelled from the College may not use the fact of such action, or the consequences of such action, as the basis for an academic grievance. Further, suspended or expelled students are responsible for any financial obligation which may have been incurred as a result of the disciplinary sanction.

I. TRANSCRIPT NOTATIONS

As required by New York State Education Law, Article 129-B, crimes of violence, including, but not limited to sexual violence, will be notated on the transcripts of students found responsible after the conclusion of the institutional conduct process AND the resulting sanction of the conduct process includes either suspension or expulsion. The notation on the transcript will read “Suspended after a Finding of Responsibility for a Code of Conduct Violation” or “Dismissed after a Finding of Responsibility for a Code of Conduct Violation.”

For the respondent who withdraws from the institution while such conduct charges are pending, and declines to complete the disciplinary process, institutions shall make a notation on the transcript of such students that they “Withdrew with Code of Conduct Charges Pending.”

Crimes that meet the reporting requirements pursuant to this law include:

- **Criminal Homicide - Manslaughter by Negligence**: The killing of another person through gross negligence.
- **Criminal Homicide - Murder and Non-negligent Manslaughter**: The willful (non-negligent) killing of one human being by another.
- **Rape**: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling**: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest**: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape**: Sexual intercourse with a person who is under the statutory age of consent.
- **Robbery**: The taking, or attempting to take, anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
• **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon, or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could, and probably would, result in serious personal injury if the crime were successfully completed.)

• **Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

• **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

• **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Should any student with such a notation on their transcript like to appeal the notation, they may do so in writing to the Dean of Students and justify the removal using one of the two following conditions:

- The student has returned from their suspension and has been a student at SUNY Broome for at least one year without behavioral incident.
- The conduct finding of responsibility has been vacated.

Upon an appeal being received, the Dean of Students will bring the request forward to the appropriate institutional personnel, including, but not limited to the Chief of Public Safety, for review and determination.

A notation for expulsion will not be removed unless the finding of responsibility has been vacated.

**J. APPEAL PROCESS (except for Title IX Violations)**

**For cases where a sanction DID NOT include Suspension or Expulsion:**

Students may appeal a decision of the Student Conduct Administrator. The appeal must be made in writing; within 48 hours of the electronic notification of the decision, to the Dean of Students, or designee, at DOS@sunybroome.edu.

The submitted letter of appeal should clearly identify the basis for the appeal. Appeals must be made on at least one of the following two reasons:

- New evidence: information relevant to the incident that is discovered and brought forth after the original hearing that may influence the outcome of the decision
- Violation of due process: not being informed of alleged violations, provided the opportunity to discuss the incident; and given the right to appeal
The Dean of Students, or designee, will determine if an appeal should be granted. Notification of the decision will be made to the student within three (3) business days.

Should the Dean of Students find that the information presented by the student warrants a new hearing, the Dean will call together a Student Conduct Appeals Board to rehear the case.

**For cases where a sanction DID include Suspension or Expulsion:**

Students who were found responsible for violating a SUNY Broome Community College Conduct Standards and Expectations, and the assigned sanction is Suspension or Expulsion, have the right to have an appeal hearing without providing cause. The appeal request must be made in writing, within 48 hours of the electronic notification of the decision, to the Dean of Students, or designee, at DOS@sunybroome.edu.

Depending upon the severity of the disciplinary violations, a suspended or expelled student may or may not be permitted to attend class during the appeal hearing process.

**Preparing for the Appeal:**

If a student appeal is granted the opportunity to appeal, all attempts will be made to have the conduct case reheard within ten (10) business days of the appeal hearing being granted. In the event that a student requests a disciplinary hearing during the last two weeks of a semester, the hearing will be held as soon as possible the following semester.

Prior to the scheduled Student Conduct Appeals Board session, any written statements by witnesses or involved persons will be supplied to the charged student by the Student Conduct Appeals Board.

Hearings conducted by the Student Conduct Appeals Board are not a court of law and not bound by the technical rules of evidence, but may hear or receive any testimony or evidence which is relevant and material to the issues presented by the College, and which will contribute to a full and fair consideration of the charge. A student, against whom the charges are made, may appear with a representative of their choice. However, the student must address the Student Conduct Appeals Board, not the representative. Further, the student, not the representative, may question witnesses and may produce witnesses and documentary evidence on their own behalf.

There may be present at the requested hearing: the student charged and their representative and witnesses, other witnesses, and representatives of the College administration. Witnesses produced by the charged student may not be character witnesses. However, written character references may be submitted as evidence. Any persons accompanying the student must be announced, in
advance, to the Student Conduct Appeals Board. The student charged may not bring more than two witnesses to the event to the Appeals Hearing.

The hearing may be recorded electronically, a stenographer may be present, or a member of the College’s secretarial staff may take minutes. To protect the interests of everyone involved, the record will be considered confidential SUNY Broome property.

The hearing is not open to the campus public.

The student failing to appear before the Student Conduct Appeals Board will not hinder the Student Conduct Appeals Board from conducting its meeting(s).

The Student Conduct Appeals Board will consider all evidence presented during the hearing and render a decision. The student will be informed of the Student Conduct Appeals Board’s decision within seven (7) calendar days of the hearing.

Student Conduct Appeals Board may:
- Recommend a modified decision/sanction, or
- Uphold the original decision and sanction

The decision of the Student Conduct Appeals Board is final and binding.

VI. SEXUAL AND INTERPERSONAL VIOLENCE PREVENTION AND RESPONSE GUIDE
SUNY Broome Community College prides itself on creating an environment where all students, faculty, staff, and visitors can feel safe from being a victim of sexual violence; however if there is an instance on sexual or interpersonal violence where a member of the SUNY Broome community is involved, we will take direct action in addressing such behavior.

A. DEFINITION OF AFFIRMATIVE CONSENT
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.

In other words:
- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
• Consent may be initially given but withdrawn at any time.
• Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
• Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
• When consent is withdrawn or can no longer be given, sexual activity must stop.

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

B. STUDENTS’ BILL OF RIGHTS

The State University of New York and SUNY Broome Community College are committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in SUNY Broome Community College programs, activities, and employment.

All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad:

All students have the right to:

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

Options in brief:

Victims/survivors have many options that can be pursued simultaneously, including one or more of the following:
• Receive resources, such as counseling and medical attention
• Confidently or anonymously disclose a crime or violation
• Make a report to:
  • An employee with the authority to address complaints, including the Dean of Students/Title IX Coordinator,
  • SUNY Broome Human Resources,
  • SUNY Broome Office of Public Safety,
  • Local law enforcement, and/or
  • Family Court or Civil Court.

C. POLICY FOR ALCOHOL AND/OR DRUG USE AMNESTY IN SEXUAL 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 Broome Community College 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 Broome Community College 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 Broome Community College officials or law enforcement will not be subject to SUNY Broome 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.

D. DIFFERENCES BETWEEN CONFIDENTIAL AND PRIVATE REPORTING OPTIONS

Any student wishing to speak with a SUNY Broome Community College employee about sexual violence should be aware of differences between Confidential and Private reporting options.

Confidentiality pertains to the treatment of information that an individual has disclosed with an expectation that it will not be divulged to others without permission of the individual. A limited number of employees are able to serve as confidential report takers. Those available to take Confidential reports and detailed information on Confidential reporting options are available in the section “Options for Confidently Disclosing Sexual Violence” of this handbook.

Private reporting pertains to the treatment of information by SUNY Broome Community College employees who cannot guarantee confidentiality. These employees will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible under the law for tracking patterns and spotting systemic issues. SUNY Broome Community College will limit the disclosure as much as possible. If you disclose an incident to a SUNY Broome Community College employee who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality, or do not consent to the institution’s request to initiate an investigation, the Title IX Coordinator must weigh your request against our obligation to provide a safe, non-discriminatory environment for all members of our community, including you.

E. CAMPUS CLIMATE SURVEY

Climate assessments afford institutions the opportunity to better understand their campus and to make informed decisions when it comes to providing a safe, educational environment. Beginning with the 2016-2017 academic year, SUNY Broome will bi-annually conduct a uniform climate survey that ascertains student experience with, and knowledge of, reporting and college adjudicatory processes for sexual harassment, including sexual violence, and other related crimes.
The survey will address to what extent students and employees of SUNY Broome Community College are knowledgeable about:

- The Title IX Coordinator’s role;
- Campus policies and procedures addressing sexual assault;
- How and where to report sexual violence as a victim/survivor or witness;
- The availability of resources on and off campus, such as counseling, health, academic assistance;
- The prevalence of victimization and perpetration of sexual assault, domestic violence, dating violence, and stalking on and off campus during a set time period (for example, the last two years);
- Bystander attitudes and behavior;
- Whether victims/survivors reported to the College and/or Office of Public Safety, and reasons why they did or did not report;
- The general awareness of the difference, if any, between the institution’s policies and the penal law; and
- The general awareness of the definition of affirmative consent.

Steps have been, and will continue to be, taken to ensure that all answers remain anonymous and that no individual is identified.

The information gathered from the most recent survey can be found at http://www2.sunybroome.edu/dos/climate.

F. TITLE IX DEFINITIONS

1. The terms “SUNY Broome” and “College” mean SUNY Broome, State University of New York Community College.

2. “Institution” shall mean any college or university chartered by the regents or incorporated by special act of the legislature that maintains a campus in New York.

3. “Title IX Coordinator” shall mean the Title IX Coordinator and/or his or her designee or designees.

4. “Bystander” shall mean a person who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of rules or policies of an institution.
   a. A bystander does not become a “reporting individual” when they bring forth a report. They remain a bystander.

5. “Code of conduct” shall mean the written policies adopted by an institution governing student behavior, rights, and responsibilities while such student is matriculated in the institution.

6. “Confidentiality” may be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to institution officials. Licensed mental health counselors, medical providers and pastoral counselors are examples of institution employees who may offer confidentiality.
7. “Privacy” may be offered by an individual when such individual is unable to offer confidentiality. Private conversations may still need to be shared with the Title IX Coordinator and/or appropriate SUNY Broome staff. Most SUNY Broome employees are required to report known incidents of sexual assault, or other crimes. They will not share the private information beyond what is required or needed to comply with law and policy.

8. “Accused” shall mean a person accused of a violation who has not yet entered an institution's judicial or conduct process.

9. “Respondent” shall mean a person accused of a violation who has entered an institution's judicial or conduct process.

10. “Reporting individual” shall encompass the terms victim, survivor, complainant, claimant, witness with victim status, and any other term used by an institution to reference an individual who brings forth a report of a violation.
    a. A bystander or third party does not become a “reporting individual” when they bring forth a report.

11. The term “sexual violence” means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol, or due to an intellectual or other disability. Acts of sexual violence include rape, sexual assault, sexual battery and sexual coercion.

12. The term “sexual assault” is defined as sexual acts that include but are not limited to unwanted touching of an intimate part of another person such as sexual organ, buttocks or breast; sodomy; oral copulation; and rape by foreign object by a friend, acquaintance or stranger:
    a. that is forced, manipulated or coerced through use of verbal coercion, intimidation (emotional and/or physical), threats, physical restraint and/or physical violence; and/or
    b. where no consent was given due to the victim's being unconscious, asleep or unable to communicate, or to the victim's saying nothing; and/or
    c. where the victim is temporarily incapable of appraising or controlling his or her conduct owing to the influence of alcohol or other drugs he or she consumed or to any other act committed upon him or her without his or her consent.

13. The term “rape” is defined as sexual intercourse with a friend, acquaintance or stranger:
    a. that is forced, manipulated or coerced through use of verbal coercion, intimidation (emotional and/or physical), threats, physical restraint, and/or physical violence; and/or
b. where no consent was given due to the victim’s being unconscious, asleep or unable to communicate, or to the victim’s saying nothing; and/or
c. where the victim is temporarily incapable of appraising or controlling his or her conduct owing to the influence of alcohol or other drugs he or she consumed or to any other act committed upon him or her without his or her consent.

14. “Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

a. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the individuals involved in the relationship
b. For the purpose of this definition:
   i. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
   ii. Dating violence does not include acts covered under the definition of domestic violence.

15. “Domestic violence” means a felony or misdemeanor crime of violence committed:

a. By a current or former spouse or intimate partner of the victim;
b. By a person with whom the victim shares a child in common;
c. By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
d. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
e. By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

16. “Harassment” is unwelcome conduct by any means, including electronic, directed against a person which is so severe or pervasive that it interferes with an individual’s employment, academic performance or participation in SUNY Broome programs or activities, and creates a working, learning, program or activity environment that a reasonable person would find intimidating, hostile or offensive. Harassment includes bullying and cyberbullying.

17. The term “sexual harassment” means unwelcomed sexual advances, requests for sexual favors, and/or other unwelcomed verbal or
physical conduct of a sexual nature that substantially interferes with a person's performance or creates an intimidating, hostile or offensive environment.

18. The term “stalking” means intentionally and for no legitimate purpose engaging in a course of conduct directed at a specific person and which one knows or should reasonably know is likely to distress, intimidate or threaten. Such conduct creates reasonable fear of material harm to the physical, mental or emotional health, safety, or property of the targeted individual, a member of their immediate family, or a third party with whom the individual is acquainted.

19. The term “sexual activity” shall have the same meaning as “sexual act” and “sexual consent” as described below:
   a. The term “sexual act” means—
      i. contact between the penis and the vulva or the penis and the anus, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however slight;
      ii. contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus;
      iii. the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or
      iv. the intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person;
   b. The term “sexual contact” means the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

These definitions are meant to guide the reader as to the intent behind certain words and phrases.

Questions regarding these definitions can be directed to:

Office of the Dean of Students
SUNY Broome Community College
Division of Student and Economic Development
Location: Old Science Building, Room 227
Phone: (607) 778-5681
Email: dos@sunybroome.edu
G. SEXUAL AND INTERPERSONAL VIOLENCE RESPONSE POLICY

In accordance with the Students’ Bill of Rights, reporting individuals shall have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below. Detailed information on Confidential reporting options also available in the section “Options for Confidently Disclosing Sexual Violence.”

1. Reporting:

You have the right to make a report to Campus Security, local law enforcement, and/or State Police or choose not to report; to report the incident to your institution; to be protected by the institution from retaliation for reporting an incident; and to receive assistance and resources from your institution.

a. To file a report of sexual assault, domestic violence, dating violence, and/or stalking, interpersonal violence, and/or to talk to the Title IX Coordinator for information and assistance, individuals have many options (described below). All reports will be investigated in accordance with SUNY Broome Community College policy and the reporting individual’s identity shall remain private at all times if said reporting individual wishes to maintain privacy. You may withdraw your complaint or involvement from the SUNY Broome Community College process at any time.

b. Confidential Reporting
   
   i. Confidential reporting is available when a reporting individual wishes to keep his/her identity unknown.
   
   ii. To disclose confidentially the incident to one of the following college officials, who by law may maintain confidentiality, and can assist in obtaining services (more information on confidential report is available in the Options for Confidently Disclosing Sexual Violence Policy at http://system.suny.edu/sexual-violence-prevention-workgroup/policies/disclosure/ individuals may contact:

   1. SUNY Broome Community College staff anonymously via an online reporting system

   2. Health Services
      a. Location: Old Science Building, Room 102
      b. Phone: 607-778-5181
      c. Email: healthservices@sunybroome.edu
3. Counseling Services
   a. Location: Student Services Building, Suite 210
   b. Phone: 607-778-5210
   c. Email: counselingservices@sunybroome.edu

iii. To disclose confidentially the incident and obtain services from the New York State, New York City or county hotlines: http://www.opdv.ny.gov/help/dvhotlines.html. Additional disclosure and assistance options are catalogued by the Office for the Prevention of Domestic Violence and presented in several languages: http://www.opdv.ny.gov/help/index.html (or by calling 1-800-942-6906), and assistance can also be obtained through:

   1. Crime Victims Assistance Center: www.cvac.us
   3. Legal Momentum: https://www.legalmomentum.org/
   4. NYSCASA: http://nyscasa.org/responding
   5. NYSCADV: http://www.nyscadv.org/
   7. GLBTQ Domestic Violence Project: http://www.glbtqdv.org/
   8. RAINN: https://www.rainn.org/get-help

g. To disclose confidentially the incident and obtain services from the New York State, New York City or county hotlines: http://www.opdv.ny.gov/help/dvhotlines.html. Additional disclosure and assistance options are catalogued by the Office for the Prevention of Domestic Violence and presented in several languages: http://www.opdv.ny.gov/help/index.html (or by calling 1-800-942-6906), and assistance can also be obtained through:

   1. Crime Victims Assistance Center: www.cvac.us
   3. Legal Momentum: https://www.legalmomentum.org/
   4. NYSCASA: http://nyscasa.org/responding
   5. NYSCADV: http://www.nyscadv.org/
   7. GLBTQ Domestic Violence Project: http://www.glbtqdv.org/
   8. RAINN: https://www.rainn.org/get-help

iv. Please note that these hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the campus. Reporting individuals are encouraged to additionally contact a campus confidential or private resource so that the campus can take appropriate action in these cases.

c. Private Reporting
   i. Private reporting is available when a reporting individual wishes to speak in a secure environment where only select SUNY Broome officials who need to know will be informed so that an investigation can take place.

   ii. To disclose the incident to one of the following college officials who can offer privacy and can provide information about remedies, accommodations, evidence preservation, and how to obtain resources. Those officials will also provide the information contained in the Students’ Bill of Rights, including the right to choose when and where to report, to be protected by the institution from retaliation, and to receive assistance and resources from the institution. These college officials will disclose that they
are private and not confidential resources, and they may still be required by law and college policy to inform one or more college officials about the incident. They will notify reporting individuals that the criminal process uses different standards of proof and evidence than internal procedures, and questions about the penal law or the criminal process should be directed to law enforcement or district attorney.

1. Scott Schuhert, Dean of Students and Title IX Coordinator  
   a. Location: Old Science Building, Room 227  
   b. Phone: 607-778-5681  
   c. Email: DOS@sunybroome.edu

2. Paige Sedlacek, Affirmative Action Officer and Deputy Title IX Coordinator  
   a. Location: Wales Building, Room 103  
   b. Phone: 607-778-5213  
   c. Email: sedlacekpm@sunybroome.edu

3. Marie Finelli, Public Safety Investigator, Training Officer, & Deputy Title IX Coordinator  
   a. Location: Public Safety Building  
   b. Phone: 607-778-5180  
   c. Email: finellime@sunybroome.edu

4. Amy Zieziula, Director of Housing  
   a. Location: Old Science Building, Room 223  
   b. Phone: 607-778-5307  
   c. Email: zieziulaj@sunybroome.edu

d. Criminal Reporting
   i. Criminal reporting is available when a reporting individual wishes to pursue the option of criminal investigation and arrest. The victim/survivor can request that no criminal action be taken after speaking with Public Safety and hearing the options available.
   ii. To file a criminal complaint with SUNY Broome Community College Office of Public Safety, local law enforcement, and/or state police:
      1. SUNY Broome Community College Office of Public Safety  
         a. Location: Public Safety Building  
         b. Phone: 607-778-5083
      2. Broome County Sheriff’s Office  
         a. Location: 155 Lt. VanWinkle Drive, Binghamton, NY 13905  
         b. Phone: 607-778-1911 or 911 if active emergency
      3. State police 24-hour hotline to report sexual assault on a New York college campus  
         a. Phone: 1-844-845-7269
e. When the Accused is an Employee

i. In addition to the above, a reporting individual may also report the incident to the SUNY Broome Community College Office of Human Resources. A victim/survivor may request that one of the above referenced confidential or private employees assist in reporting to Employee Relations or Human Resources. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the reporting individual, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and college policy.

1. Office of Human Resources
   a. Location: Wales Building, Room 103
   b. Phone: 607-778-5319

2. Resources:
   a. To obtain effective intervention services.
      i. Counseling Services - No charge for students
         1. Location: Student Services Building, Suite 210
         2. Phone: 607-778-5210
         3. Email: maurerll@sunybroome.edu
      ii. Health Services - No charge for students
          1. Location: Old Science Building, Room 102
          2. Phone: 607-778-5181
          3. Email: healthservices@sunybroome.edu
   b. Sexual contact can transmit Sexually Transmitted Infections (STI) and may result in pregnancy. Testing for STIs and emergency contraception is available at:
      i. Broome County Health Department
         1. Location: 225 Front Street, Binghamton, NY 13905
         2. Phone: 607-778-2839
      ii. Planned Parenthood of South Central New York
          1. Location: 117 Hawley Street, Binghamton, NY 13901
          2. Phone: 607-723-7526
      iii. Southern Tier AIDS Program
          1. Location: 22 Riverside Drive Binghamton, NY 13905
          2. Phone: 607-798-1706 or 607-237-0497

*Within 96 hours of an assault, you can get a Sexual Assault Forensic Examination (commonly referred to as a rape kit) at a hospital. While there
should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases, insurance may be billed for services. You are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information may be found here: http://www.ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf, or by calling 1-800-247-8035. Options are explained here: http://www.ovs.ny.gov/helpforcrimevictims.html.

To best preserve evidence, victims/survivors should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter their physical appearance until after a physical exam has been completed.

3. Protection and Accommodations: Throughout the process, the following can be requested.
   a. 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 Broome Community College policy. Parties may submit evidence in support of their request.
   b. To have assistance from SUNY Broome Community College Office of Public Safety 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.
   c. 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).
   d. To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
   e. To have assistance from SUNY Broome Community College Office of Public Safety 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 SUNY Broome Community
College Office of Public Safety or, if outside of the jurisdiction to call on and assist local law enforcement in effecting an arrest for violating such an order.

f. 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 an interim suspension.

g. 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 Broome Community College policies and rules.

h. When the accused is not a member of the college community, to have assistance from SUNY Broome Community College Office of Public Safety or other college officials in obtaining a persona non grata letter, subject to legal requirements and college policy.

i. 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:

Office of the Dean of Students
Location: Old Science Building, Room 227
Phone: 607-778-5681
Email: DOS@sunybroome.edu

H. OPTIONS FOR CONFIDENTIALLY DISCLOSING SEXUAL VIOLENCE

The State University of New York and SUNY Broome Community College want you to get the information and support you need regardless of whether you would like to move forward with a report of sexual violence to campus officials or to police. You may want to talk with someone about something you observed or experienced, even if you are not sure that the behavior constitutes sexual violence. A conversation where questions can be answered is far superior to keeping something to yourself. Confidentiality varies, and this document is aimed at helping you understand how confidentiality applies to different resources that may be available to you.
In this Policy:

- Confidential Resources.
- Non-Professional Counselors and Advocates.
- Privacy versus Confidentiality.
- Requesting Confidentiality: How SUNY Broome Community College Will Weigh the Request and Respond.
- Public Awareness/Advocacy Events.
- Anonymous Disclosure.
- Institutional Crime Reporting.

Confidential Resources:

Individuals who are confidential resources will not report crimes to law enforcement or SUNY Broome Community College officials without your permission, except for extreme circumstances, such as a health and/or safety emergency. At SUNY Broome Community College, this includes:

- Counseling Services – No charge for students
  Location: Student Services Building, Suite 210
  Phone: 607-778-5210
  Email: maurerll@sunybroome.edu

- SUNY Broome Community College physicians, licensed medical professionals or supervised interns when they are engaged in a physician/patient relationship:
  • Health Services – No charge for students
    Location: Old Science Building, Room 102
    Phone: 607-778-5181
    Email: healthservices@sunybroome.edu

Off-campus options to disclose sexual violence confidentially include (note that these outside options do not provide any information to the campus):

- Off-campus counselors and advocates. Crisis services offices will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency’s policies on confidentiality may be obtained directly from the agency.
  • Crime Victims Assistance Center (CVAC) provides crisis counseling and advocacy services to victims of crime. Advocates are available 24/7: 607-722-4256, located on 377 Robinson Street on the east side of Binghamton, NY.
• Services include: Assist individuals and families who experience, or are threatened with domestic violence. Shelter, supportive services, advocacy and counseling services are available for women and her children. Assistance with pursuing victim/survivor compensation of crimes or helps replace property lost or damaged during the crime.

• A SAFE nurse is a registered nurse with special training in providing care to people who have been sexually assaulted. This nurse conducts medical forensic examinations and can serve as an expert witness. SAFE examinations can be conducted locally at UHS Binghamton General Hospital and Lourdes Hospital. Learn more about the SAFE program.

• Off-campus healthcare providers
  • Note that medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found here: www.ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf, or by calling 1-800-247-8035. Options are explained here: www.ovs.ny.gov/helpforcrimevictims.html.

Please note: Even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to him or herself or others and the mandatory reporting of child abuse.

Non-Professional Counselors and Advocates:

Non-professional counselors and advocates can also assist you without sharing information that could identify you. This includes members of the Crime Victims Assistance Center working with SUNY Broome Community College. These individuals will report the nature, date, time, and general location of an incident to SUNY Broome Community College's Title IX Coordinator, but will consult with you to ensure no personally identifying details are shared without your consent. These individuals are not considered confidential resources as discussed above.

Privacy versus Confidentiality:

Even SUNY Broome Community College offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be
relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible under the law for tracking patterns and spotting systemic issues. SUNY Broome Community College will limit the disclosure as much as possible, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

**Requesting Confidentiality: How SUNY Broome Community College Will Weigh the Request and Respond:**

If you disclose an incident to a SUNY Broome Community College employee who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality or do not consent to the institution's request to initiate an investigation, the Title IX Coordinator must weigh your request against our obligation to provide a safe, non-discriminatory environment for all members of our community, including you.

We will assist you with academic, housing, transportation, employment, and other reasonable and available accommodations regardless of your reporting choices. While reporting individuals may request accommodations through several SUNY Broome Community College offices, the Dean of Students Office (607-778-5681; DOS@sunybroome.edu) can serve as a primary point of contact to assist with these measures. We also may take proactive steps, such as training or awareness efforts, to combat sexual violence in a general way that does not identify you or the situation you disclosed.

We may seek consent from you prior to conducting an investigation. You may decline to consent to an investigation, and that determination will be honored unless the SUNY Broome Community College's failure to act does not adequately mitigate the risk of harm to you or other members of the SUNY Broome community. Honoring your request may limit our ability to meaningfully investigate and pursue conduct action against an accused individual. If we determine that an investigation is required, we will notify you and take immediate action as necessary to protect and assist you.

When you disclose an incident to someone who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality, SUNY Broome Community College will consider many factors to determine whether to proceed despite that request. These factors include, but are not limited to:

- Whether the accused has a history of violent behavior or is a repeat offender;
- Whether the incident represents escalation, such as a situation that previously involved sustained stalking;
- Whether there is increased risk that the accused will commit additional acts of violence;
• Whether the accused used a weapon or force;
• Whether the reporting individual is a minor; and
• Whether we possess other means to obtain evidence such as security footage, and whether the report reveals a pattern of perpetration at a given location or by a particular group.

If SUNY Broome Community College determines that it must move forward with an investigation, the reporting individual or victim/survivor will be notified and SUNY Broome Community College will take immediate action as necessary to protect and assist them.

I. TITLE IX STUDENT CONDUCT PROCESS

Reporting individuals may request that student conduct charges be filed against the accused. Conduct proceedings are governed by the procedures set forth in the SUNY Broome Community College Code of Conduct as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.

Participant Rights

Throughout conduct proceedings, the respondent and the reporting individual will have:
• 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.
• 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.
• 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.
• 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.
• 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.
• The right to offer evidence during an investigation and to review available relevant evidence in the case file (or otherwise held by SUNY Broome Community College).
• The right to present evidence and testimony at a hearing, where appropriate.
• The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.
• 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.
• 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.
• The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
• The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanctions, and the rationale for the decision and any sanctions.
• 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.
• Access to at least one level of appeal of a determination before a panel, which may include one or more students, that is fair and impartial and does not include individuals with a conflict of interest.
• The right to have access to a full and fair record or a student conduct hearing which shall be preserved and maintained for at least five years.

Questions can be directed to:
Scott Schuhert, Dean of Students
Location: Old Science Building, Room 227
Phone: 607-778-5681
Email: DOS@sunybroome.edu

• The right to choose whether to disclose or discuss the outcome of a conduct hearing.
• 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.
Procedures for Adjudicating Student Title IX Code Violations

The SUNY Broome Community College (hereafter referred to as the College) conduct system manages all incidents where there has been an alleged violation of the Code of Conduct. The process is meant to be educational in nature and is separate from any civil or criminal proceedings. The determination of responsibility will be made on whether there is a preponderance of evidence/information that the student(s) violated the Code of Conduct.

The College’s procedures seek to ensure a prompt (within 90 days of initial reporting), fair, and impartial investigation and resolution. However, each incident is unique and although efforts to meet this guideline are sincere, the College will not alter the process to guarantee that the process will be resolved within this period of time. Procedures will be conducted by college officials who receive annual training on issues related to domestic violence, dating violence, stalking, sexual exploitation and sexual assault, as well as on conducting investigations and managing the hearing process that protects victim safety and promotes accountability. Possible sanctions for a student found responsible for a violation of the code of conduct with regards to sexual misconduct can be suspension or expulsion.

Should the respondent be an employee of the College, an investigation will ensue and a report filed with the Human Resources Office. From there, the College will follow the appropriate employment grievance procedures in accord with that person’s collective bargaining unit or terms of employment.

Retaliation of any kind against an individual reporting sexual misconduct or against any person participating in the investigation is strictly prohibited. Any retaliation will be treated as a new and additional violation of the Code of Conduct.

When A Report Is Made:

All reports are directed to the Title IX Coordinator. The Title IX Coordinator will review the complaint and determine if the case falls under the guidelines of Title IX procedures. If so, he/she will coordinate an investigation. They shall also notify the Vice President that such an investigation will take place. A no-contact order between the complainant and respondent will be issued by the Title IX Coordinator. This helps to ensure the integrity and privacy of the process. In addition, reasonable accommodations to increase the complainant safety and well-being on campus will be considered.

Investigation:

The Title IX Coordinator will determine who will conduct the investigation to determine the facts of the case as completely as possible.
Participation
If a student reports a sexual misconduct, but does not wish to participate in the investigation and adjudication process, the situation will be reviewed by the Title IX Coordinator to determine if there is sufficient information to proceed with an investigation without reporting individual or claimant participation.

If the respondent does not wish to participate in the investigation and adjudication process, the process will proceed without their contribution to the determination of the facts of the case. The respondent should note that the appeal process, based on appearance of new information not available to the hearing panel, does not apply in cases of deliberate omission of information by the respondent, including refusal by the respondent to participate in the investigation.

Investigative Process
The investigator will take primary statements from the complainant and respondent, ask follow up questions, reach out to and collect statements from others who have evidence/information relevant to the question of violation of the code of conduct, and ask follow-up questions as needed. The complainant and respondent may each suggest questions to the investigator to be asked of others, and may also suggest others with which the investigator should speak. Final decisions about with whom to speak and what to ask will be made by the investigator. All of those contacted by the investigator will be required to maintain the privacy of the investigation. The investigator will also pull together any additional evidence available. The investigator may consult with the Title IX Coordinator in decisions regarding the investigation process.

The investigator will produce a report of his/her findings, which will include a list of those interviewed and copies of any additional material referenced. The investigator will present the report to the Title IX Coordinator who will ask for feedback and comment from both the claimant and respondent. The complainant and respondent each have 5 days following the receipt of the report to write a response to it, if they so wish. Responses will be included with the final report. Upon receiving feedback and comment, the Title IX Coordinator will review the report and supplemental information with the Deputy Title IX Coordinators. This team will review it to determine whether or not there is adequate information available to proceed to a conduct hearing. The Title IX Coordinator may request that additional information be gathered in order to make an appropriate determination.

Should a determination be made that the information gathered warrants a Conduct Hearing, the complete report, with participant responses, will be sent forward to the hearing panel for adjudication (or Human Resources, should the respondent be an employee of the College).
Primary Adjudication- Student Conduct Hearing Board:

Participants in Student Conduct Hearing Board Procedures
The Student Conduct Hearing is a closed hearing; it is not open to the public. The individuals who may appear before the Student Conduct Hearing Board are: the complainant or *Title IX Investigator; the respondent; any individual serving as an approved Advisor; the Title IX Coordinator; and any individuals appearing as witnesses. Due to the sensitive nature of these cases, either party participating in the hearing will have the opportunity to do so without having to physically face the other party. This will be done through the use of a conference call system with the concerned party having the ability to call-in from an alternate on-campus location.

*The Title IX Investigator will serve in the role of the complainant if the alleged victim cannot or will not present his or her own complaint.

Before and after giving testimony, witnesses may be excluded from the room or building where the hearing occurs.

Privacy Safeguard
All parties involved in a hearing are required to keep all information learned in preparation for the hearing, and at the hearing, private. No copies of documents provided are to be made or shared with any third parties. Any breach of this duty is subject to further disciplinary action by the College.

Student Conduct Hearing Board Procedures
A three-person panel will be drawn from a pool of staff trained in hearing Title IX cases to compose a Student Conduct Hearing Board by the Title IX Coordinator. The complainant and respondent will have the opportunity to state whether they feel a board member should not participate in the panel due to bias or any other reason which would prevent them from making a fair assessment of the evidence. The final decision on any such requests for recusal will be made by the Title IX Coordinator. This panel will hear the case and determine, based on the preponderance of the evidence, whether there has been a sexual misconduct violation by the student respondent. A majority of two votes is necessary for a positive or negative finding of responsibility in a Title IX case. If the student respondent is found responsible, then the same panel will also determine the sanction.

The Student Conduct Hearing Board must review the Title IX Investigator’s Report containing all pertinent information regarding the incident in question, inclusive of all statements provided by the claimant and/or respondent if submitted, prior to the date of the Student Conduct hearing. Additional information may be offered in the form of written statements, documents, items, or oral information from the complainant, the respondent, and witnesses
to the Title IX Coordinator for review. The information will be forwarded to the Student Conduct Hearing Board once relevance to the case is established.

Notes may be taken by the participants in the hearing solely for their personal use. There will be a single verbatim recording made of the hearing which shall be the sole property of the Title IX Coordinator, and this recording will be available only for review by the complainant, respondent, or the College for the purpose of an appeal. The recording will not be released to any party nor will the Title IX Coordinator make copies. If copies are requested, the party interested must supply a transcriber at their cost to transcribe at the College under the supervision of Title IX Coordinator or his/her designee. The recording will be maintained for a period of four (4) months from the date the appeal period has lapsed or until an appeal decision has been rendered, whichever is later.

A hearing will be called to order by the Student Conduct Hearing Board Chair. The Chair will orally explain the hearing process and will provide an opportunity for all parties to ask procedural questions prior to initial statements and the presentation of information.

*If the complainant chooses NOT to present their own complaint, the following hearing procedure will be followed:*

The Title IX Investigator will act as the complainant and provide a brief opening statement and a summary of the investigation. The Student Conduct Hearing Board and respondent may then make inquiries of the Investigator at this time. Questions from the respondent must be asked to the Board Chair, who will then ask the Investigator directly.

After the Investigator is finished, the respondent will be given an opportunity to make a brief statement. This is not meant to be a retelling of the event. The Student Conduct Hearing Board may pose questions to the respondent, followed by the Investigator. Questions from the Investigator must be asked to the Board Chair, who will then ask the respondent directly.

The Student Conduct Hearing Board may hear from witnesses on behalf of the Investigator and the respondent. Each witness will be questioned by the Student Conduct Hearing Board, the Investigator, and the respondent. Questions from the Investigator and respondent must be asked to the Board Chair, who will then ask the witness directly.

At the conclusion of the presentation of all witnesses, the Investigator and respondent will each be given a brief final opportunity to address any outstanding issues of fact and submit additional written questions.
to the Title IX Coordinator. The Title IX Coordinator will determine the appropriateness and relevance of the questions. If any questions are approved, the Investigator and respondent will be permitted to ask their questions in the same questioning format as previously used in the hearing, with the respondent being the first to ask, followed by the Investigator.

At the conclusion of this process, the Student Conduct Hearing Board will excuse everyone from the room and deliberate for no more than one hour. At the conclusion of their deliberations, they will ask the Title IX Coordinator to return, so they may share their decision on the charge(s) and a sanction, should they find the respondent responsible. The respondent, complainant, and Investigator will receive the decision in writing simultaneously.

*If the complainant chooses to present their own complaint, the following procedure will be followed:*

The Investigator will provide a summary of the investigation. The Student Conduct Hearing Board, complainant, and respondent may make inquiries of the Investigator at this juncture. Questions from the complainant and respondent must be asked to the Board Chair, who will then ask the Investigator directly.

The complainant may supplement the information provided to the Student Conduct Hearing Board with a brief statement. This is not intended to be a retelling of the event. The Student Conduct Hearing Board and respondent may pose questions to the complainant. The respondent’s questions must be from a list of questions approved by the Title IX Coordinator and forwarded to the Student Conduct Hearing Board in advance of the hearing. Questions from the respondent must be asked to the Board Chair, who will then ask the complainant directly. *Should the respondent want to ask a follow up question, they must submit the question in writing to the Title IX Coordinator for approval during the hearing.*

After the complainant is finished, the respondent will be given an opportunity to make a brief statement. This is not meant to be a retelling of the event. The Student Conduct Hearing Board and complainant may pose questions to the respondent. The complainant’s questions must be from a list of questions approved by the Title IX Coordinator and forwarded to the Student Conduct Hearing Board in advance of the hearing. Questions from the complainant must be asked to the Board Chair, who will then ask the respondent directly. *Should the complainant want to ask a follow up question, they must submit the question in writing to the Title IX Coordinator for approval during the hearing.*
The Student Conduct Hearing Board may hear from witnesses on behalf of the complainant and the respondent. Each witness will be questioned by the Student Conduct Hearing Board, the complainant and the respondent. Questions from the complainant and respondent must be asked to the Board Chair, who will then ask the witness directly.

At the conclusion of the presentation of all witnesses, the complainant and respondent will each be given a brief final opportunity to address any outstanding issues of fact and submit additional written questions to the Title IX Coordinator. Title IX Coordinator will determine the appropriateness and relevance of the questions. If any questions are approved, the complainant and respondent will be permitted to ask their questions in the same questioning format as previously used in the hearing with the respondent being the first to ask, followed by the complainant.

At the conclusion of this process, the Student Conduct Hearing Board will excuse everyone from the room and deliberate for no more than one hour. At the conclusion of their deliberations, they will ask the Title IX Coordinator to return, so they may share their decision on the charge(s) and a sanction, should they find the respondent responsible. The respondent, complainant, and Investigator will receive the decision in writing simultaneously.

**Appeal:**

Both parties have the right to request an appeal of the decision made by the Student Conduct Hearing Board. The right to appeal is limited to: (a) significant procedural lapses, (b) the appearance of substantive new evidence not available at the time of the original decision, or (c) a determination of responsible with the sanction of suspension or expulsion.

Please Note: Deliberate omission of information by the appealing party in the original investigation or lack of participation in the investigation or hearing are not grounds for appeal.

Each party has seven (7) days following the receipt of the written decision to indicate their intention to appeal. Requests for appeal, with reasons, should be sent in writing to the Vice President for Student Development/Chief Diversity Officer, or designee. Any new evidence or proof of a procedural lapse should be included in the request for the Vice President or designee to review.

Appeals will be granted only in cases where one of the three aforementioned justifications have been met. If the appeal is granted by the Vice President for Student Development/Chief Diversity Officer, or designee, they will initiate the appellate process.
Appeals Process Due to Significant Procedural Lapses or New Evidence

An appellate board, comprised of individuals unfamiliar with the original hearing, will be gathered to facilitate the appeal

1. The hearing process will follow the guidelines set forth above as described under Primary Adjudication- Student Conduct Hearing Board

2. The results of any appeal will be communicated simultaneously and in writing to the complainant, respondent, and Title IX Coordinator by the Vice President of Student Development/ Chief Diversity Officer, or designee. The determination of responsibility made by the appellate board is final and binding.

Appeals Process Due to a Consequence of Suspension of Expulsion

A Title IX appeal due to consequence of suspension or expulsion will not be presented as a new case in front of a new board.

1. Statements from both the claimant and respondent will be requested by the Vice President of Student Development/ Chief Diversity Officer or designee

2. An appellate board, comprised of individuals unfamiliar with the original hearing, will be gathered to facilitate the appeal

3. The appellate board will review any statements provided by the claimant and respondent, the recording of the original hearing, and any supplemental information gathered during the original hearing

The results of any appeal will be communicated simultaneously and in writing to the complainant, respondent, and Title IX Coordinator by the Vice President of Student Development/ Chief Diversity Officer, or designee. The determination of responsibility made by the appellate board is final and binding.

Additional Information:

Advisors

Both the complainant and respondent have the right to have an advisor of their choosing to be present with them during the hearing. The advisor can be anyone the complainant and respondent choose, including a lawyer or family member. The complainant and respondent may speak privately with their advisor at any time during the process without disrupting the process. However, the advisor cannot speak on behalf of their advisee, actively participate in the process, or interrupt any of the proceedings. If the advisor violates any of these rules, they will be immediately removed from the process.
Support Services
Both parties have full access to the support services provided by the social workers in the Counseling Center throughout the process.

Correspondence
Communication and correspondence will be addressed to the student. Students will be notified via the SUNY Broome e-mail system, unless a preferred e-mail address has been submitted by the student, of all scheduled student conduct matters (incident reports being filed, hearings, decisions, appeals, etc.). It is the responsibility of each student to check their e-mail daily. If a student is unable to access their email, or has a problem viewing any correspondence, it is their responsibility to seek the assistance of the Title IX Coordinator.

J. A PLAIN LANGUAGE EXPLANATION OF THE DISTINCTIONS BETWEEN NEW YORK STATE PENAL LAW AND THE COLLEGE DISCIPLINARY PROCESS

New York State Education Law Article 129-B requires that college or other officials explain differences between college processes and the criminal justice process in addressing sexual and interpersonal violence. To do so a resource document was jointly developed by Chantelle Cleary, Title IX Coordinator, University at Albany; Lori Fox, General Counsel, Teachers College; Rachel J. Nash, Associate General Counsel, City University of New York; Andrea Stagg, Deputy General Counsel, Barnard College; and Joseph Storch, Associate Counsel, State University of New York.

That following resource document can be found at http://www2.sunybroome.edu/dos/plain_explanation/. Hard copies of this resource are available from the Dean of Students Office located in the Old Science Building, Room 227.
<table>
<thead>
<tr>
<th>Goals</th>
<th>Criminal Justice System</th>
<th>College/University Disciplinary System</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Public safety, deterrence, and punishment.</td>
<td>Education; safety; safe and supportive campus environment.</td>
</tr>
<tr>
<td>Governing Law</td>
<td>New York State Penal Code; New York State Rules of Criminal Procedure (or another state's rules if the crime took place there), Federal Criminal Law, and Rules of Evidence.</td>
<td>Title IX; The Clery Act as amended by the Violence Against Women Act; NYS Education Law sections 129-A and 129-B. More specific rules govern particular colleges and universities.</td>
</tr>
<tr>
<td>How to report and whether there must be action once a report is made.</td>
<td>Crimes involving sexual violence may be reported to campus police (if the campus has police officers), the local police agency, or to the New York State Police. Certain crimes may also be reported to federal law enforcement agents. Once a report is made, the decision whether to investigate is made by the police/law enforcement agency, often in consultation with a District Attorney or other prosecuting agency. An investigation may be conducted without the consent or participation of a reporting individual. The ultimate decision of whether to initiate a criminal prosecution is initially made by a prosecutor. In cases involving felony charges, the final charging decision is made by a Grand Jury.</td>
<td>Victims may disclose sexual violence to various college employees who are designated confidential resources or to others who will try to ensure privacy to the extent consistent with the institution's obligation to provide a safe educational environment. Disclosures made to a confidential resource will not trigger an investigation. When a report is made to the Title IX Coordinator (TIXC) or another Non-Confidential resource, the TIXC will determine whether an investigation is necessary by weighing a request for confidentiality by the reporting individual against the continuing safety of that person and the safety and best interests of the campus community.</td>
</tr>
<tr>
<td>Who investigates?</td>
<td>Police or other law enforcement officials.</td>
<td>Investigators employed or retained by the college or university; these individuals may work for different departments within the institution, including, but not limited to, the police/public safety department, student affairs and academic affairs.</td>
</tr>
<tr>
<td>Procedures</td>
<td>See Governing Law. Procedures established by police departments, prosecutors' offices, etc.</td>
<td>College/University policies and Bylaws, which generally incorporate requirements of Governing Law. Collective bargaining agreements may impact some procedures.</td>
</tr>
<tr>
<td>Standard of Evidence</td>
<td>Crimes must be proven &quot;Beyond a Reasonable Doubt&quot;</td>
<td>A violation of disciplinary rules must be found by a &quot;Preponderance of the Evidence&quot; (more likely than not)</td>
</tr>
<tr>
<td>Confidentiality</td>
<td>Law enforcement agencies offer some confidential assistance, but a criminal charge and trial must be public.</td>
<td>Colleges and universities offer confidential resources, but a disciplinary proceeding requires that relevant information be shared with those involved.</td>
</tr>
<tr>
<td>Privacy</td>
<td>Criminal trials must be public.</td>
<td>Disciplinary proceedings are kept as private as possible, but information must be shared with certain individuals within the college, the parties, and pursuant to law.</td>
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</tr>
<tr>
<td>Who are the parties?</td>
<td>The prosecution and defendant. The victim/survivor is not a party, but often the critical witness for the prosecution.</td>
<td>Varies by school — some consider the institution and the respondent to be parties, and confer on the reporting individual certain rights to participate, as the law provides. Otherwise, reporting individual and accused/respondent.</td>
</tr>
<tr>
<td>Participation in the process</td>
<td>In limited circumstances, a criminal prosecution can proceed without the participation or cooperation of the reporting individual, but without a reporting individual’s participation, it is generally more difficult to prove a crime beyond a reasonable doubt.</td>
<td>Reporting students cannot be required to participate in the college process. However, a college will be limited in its ability to respond if a reporting individual does not participate.</td>
</tr>
<tr>
<td>Who initiates the proceedings?</td>
<td>A prosecutor, acting on behalf of the state (or the United States in federal cases).</td>
<td>The college or university initiates proceedings. While rules vary from school to school, they most provide an active role for the reporting individual.</td>
</tr>
<tr>
<td>Testimony</td>
<td>In a court, testimony is generally public. Other parties are, through counsel, entitled to cross-examine witnesses.</td>
<td>The rules are established by individual colleges and universities, but some institutions provide for alternative approaches that permit students to testify without having other parties in the room and/or to ask cross-examination questions only through the disciplinary panel, investigator, or representative of the reporting individual and/or respondent.</td>
</tr>
<tr>
<td>Role of attorneys</td>
<td>Both the state and the defendant are represented by counsel; counsel may question witnesses.</td>
<td>Varies by school. Many permit the parties to be advised by attorneys but some limit the attorney’s roles to quietly speaking with their clients or passing notes.</td>
</tr>
<tr>
<td>Mental Health and Sexual History</td>
<td>In New York, a reporting individual’s prior sexual and mental health history is generally, but not always, inadmissible in a criminal case. There are limited circumstances under which directly relevant evidence of that kind may be admitted.</td>
<td>Generally not admissible, but subject to quite limited exceptions. Education Law 129-b permits parties to exclude information about their prior sexual history with persons other than the other party and also to exclude evidence of their own mental health history in the fact finding phase of the disciplinary process.</td>
</tr>
<tr>
<td>Possible Results</td>
<td>If a prosecution takes place, the defendant may • plead guilty or “no contest” • have the case dismissed by the judge (on legal grounds) • be found “guilty” or “not guilty” by a judge or jury</td>
<td>In cases that do not involve sexual assault, some schools permit mediation or similar procedures if parties agree. If there is a formal proceeding, the respondent may be found “responsible” or “not responsible” for violations of the institution’s rules. Respondents may also accept responsibility before a finding by an adjudicator.</td>
</tr>
<tr>
<td>Sanctions</td>
<td>An individual found guilty may be fined, imprisoned, or both. In some courts, alternative sanctions are sometimes used.</td>
<td>An individual found responsible for violating college policy may be given a range of sanctions (depending on the severity of the conduct and other factors, such as prior judicial history), ranging from a warning to suspension or expulsion from the institution.</td>
</tr>
</tbody>
</table>
K. ADDITIONAL INFORMATION

Public Awareness/Advocacy Events:

If you disclose a situation through a public awareness event such as “Take Back the Night,” candlelight vigils, protests, or other public event, SUNY Broome Community College is not obligated to begin an investigation. SUNY Broome Community College may use the information you provide to inform the need for additional education and prevention efforts.

Anonymous Disclosure:

If you would like to anonymously disclose information related to sexual violence, you may do so by:

- Calling the SUNY Broome Community College Dean of Students/Title IX Coordinator or the Affirmative Action Officer/Deputy Title IX Coordinator and not leaving your name.

  Scott Schuhert, Dean of Students and Title IX Coordinator
  • Location: Old Science Building, Room 227
  • Phone: 607-778-5681

  Paige Sedlacek, Affirmative Action Officer and Deputy Title IX Coordinator
  • Location: Wales Building, Room 103
  • Phone: 607-778-5213

- Or by utilizing the anonymous online reporting system

If you would like to speak anonymously about crisis intervention, resources, and referrals without a reporting mechanism, you can do so by contacting the New York State Hotline for Sexual Assault and Domestic Violence at 1-800-942-6906.
Institutional Crime Reporting:

Reports of certain crimes occurring in certain geographic locations will be included in the SUNY Broome Community College Clery Act Annual Security Report in an anonymized manner that neither identifies the specifics of the crime or the identity of the reporting individual or victim/survivor. Specific inquiries regarding sexual violence reports and their use within Clery Act Annual Security Report may be addressed to Scott Schuhert, Dean of Students and Title IX Coordinator. He can be reached using any of the methods below.

- Location: Old Science Building, Room 227
- Phone: 607-778-5681
- Email: schuhertsm@sunybroome.edu

SUNY Broome Community College is obligated to issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to students and employees (subject to exceptions when potentially compromising law enforcement efforts and when the warning itself could potentially identify the reporting individual or victim/survivor). A reporting individual will never be identified in a timely warning.

The Family Educational Rights and Privacy Act allows institutions to share information with parents when (1) there is a health or safety emergency, or (2) when the student is a dependent on either parents’ prior year federal income tax return. Generally, SUNY Broome Community College will not share information about a report of sexual violence with parents without the permission of the reporting individual.