The material in this handbook is designed to inform you of the College’s expectations for your behavior and the services available to you. We hope you find it useful. The College reserves the right to make changes in its requirements, regulations, and procedures as educational considerations demand and amendments to the College’s policies contained in the handbook may occur from time to time.

The policies of Union College are under continual examination and revision. This Student Handbook is not a contract. It merely presents the Policies in effect at the time of publication and in no way guarantees that the Policies will not change. For more updated Policies and information see http://www.union.edu/handbook/

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<td>Dean Schurick or</td>
<td>Reamer Center 306</td>
<td>6061</td>
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<tr>
<td>Credit for work taken elsewhere</td>
<td>P. Adey</td>
<td>Silliman Hall</td>
<td>6109</td>
</tr>
<tr>
<td>What</td>
<td>Who</td>
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<td>Phone</td>
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<tr>
<td>Dining Services</td>
<td>D. Gaul</td>
<td>Reamer Center 202</td>
<td>6050</td>
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<td>Employment (student)</td>
<td>L. Augustine</td>
<td>Grant Hall</td>
<td>6123</td>
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<tr>
<td>Facilities Services</td>
<td>L. Rucinski</td>
<td>Campus Operations</td>
<td>6181</td>
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<td>Finance</td>
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<tr>
<td>Student Bills</td>
<td>J. Cocca</td>
<td>McKean House</td>
<td>6106</td>
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<tr>
<td>Financial Aid</td>
<td>L. Parker</td>
<td>Grant Hall</td>
<td>6123</td>
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<tr>
<td>First-year Concerns</td>
<td>Dean Schurick</td>
<td>Reamer Center 306</td>
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<td>Fourth Course</td>
<td>Dean Wunderlich</td>
<td>S&amp;E Center 100</td>
<td>6234</td>
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<td>Fraternity and Sorority Life</td>
<td>E. Artz</td>
<td>Reamer Center 405</td>
<td>8777</td>
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<td>Health Insurance</td>
<td>J. Cocca</td>
<td>McKeans House</td>
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<td>Health Services</td>
<td>A. Stefanatos</td>
<td>Wicker Wellness Center</td>
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<td>Housing</td>
<td>AJ Place</td>
<td>Reamer Center 409</td>
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<td>ID Cards</td>
<td>J. Underwood</td>
<td>College Park Hall</td>
<td>6351</td>
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<td>Instructor</td>
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<td>Independent Study</td>
<td>Dept. Chair</td>
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<td>Information Technology Services</td>
<td>E. Borkowski</td>
<td>Computer Ctr</td>
<td>6293</td>
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<tr>
<td>Intercollegiate Athletics</td>
<td>J. McLaughlin</td>
<td>Alumni Gym</td>
<td>6284</td>
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<tr>
<td>International Student Advising</td>
<td>S. Shinebarger</td>
<td>Reamer Center 303</td>
<td>8785</td>
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<td>International Support Services</td>
<td>S. Shinebarger</td>
<td>Reamer Center 303</td>
<td>8785</td>
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<tr>
<td>International Programs</td>
<td>L. Atkins</td>
<td>Old Chapel, Third Floor</td>
<td>7117</td>
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<tr>
<td>Independent Study Abroad Adv.</td>
<td>M Tongue</td>
<td>Becker 102</td>
<td>8311</td>
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<tr>
<td>Intramurals, PE, &amp; Recreation</td>
<td>M. Polsinelli</td>
<td>Alumni Gym</td>
<td>6286</td>
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<tr>
<td>Kenney Community Center</td>
<td>A. B. Tatem</td>
<td>Kenney Center</td>
<td>6609</td>
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<td>Leadership in Medicine (LIM)</td>
<td>Prof. Weisse</td>
<td>Bailey Hall 101</td>
<td>6300</td>
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<td>Programs</td>
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<td>Learning Disabilities</td>
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<td>F. Maloy</td>
<td>Schaffer Library</td>
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<td>Campus Safety</td>
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<td>P. DeBias</td>
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<td>Information Technology SVCS</td>
<td>G. Solomon and</td>
<td>Steinmetz Hall1110</td>
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<td>M. Rucinski</td>
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<td>Multicultural Concerns</td>
<td>J. Benitez</td>
<td>Reamer Center 304</td>
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<td>Minerva Programs</td>
<td>Dean McEvoy or L. Persico</td>
<td>Reamer Center 303</td>
<td>8790</td>
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<td>PALs</td>
<td>G. Keraga</td>
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<td>Proficiency Exams</td>
<td>G. Sack</td>
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<td>Readmission from leave</td>
<td>Dean Leavitt</td>
<td>Reamer Center 306</td>
<td>6116</td>
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<td>Reamer Campus Ctr.</td>
<td>M. Milless</td>
<td>Reamer Center 404</td>
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<td>Reduce Course Load</td>
<td>Academic Advisor</td>
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<td>Religious Programs Directors</td>
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<td>Protestant</td>
<td>Rev. V. Brooks</td>
<td>Reamer Center 203</td>
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<td>Catholic</td>
<td>F. Thomas</td>
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<td>Jewish</td>
<td>B. Cramer</td>
<td>Reamer Center 203</td>
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<td>Residential Life</td>
<td>A. Bingel</td>
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</tr>
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<td>What</td>
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<td>Residence Hall Computer Network - Connections Appts.</td>
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<td>ITS-Steinmetz Hall</td>
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<td>Scheduling</td>
<td>J. Turner</td>
<td>Facilities Services</td>
<td>6391</td>
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<td>Scholars Program</td>
<td>M. Tongue</td>
<td>Becker Career Center</td>
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<td>Special Programs</td>
<td>M. D'Amelia</td>
<td>Facilities Services</td>
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<td>Student Activities</td>
<td>M. Milless</td>
<td>Reamer Center 404</td>
<td>6118</td>
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<td>Student Billing</td>
<td>J. Cocca</td>
<td>McKean House</td>
<td>6106</td>
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<td>Telecommunications</td>
<td>D. McNamara</td>
<td>ITS-Steinmetz 100</td>
<td>6411</td>
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<td>Transcripts</td>
<td>Registrar’s Office</td>
<td>Silliman Hall</td>
<td>6109</td>
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<td>Tutors</td>
<td>Dept. Secretaries</td>
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<td>Union Graduate College</td>
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<tr>
<td>President</td>
<td>Laura Schweitzer</td>
<td>Graduate Center</td>
<td>631-9840</td>
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<td>Admissions/Registrar</td>
<td>R. Sheehan</td>
<td>Graduate Center</td>
<td>9840</td>
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<td>School of Management</td>
<td>J. Hollister</td>
<td>Graduate Center</td>
<td>9890</td>
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<td>School of Education</td>
<td>Interim L. Gelzheiser</td>
<td>Graduate Center</td>
<td>9870</td>
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<td>School of Engineering &amp; Computer Science</td>
<td>B. Kozik</td>
<td>Steinmetz</td>
<td>8068</td>
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<td>Center for Bioethics</td>
<td>B. Baker</td>
<td>Humanities</td>
<td>8046</td>
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<td>Walking Escort Service</td>
<td>Campus Safety</td>
<td>College Park Hall</td>
<td>6911</td>
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<td>Withdrawal from Course</td>
<td>Academic Advisor and Registrar</td>
<td>Silliman Hall</td>
<td>6109</td>
</tr>
<tr>
<td>Withdrawal or Leave</td>
<td>Dean Williams or Dean Schurick</td>
<td>Reamer Center 306</td>
<td>6061</td>
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<tr>
<td>Writing Center</td>
<td>B. Taylor</td>
<td>Schaffer Library</td>
<td>6680</td>
</tr>
</tbody>
</table>
OFFICE OF THE DEAN OF STUDENTS

Steve Leavitt, V. P. for Student Affairs and Dean of Students
306 Reamer Campus Center, (518) 388-6116
Kathleen Schurick, Dean of First-Year Students
306 Reamer Campus Center, (518) 388-6061
Trish Williams, Senior Associate Dean of Students/ Director of Student Conduct
306 Reamer Campus Center,(518)388-6061
Tom McEvoy, Associate Dean of Students and Director of Minerva Programs
303 Reamer Campus Center (518) 388-8790
Kim Puorto, Administrative Assistant, (518) 388-6061
Trish VanDerhoof, Assistant to the V. P. for Student Affairs, (518) 388-6116

The Dean of Students Office oversees a wide range of programs and services intended to help students to meet their academic and personal goals at Union. The office houses the Dean of Students, the Senior Associate Dean of Students, the Dean of First-Year Students and the Director of Accommodative Services for International and Learning Disabled Students. Students who have questions or problems of any sort, ranging from College policies to “how do I get something done” to “where can I get a short term loan,” are encouraged to come to the office for advice or referral.

The Dean of Students Office oversees all policies related to student conduct and is publisher of the Student Handbook, which is available on the College website at:
http://www.union.edu/handbook
Or in hard copy by request.

ACCOMMODATIVE SERVICES & INTERNATIONAL ADVISING OFFICES

Shelly Shinebarger, Director of Accommodative Services & International Advising
Michelle Pawlowski, Coordinator of Support Services & Campus Life Programs
Reamer Campus Center Room 303
(518) 388-8785 Accommodative Services
(518) 388-8003 International Advising

The Offices of Accommodative Services and International Advising are committed to providing support and service to international students and students with disabilities.

The Office of Accommodative Services is committed to providing students with disabilities equal opportunities to benefit from all services, programs, and activities offered. The Director determines eligibility for services, authorizes appropriate academic accommodations, provides
counseling, assists faculty with regard to disability, issues and questions, and helps assist students with self-advocacy in locating additional resources on or off campus.

http://www.union.edu/offices/accommodative-services/

The International Advising Office considers each international student and scholar a valuable member of the Union community with specific and unique needs. With our personal attention, you can make the most out of the opportunities available to you at Union and in the U.S.A. whether your stay is for one trimester or the next four years. Our office staff is here to help you to find your way around the maze of questions and uncertainties surrounding your life at Union and studying in the United States.

http://www.union.edu/offices/international-advising/

BECKER (STANLEY R.) CAREER CENTER STAFF

Bob Soules, Director, (518) 388-6176
Pete Fowler, Associate Director
Rochelle Caruso, Senior Associate Director, Employer Relations
Bridget Graham, Assistant Director
Keri Wills, Assistant Director
Shannon Flaherty, Employer Relations Office Coordinator
Burgundy Magoon, Assistant Director

The Becker Career Center is committed to teaching students how to develop and achieve their goals so that they are able to secure opportunities that evoke their passions and manage their careers for a lifetime in a dynamic, diverse, and global environment. We empower our students to take personal responsibility for shaping their future. We do this by encouraging self-assessment, exploration and reflection, providing opportunities to apply learning and begin careers, educating students about graduate school and the world of work, and providing resources to advance students through all phases of their career development.

Students can use career assessment tools at the Becker Career Center such as the Strong Interest Inventory, Myers Briggs Type Indicator, and SkillScan card sort to further assess their interests, skills, and abilities. Once a student has a better sense of self, they’re encouraged to utilize the many resources to explore the graduate school and world of work, conduct informational interviews with professionals in their career field(s), and search for internships and jobs of interest.

The Becker Career Center staff helps students develop five core career competencies: Career Decision Making (including self-assessment, exploration, and reflection), Resume Writing, Cover Letter Writing, Interviewing, and Networking. By mastering these competencies, students equip themselves with the lifetime ability to discover and secure positions for which they are well suited. Becker Career Center programs are designed around facilitating student growth in these areas and preparing students to find and connect with opportunities consistent with their interests.
The Becker Career Center houses a number of online career research tools that allow students to research potential career fields, locate employers by industry and geographic area, and find and apply to internship and job postings. HireU, the Becker Career Center’s web based job and internship database, allows students to access and apply to internship and job postings and register for upcoming Career Center events. The alumni database provides students with the opportunity to identify alumni with whom they can network to obtain valuable career information and advice.

For more information regarding the Becker Career Center, visit the Career Center website http://www.union.edu/offices/career/ or call the center at 518-388-6176.

CAMPUSS DIVERSITY AND INCLUSION; TITLE IX COORDINATOR;
ADA COMPLIANCE OFFICER

Dr. Melissa Kelley, Title IX Coordinator
403E Reamer Campus Center
807 Union Street
Schenectady NY 12308
(518) 388-6865 office
email: kelleym2@union.edu

Gretchel Hathaway, Ph.D., Chief Diversity Officer and ADA Compliance Officer
807 Union Street
Schenectady NY 12308
(518) 388-8327 office
(518) 388-6006 fax

Reporting to the President, this office focuses on the recruitment, retention, and success of a diverse workforce and student body as well as other matters related to ensuring that Union is an inclusive community. The office assists and advises the Vice Presidents and departments within their respective responsibility centers regarding matters related to campus diversity, cultural competency, and inclusiveness. The office also supports and collaborates with departments to facilitate and determine faculty development opportunities, student leadership conferences, and employee relation workshops focusing on cultural competency and diversity initiatives. This office offers assessment on campus climate to faculty, administrators, staff, and students.

As reflected in the strategic plan, the Chief Diversity Officer (CDO) develops a range of programs that cultivate an appreciation of the richness of a diverse and inclusive campus. The CDO also represents the College in local, regional, and national meetings related to diversity and cultural competency and identifying and importing the most effective programs to Union. In addition, the CDO monitors and updates all policies related to Discrimination, Harassment, Americans with Disabilities (ADA) and Title IX compliance.

As Title IX Coordinator, all incidents of sexual harassment and sexual misconduct are reported to, and monitored by, the Title IX Office. All sexual harassment and sexual misconduct complainants are assigned a Title IX Deputy to monitor the progress of the cases brought to the
attention of a responsible College official or employee. Union College takes all incidents of sexual harassment and sexual misconduct very seriously and is dedicated to providing an educational and work environment that is free from discrimination and harassment in any form. These principles, which are enforced by law, are woven into our mission statement and strategic plan and apply to our employment process, academic program, and services to Union College students.

**CAMPUS SAFETY**

*Christopher Hayen, Director, College Park Hall, (518) 388-6358*

**EMERGENCIES - 911**

**NON-EMERGENCY REQUEST FOR SERVICE – (518) 388-6911 or (518) 388-6178**

The Campus Safety Office is located at College Park Hall. The Campus Safety Department provides service to the Community 24-hours a day, seven-days per week. Services include the operation of the control center; vehicular, bike, and foot patrols; preventative patrols; and community patrols. The control center monitors fire alarms and receives emergency calls (911 from a campus phone) and requests for service (518-388-6911 or 518-388-6178). Among the many services provided are emergency response to persons in need of assistance for injury or other conflict; crime prevention and investigation; conflict resolution; lost and found property; student escorts (please refer to Campus Safety Regulations); student access to their rooms; and response to problems involving safety and security of students, faculty and staff.

The business office is open Monday through Friday from 7:30 a.m. to 3:30 p.m. for all non-emergency business, including vehicle registrations, lost and found, and parking tickets. Information regarding campus security and personal safety, including topics such as crime prevention, campus safety law enforcement authority, crime reporting policies, and crime statistics for the most recent three-year period is available from the Director of Campus Safety at 807 Union Street, Schenectady, N.Y. 12308.

For further information, including the campus safety regulations:  
[http://www.union.edu/offices/safety/](http://www.union.edu/offices/safety/)

Union College Trolley (518-248-5111) is a source of transportation provided and maintained by the Campus Safety Office. The trolley operates on a standard schedule of 6 p.m. to 2 a.m. Sunday through Thursday and 6p.m. to 4a.m. on Friday and Saturday during the academic year. The trolley follows a defined route through the surrounding neighborhood streets, making scheduled stops at the Reamer Campus Center and the Student Center located in Old Chapel. A schedule of the trolley route can be found inside the trolley, in the Reamer Center near the newspapers, in Old Chapel, at our website, and is distributed to each Residence Hall. For further information:

[http://www.union.edu/offices/safety/services](http://www.union.edu/offices/safety/services)
COUNSELING CENTER

Marcus Hotaling, Director, Wicker Wellness Center, (518) 388-6161
Kerrin Sendrowitz; Psychologist
Nalani White, Part-Time Psychologist
Jennifer Behrens; Part-Time Clinician
Patricia Soules; Administrative Assistant
Amanda Tommell-Sandy; Health Educator

The Counseling Center provides services for those students who experience personal or mental health issues and who voluntarily seek assistance with these issues. Services are offered to deal with everyday concerns such as decision-making difficulties, family and academic difficulties, anxiety, and depression. All services offered through the Counseling Center are at no cost and confidential. The Counseling Center is staffed by licensed psychologists and social workers. The Counseling Center will also assist with psychiatric medication.

In addition to the counselors in the Counseling Center, there is a Health Educator on staff, students can make appointments to discuss a variety of issues including: alcohol and other drugs, sexual health, sexual assault, health relationships, and general wellness.

www.union.edu/counseling

DINING SERVICES

David Gaul, Director, 202 Reamer Campus Center, (518) 388-6050

The Dining Services staff is dedicated to providing wholesome, nutritious, and appealing food of the best quality. If at any time you have questions, concerns or suggestions, please do not hesitate to call on your Dining Service Manager or Supervisor. We enjoy hearing from you! We realize that dining requirements vary from student to student. If you require a modified or special diet due to religious observances, allergies, etc., you must submit your request to the Department of Accommodative Services (518-388-8785). We pride ourselves in offering a dining service where food, menus, and surroundings match students’ lifestyles and preferences.

To learn more about our meal plans dining locations, menus, etc., please visit our website at www.uniondining.com. If you care to speak with me or any member of our team, feel free to call the dining office at (518) 388-6050 to make an appointment. Thank you!
ENVIRONMENTAL HEALTH & SAFETY (EHS)

John Skumurski, Director, Silliman Hall, (518) 388-6104  
Michael Hilton Fire Safety- (518) 388-8009  
Joseph Domino OSHA -(518) 388-8007  
Elizabeth Dobson-Davis Chemical, Radiation, Laser Safety (518) 388-6340  
EMERGENCIES – (518) 388-6911

The College’s Environmental Health and Safety (EHS) Office is located on the third floor of Sillman Hall. EHS develops, implements, and oversees all phases of environmental health and safety, fire safety, and workplace safety that directly impact the working, academic, and residential conditions at Union College. The EHS staff interacts on a daily basis with all areas of the Union community (academic, residential and administrative). Additional information on environmental health and safety, fire safety, and workplace safety may be found at: www.union.edu/offices/ehs/

HEALTH INSURANCE

Jody Cocca, Student Accounts  
McKean House, (518) 388-6106

All full-time undergraduate students are required to be covered by health insurance that meets the minimum requirements established by the College.

Domestic students who enroll at Union will billed for the student health insurance offered through Union College. Students who are covered by their parents/responsible party’s insurance may waive enrollment in the College plan online at https://www.gallagherstudent.com/union. The waiver must be completed annually by August 8th.

International students and other non-U.S. residents are required to be enrolled in the student health insurance administered by HTH Worldwide If you have questions or need assistance, contact The International Advising Office at 518-388-8003. For more information, Contact HTH directly by email, customerservice@hthworldwide.com or by phone 610-254-8700.

HEALTH CENTER

Angela Stefanatos, MS, FNP-BC Director  
Wicker Wellness Center, (518) 388-6120 Fax (518) 388-6147

The Union College Health Center provides general medical care as well as full physical exams, gynecological care, and sexually transmitted disease (STD) testing. Services are provided by our three full time Nurse Practitioners. We have a collaborating physician available on site two hours a week and by phone consultation with our staff whenever necessary.

The Health Center is dedicated to providing quality health care to our diverse student population. We partner with students to help them obtain their highest level of physical and psychological
well-being. Students are given the education and support necessary to make positive choices in
order to develop a lifetime of good health habits. When needed, we collaborate with the
providers in the Counseling Center located in the Wicker Wellness Center. The Health Center
provides treatment to all currently enrolled undergraduate students. Our services are by
appointment only. If you feel your condition requires urgent attention, a triage assessment can be
provided by one of our Registered Nurses. There is no charge for a visit at the Health Center;
however, fees may be applicable for testing and medications. Information regarding specific
services offered and our hours of operation may be found at
http://www.union.edu/offices/health-counseling/health/

KENNEY COMMUNITY CENTER

Angela B. Tatem, Director, tatema@union.edu (518) 388-6609
Janet Sweeney, Assistant Director, sweeneyj@union.edu (518)-388-6174

The Kenney Community Center serves as Union College’s headquarters for student volunteer
efforts, community outreach, and the Science and Technology Entry Program. The Center hosts
educational afterschool programs for youth, mentoring programs, collaborative partnerships with
area not-for-profit organizations, and special community building events. We support student
coordinated volunteer events and programs like U-CARE Day (a free carnival for the city’s
youth), U-ReBloom, (visiting nursing home residents with flowers, Service Saturdays, one-day
community service projects), Girl Scouts troops and more to provide Union College students
with meaningful service opportunities. We also help students fund-raise for area not-for-profits. We
help students cultivate their leadership skills through service opportunities

The Kenney Center is located at 257 Park Place and Nott Street, between the campus and
College Park Hall. For further information:
http://www.union.edu/kenney or http://www.facebook.com/kenneycenter

MAIL SERVICE GUIDELINES

The mailroom is located on the first floor of the Reamer Campus Center. The mail counter is
open 10:00 a.m. - 3:00 p.m. Monday through Friday for sending and picking up packages.
Campus mail does not require postage and may be dropped in the appropriate slot outside the
mail room window.

The Schenectady Post Office is located downtown on Jay Street, only a short walk from campus.
Its window hours are Monday and Friday, 8:30 a.m. to 5:00 p.m.; Saturday, 9:00 a.m. –
12:00 p.m. This is also a good place for passport information.

Mail and packages to Union should be addressed as follows:

Union College
Student's Name -- Box #
807 Union Street
Schenectady, NY  12308
Although we are not a U.S. Post Office, we provide postal services as well as UPS and FedEx. When a student receives a package, he/she is notified with a “Package Slip” in their mailbox. It is the responsibility of the student to pick up the package within a reasonable time.

- The mailroom reserves the right to dispose of perishable items (food, flowers, etc.) if they are not picked up within a reasonable amount of time. The mailroom is not liable for the reimbursement of disposed items.

- We strongly advise that cash is NOT sent to student's campus mail box. The College is NOT responsible for missing funds, including those sent through campus mail.

All first-class mail (letters, bills, postcards, etc.) is forwarded over the summer and winter term breaks to the address we have on file. No other mail (magazines, periodicals, etc.) is forwarded and is disposed of or recycled. If a student would like to receive any of these mail pieces, they should make arrangements in advance with either the publisher or sender. Additionally, packages received via UPS or FedEx cannot be forwarded and must either be held or returned.

We can assist you with packaging and shipping (packing materials are available in the Campus Bookstore). Student can ship their belongings home with the assistance of the mailroom. Ask about our end of the year “ship it home” program.

MULTICULTURAL AFFAIRS

Jason Benitez, Director of Multicultural Affairs
Reamer Campus Center 304 (518) 388-6030
Strauss Unity Room #305

The Office of Multicultural Affairs (OMA) reports to the Chief Diversity Officer of Union College. Multicultural Affairs works with all areas of campus to provide opportunities for students from all walks of life to enhance their leadership skills, and participate in social and educational events related to diversity awareness. The office facilitates workshops, activities, and leadership experiences to assist students with their personal and professional growth. Multicultural Affairs’ main goals are to develop and maintain intercultural communication, create opportunities to promote inclusiveness, provide experiences to exchange skills of cultural and religious fluency, and offer programs to enhance global cross-cultural competency.

http://www.union.edu/offices/multicultural/index.php
https://www.facebook.com/UnionCollegeMulticulturalAffairs

OFFICE OF FRATERNITY AND SORORITY LIFE

Elizabeth Artz: Director of Fraternity and Sorority Life
Reamer Campus Center 409, (518) 388-8777

Fraternity and Sorority life is an important part of the campus community. Rooted in over 189 years of tradition, the Greek system continues to provide unique experiences for students who
attend Union College. The rich history of Union College is reflected each year during Homecoming, Greek Week and Reunion Weekend. Members of the Greek community participate in and provide a wide variety of philanthropic and social activities for the community. Union currently has 18 active Greek Chapters. http://www.union.edu/offices/fraternity-sorority/

OFFICE OF MINERVA PROGRAMS

Tom McEvoy, Associate Dean of Students and Director of Minerva Programs
Laura Persico, Associate Director of Minerva Programs and Title IX Investigator
Reamer Campus Center 303, (518) 388-8790

The Office of Minerva Programs oversees and supports the seven Minerva Houses: Wold, Golub, Beuth, Sorum, Breazzano, Green, and Messa. These houses offer places where students, faculty, and staff can engage with one another. The office is responsible for creating a vibrant intellectual life outside the classroom, as well as offering a diverse and interesting social scene within welcoming and inclusive communities. Each house funds numerous intellectual life events supporting the goals of the Minerva Program. http://www.union.edu/offices/minerva/

OFFICE OF RELIGIOUS AND SPIRITUAL LIFE

The Rev. Dr. Victoria Brooks, Director of Religious and Spiritual Life (518) 388-6618; brooksv@union.edu

The following volunteers assist students within and across their respective traditions:
Frank Thomas, Catholic Chaplain, (518) 388-6087; thomasf@union.edu
Bonnie Cramer, Director of Hillel, (518) 388-6539; cramerb@union.edu
Caleb LaRue, Religious Resource to Intervarsity Christian Fellowship; clarue@nycap.rr.com
Laiky and Shumley Rubin staff for Chabad House, (518) 479-9592; unionchabad@gmail.com
Jyoti Swaminathan, Religious Resource to AUM, the Eastern Religions and Philosophy Organization; docjswami@aol.com
Sohaib Chekima, Religious Resource to MSA, the Muslim Student Association; chekimas@union.edu

The Offices for these resource people are located on the second floor of Reamer Campus Center. They offer opportunities for community, worship, spiritual and ethical exploration, for personal growth, for community service, and religious holiday observances.

The Director of Religious and Spiritual Life is hired by Union College to enhance religious and spiritual life and its practice while encouraging respect for religious differences. This ministry assists members of the community in the integration of religious and spiritual pursuits with the rich intellectual life available at the college.

REAMER CAMPUS CENTER

The Reamer Campus Center is the hub of student activity on campus. Located on the first floor of the center is a Bank of America ATM, public televisions, the Bookstore/Convenience Store,
W.R.U.C. (the College’s radio station), the mailroom, and Dutch Hollow. The second floor is home to the Upper Class Dining Hall. The Strauss Unity Lounge and the Women's Resource Center are located on the third floor. The office of Student Activities, the office of Residential Life, and the Concordiensis (the College newspaper) is located on the fourth floor.

RESIDENTIAL LIFE

Amanda Bingel, Director of Residential Life, Reamer Campus Center 409, (518) 388-6117
AJ Place, Assistant Director of Residential Life
Ryan Bunts, Residence Director for College Park Hall, Garnet Commons and Apartments
Rachel Burgess-Essaff, Residence Director for Fox Hall;
Kristy Carpenter, Residence Director for Richmond Hall
Jennifer Jerussi, Residence Director for Davidson and Webster Halls
Ryan Riberio, Residence Director for West College
Karen Quinn, Administrative Assistant

The Residential Life Staff works with students to facilitate a positive living/learning experience within the Union residential community through personal interactions and programming. The Residential Life Office selects, trains, and works throughout the year with over thirty-five student staff members to make the residential experience positive and rewarding. Residential Life coordinates on-campus housing placements throughout the school year as well as the off-campus lottery that occurs in the winter term. All Union students must live on campus provided that space is available but a small amount of senior students may be released each year. Residential Life is also responsible for developing and implementing College residential policies and regulations with the intent to establish positive living communities, safe living conditions, and respect for the rights of everyone in the community:
http://www.union.edu/offices/residential-life/index.php

SPECIAL EVENTS AND CONFERENCES

Mary D’Amelia, Director
Facilities Services Building, (518) 388-8732

The Office of Special Events and Conferences is the primary point of contact for faculty, staff, alumni, and all outside organizations who wish to use Union facilities for their events or conferences. Instructional activities (classes and labs, rehearsals and concerts, theater, tutorials and seminars, etc.) and major institutional events (Board of Trustee meetings, Commencement, ReUnion and Homecoming First-year Orientation, Parents Weekend, Nott Memorial exhibits, etc.) have planning and scheduling priority, with the exception of College Park Hall which offers year round conferencing to outside organizations.

It is recommended that all persons interested in using campus facilities first review the scheduling and solicitation policies posted on the events web page:
(http://www.union.edu/eventservices) prior to planning their event. Event coordinators in the Office of Special Events and Conferences will work directly with students to provide event planning training, assistance with event coordination, advice on risk management and liability
compliance, vendor selection, and site selection. Office hours are Monday through Friday 7:30 a.m.-4:30 p.m.  http://www.union.edu/offices/event-services/

STUDENT ACTIVITIES

Matt Milless, Director of Student Activities and the Reamer Campus Center, (518) 388-6118
Karoline Chrzanowski-Sears, Associate Director of Student Activities
Reamer Campus Center 404 (518) 388-6118

The Office of Student Activities is the focal point for the development of social, cultural, leadership, recreational, intellectual, and student governance programs at Union College. The Student Activities staff provides support to student leaders as they develop their leadership skills and create a variety of events and activities. It is the goal of the Office of Student Activities to create a comfortable environment for the students of Union College to share, create, and implement their own ideas. All programs sponsored by the Office of Student Activities are created and undertaken by students with guidance and support from the Student Activities staff. Along with advising more than 100 student clubs and organizations, the staff works closely with the following groups of students.

Date: 07/30/2015
RULES OF PUBLIC ORDER
(Approved by the Board of Trustees of Union College on April 15, 1994)

Statement of Purpose
Under Section 6430 of the Education Law, every college chartered by the Regents of the State of New York is required to adopt rules and regulations for the maintenance of public order. In June of 1969, the Regulations of Union College, as approved by the Board of Trustees, were filed with the Commissioner of Education and the Board of Regents. It has now become necessary to amend those regulations to clarify their scope and applicability. Nothing herein is intended, nor shall be construed, to limit or restrict the freedom of speech or peaceful assembly, since free inquiry and free expression are indispensable to the objectives of a higher educational institution. These rules and regulations are not to prevent or restrain controversy and dissent but to prevent interference with the rights of others, to preserve the ability of members of the College community to perform their respective responsibilities, and to maintain that public order appropriate to a college or university campus without which there can be no intellectual freedom, and they shall be interpreted and applied to that end.

Application of Rules
The rules hereby adopted shall govern the conduct of students, faculty and other staff, licensees, invitees, and all other persons, whether or not their presence is authorized upon the Union College campus, to which such rules are applicable, and all property under the control of Union College.

Prohibited Conduct
No person, either singly or in concert with others, shall:

- Obstruct the free movement of persons and vehicles in any place to which these rules apply;

- Deliberately disrupt or prevents the peaceful and orderly conduct of classes, lectures, and meetings or deliberately interferes with the freedom of any persons to express their views, including invited speakers;

- Enter upon and remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others, remain (without authorization) in any building or facility after it is normally closed, or refuse to leave any building or facility after being asked to do so by an authorized administrative officer;

- Violate any rules or regulations relating to conduct as enumerated in the Student Conduct Code contained in the Student Handbook filed with the Commissioner of Education and the Board of Regents;
- Willfully incite others to commit any of the acts herein prohibited with specific intent to encourage them to do so; or

- Take any action or create, or participate in the creation of, any situation which recklessly or intentionally endangers mental or physical health which involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization.

**Penalties**
A person who shall violate any provisions of these rules shall:

- If a trespasser or visitor without specific license or invitation be subject to ejection.

- If a licensee or invitee has authorization to remain upon the campus or other property withdrawn is directed to leave the premises. In the event of a failure or refusal to do so, the licensee or invitee will be subject to ejection.

- If a student, be subject to expulsion or such lesser disciplinary action as the facts of the case may warrant, including suspension, probation, loss of privileges, reprimand, or warning.

- If a faculty member guilty of misconduct be subject to dismissal or termination of employment or such lesser disciplinary action as the facts may warrant, including suspension without pay or censure.

- If a staff member guilty of misconduct, be subject to dismissal or termination of employment or such lesser disciplinary action as the facts may warrant, including suspension without pay or censure.

- If any other member of the College community violating any provision of these rules, be dismissed, suspended, or censured by the President.

**Procedures**
Pending adjudication of the matter by the appropriate authorities (see below), members of College community deemed to have violated these rules will be subject to immediate suspension from the College as determined by the President or the President’s designee.

- In the case of a trespasser or visitor who shall violate any provisions of these rules, the President or the President’s designee shall inform the trespasser or visitor that the violator is not authorized to remain on the campus or other Union College property and direct that person to leave such premises. In the event of a failure or refusal to do so, the President or the President’s designee shall cause the violator’s ejection from such campus or property under the control of the College.

- In the case of a licensee or invitee, the President of the College or the President’s designee shall inform the licensee or invitee that the person’s license or invitation is
withdrawn and direct that person to leave the campus or other property of Union College. In the event of a failure or refusal to do so, the President or the President’s designee shall cause the ejection of the violator from such campus or property under the control of the College.

- In the case of a student, charges for violation of any of these rules shall be presented, heard, and determined in accordance with the procedural guidelines as set forth in the Student Conduct Code.

- In the case of a faculty member, charges of misconduct in violation of these rules shall be made and heard before a committee, the majority of whom must be faculty members, that is appointed by the President. The President shall also appoint an impartial chairperson from the committee. The purpose of the committee is to ascertain the facts of individual cases and make recommendations to the President for ultimate disposition of the charges. It is recognized that the hearing need not conform to requirements of criminal or civil procedure and/or proof. The intent of the procedure is to provide the faculty member with a fair hearing before peers, to give that person the opportunity to respond to any charges, and to question any witnesses appearing before the committee. Within this framework, the committee chairperson may conduct the hearing and make necessary adaptations to fit particular circumstances. The faculty member may bring a member of the College community to the hearing as an advisor. The role of the advisor will be limited to consulting with the faculty member in the course of the hearing. The advisor will not be permitted to represent (speak for, take the place of, etc.) the faculty member during the hearing or cross-examine witnesses.

- In the case of any staff member in violation of these rules, charges of misconduct in violation of these rules shall be made, heard, and determined in accordance with the Staff Manual.

- In the case of any other member of the College community who shall violate any provision of these rules, charges of misconduct in violation of these rules shall be made, heard, and determined by the President or President’s designee.

**Enforcement**

The President of the College shall be responsible for the interpretation and enforcement of these rules and shall designate the other administrative officers who are authorized to take action in accordance with such rules when required or appropriate to carry them into effect

- It is not intended by any provision herein to curtail the right of students, faculty, or staff to be heard upon any matter affecting them in the relations with Union College. In the case of any apparent violation of these rules by such persons who, in the judgment of the President or the President’s designee, do not pose any immediate threat of injury to person or property, the President or the President’s designee may make a reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein to desist and to resort to permissible methods for the resolution of any issues which may be presented. In doing so, the President or the President’s designee shall warn such
persons of the consequences of persistence in the prohibited conduct including their ejection from any premises of Union College where their continued presence and conduct is in violation of these rules.

● In any case where violation of these rules does not cease after such warning and in other cases of willful violation of such rules, the President or the President’s designee shall cause the ejection of the violator from the campus and shall initiate disciplinary action as herein before provided.

● The President or the President’s designee may apply to the public authorities for any aid, which is deemed necessary to cause the ejection of any violator of these rules.

STUDENT CONDUCT CODE

Introduction
Students of Union College are expected to promote the educational aims of the College through individual personal integrity and responsibility, both on and off campus. It is vital to maintain a strong system of accountability to address issues of discipline and resulting behaviors. Through initiatives including counseling programs, strong discipline programs, and close control of social events, our goal is to strive to ensure that our students’ behavior remains consistent with community standards.

Valuing a diversity of opinions and life styles, members of the College community are bound together both by respect for the individual and collective rights of others and by recognition of the primary aims of learning and development of the disciplined mind which brings us together. Judicial action will be taken against students whose conduct adversely affects the College community or the pursuit of its objectives.

Individuals who join together to share common interests, whether in a club, a Greek house, or a theme house, collectively share a common responsibility. They must ensure that individual members or groups of members uphold the values of their organization. A group cannot ignore or escape its responsibility for the actions of its members. Moreover, it must be understood that while special interest groups are viewed as worthwhile components of the educational experience, Union College will encourage and recognize such groups only so long as the actions of their members are consistent with the College’s purposes, expectations, and policies.

The Union College judicial system is designed to hold students accountable for their behavior and that of their guests, to promote the protection of the College community and property, and the protection of the rights of the members of that community to function in an environment conducive to academic pursuits. It is designed to challenge the inappropriate behavior of individuals in a supportive and educational manner that will encourage them to understand the impact of their behavior on individuals and the community.

The purpose of this document is to set forth Union College’s student judicial procedures. Capitalized terms have the meanings set forth below in the section entitled “Interpretation of the
College Judicial Code.” Where reference is made to “day” or “days,” such term is taken to mean any and all normal business days, excluding holidays, whether or not school is in session.

**Regulations Relating to Conduct**

Violations of the Student Conduct Code by a student or his/her guest subject the student to disciplinary action. Such violations may include, but are not limited to:

- **Threatening and/or Endangering Behavior**
  Physical abuse, sexual misconduct, relationship violence, harassment (see Policy on Sexual Misconduct, Relationship Violence, and Sexual Harassment for details), verbal abuse, threats, intimidation, restraint, bullying, and/or any other behavior that threatens or endangers oneself or the well-being or safety of others, or results in personal injury to others, including hazing.

- **Abuse of Technology**
  Theft, misuse, or other abuse of technology facilities, technological systems, and resources belonging to the College or any individual. (See Policy on Acceptable Use of Information Technology Resources.)

- **Personal Privacy Interference**
  Interference with the right to personal privacy of any member of the community.

- **Disorderly Conduct**
  Behavior which intentionally causes, or recklessly creates a risk of, disruption to the College community or local community including such acts as violent, tumultuous, or threatening behavior; unreasonably loud or belligerent behavior; obstruction of vehicular or pedestrian traffic; or any behavior which infringes on the rights, safety, and/or dignity of others.

- **Property Theft and/or Damage**
  Attempted or actual theft of, unauthorized use of, and/or damage to property of the College or property of a member of the College community, or other personal or public property whether on or off College premises.

- **Vandalism**
  The intentional, reckless, and/or unauthorized damage to or destruction of College or personal property of another.

- **Compliance**
  Failure to comply with the proper requests of College officials, members of the Campus Safety Department, or emergency personnel acting in performance of their duties, and/or failure to identify oneself to these persons when requested to do so. In some cases “officials” may be students employed to act on behalf of the College.

- **Dishonesty**
  Acts of dishonesty include, but are not limited to:
○ Furnishing false information to any College official, faculty member, or office.
○ Forgery, alteration, or misuse of any College document, key, or instrument of identification.

● **Weapons and Dangerous Materials**
  Possession or use of any type of firearms, explosives, fireworks, or any other potentially dangerous weapon or dangerous chemicals on College premises; or use of any item, even if legally possessed, in a manner that harms, threatens, or causes fear in others. Possession or use of any item in a manner that harms, threatens, or causes fear in others.

● **Violation of Law**
  Violation of any local, state, or federal laws and ordinances.

● **Violation of College Policy**
  Violation of any policy, rule, or regulation published in hard copy or available electronically on the College website, including violation of the International Programs-Student and Parent Participant’s Agreement and conduct policies imposed by the responsible International Programs Director.

● **Abuse of the Student Conduct System or Academic Honor Code**
  Abuse of the Student Conduct System or Academic Honor Code includes, but is not limited to, any behavior that attempts to influence, inhibit, or interfere with the Student Conduct System or Academic Honor Code process such as:

  ○ Falsification, distortion, or misrepresentation of information before a Student Conduct Board, Academic Honor Code Council, or administrator.

  ○ Disruption or interference with the orderly conduct of a Student Conduct or Academic Honor Code proceeding.

  ○ Attempting to discourage an individual from participating in, or using, the Student Conduct System or Academic Honor Code.

  ○ Attempting to influence the impartiality of a member of a Student Conduct Board or Academic Honor Code Council prior to and/or during the course of the Student Conduct or Academic Honor Code proceeding.

  ○ Harassment (verbal and/or physical) and/or intimidation of a member of a Student Conduct Board or Academic Honor Code Council prior to, during, and/or after a Student Conduct or Academic Honor Code proceeding.

  ○ Failure to comply with the sanction(s) imposed under the Student Conduct Code or Academic Honor Code. Failure to comply may result in additional sanctions which may include, but are not limited to, a hold on course registration, transcript release, or housing selection. Restrictions applied may be lifted upon completion of imposed sanctions.
- Influencing, or attempting to influence, another person to commit an abuse of the Student Conduct System or Academic Honor Code.

- Retaliation against any individual making a good faith report of a policy violation or for participating in, or cooperating with, the Student Conduct or Academic Honor Code process.

**Authority of College Judicial Bodies**

**Jurisdiction**
College jurisdiction and discipline are limited to conduct of students, and their guests, that constitute Proscribed Conduct, defined as:

- Violating published College Policies, Rules and/or Regulations, including, but not limited to: the Student Conduct Code; Sexual Assault Policy; Harassment Policy; Alcohol and Drug Policy; Hazing Policy; Rules of Public Order; or the Undergraduate Catalog;

- Conduct adversely affecting the College community and/or the pursuit of its objectives, whether that conduct occurs on or off College premises; or

- Conduct resulting in charges of violation of any federal, state or local law, whether that conduct occurs on or off College Premises, where the interests of the College community and/or the pursuit of its objectives may be adversely affected.

Where College Policies, Rules and Regulations are violated, a student may also be in violation of civil or criminal law. Where College and civil laws overlap, or where criminal prosecution is pending or foreseen, the College may initiate judicial action of its own on the same infraction and may impose penalties independent of those imposed by civil and/or criminal authorities.

**Guests:** The host student assumes responsibility for the guest’s conduct. In addition to the disciplinary action to which the host student may be subject for violation of the College’s Conduct Code, the host student may be subject to disciplinary sanctions arising from the conduct of his or her guest.

Officers of student organizations or athletic teams directly involved in the incident will be charged with, and held responsible for, Proscribed Conduct committed by the group. Sanctions imposed will be in addition to any sanctions imposed on the organizations or teams.

In addition to the disciplinary action for violations of the College’s Student Conduct Code, when students engage in such behavior as part of an activity that is associated with a student organization or athletic team, the student organization or team will be subject to disciplinary sanctions which include, but are not limited to, the following:

- **Warning:** The organization or team will be placed “on warning” for a specified period of time with the understanding that subsequent misconduct will result in additional disciplinary action.
● Probation: Restrictions will be placed on some or all of the organization’s or team’s activities and its use of College services and facilities for a specified period of time.

● Suspension: The organization or team will not be permitted to exist or compete for a specified period of time.

● Loss of Recognition: The group’s status as an organization or team will be withdrawn; it will cease to exist or compete at Union College.

**Reporting and Procedures**

Proscribed Conduct can be reported in any one of the following ways:

● By Residential Life staff;

● By Campus Safety staff; or

● By any other members of the College community submitting an account of an incident to the College.

Reports of alleged violations must be prepared in writing and directed to the Dean of Students. Students are encouraged to report incidents as soon after their occurrence as possible, as the passage of time will impede efforts to investigate allegations and gather evidence.

The Dean of Students, or designee, shall review all incident reports in consultation with staff and determine whether the student will be charged with engaging in Proscribed Conduct and/or if the matter can be disposed of through an Administrative Review. If the matter cannot be resolved in an Administrative Review, the Dean of Students or designee will decide which Judicial Body process shall be used to resolve the matter. If the student admits violating the College Rules, but disagrees with the sanction, a subsequent limited process may be used to recommend the appropriate sanction(s).

● The availability of the particular hearing forum;

● The potential chilling effect on an complainant going before the Student Conduct Board;

● Protecting the confidentiality of an complainant; and

● Any other factor deemed relevant and appropriate.

The Dean of Students may refer matters to one of the following judicial body processes:

● Administrative Review; or

● Hearing by the Judicial Hearing Board, the Student Conduct Board or the Fraternity and Sorority Conduct Board.
Interim Restrictions
Prior to investigation and resolution, interim restrictions may be placed on a student or group by the Director of Student Conduct, the Director of Residence life, or the Director of Fraternity and Sorority Life to protect the health and safety of students or the community. These restrictions may include a “no contact order,” removal of privileges, removal from or relocation within the residential community, and/or suspension of activity.

An interim suspension of a student from the College may be imposed only by the Dean of Students or designee, and shall become effective immediately without prior notice whenever there is evidence that the continued presence of the student poses a substantial and immediate threat to him/herself, to others, or to the College community. Should an interim suspension be issued and resolution of the matter that prompted it is not resolved within two weeks, the interim suspension may convert to an administrative leave of absence.

The College may notify parent(s) or legal guardians of dependent students or students under eighteen (18) years of age of the Interim Restrictions and, when applicable, of any alternative housing arrangements.

Investigation and Notification
The Dean of Students will designate a staff member to investigate the charges or, in the event of a sexual misconduct change the Dean of Students or designee will designate a Campus Safety officer to investigate. The Dean of Students or designee will make a good faith effort to notify the student that he or she is subject to an investigation and that charges will be submitted.

Administrative Review
An Administrative Review is a discussion between a student or group (accused) alleged to be in violation of College policy and the Senior Associate Dean of Students or his/her designated administrator). Students will be notified (typically by email) of specific violations under consideration in advance of an Administrative Review. The administrator will review the complaint with the accused and give them an opportunity to respond. If the student accepts responsibility, the administrator will issue the appropriate sanction(s). Administrative Reviews are conducted in private. If a student fails to attend an Administrative Review, the administrator will resolve the case without benefit of the student’s input.

In determining sanctions, the administrator will take into account the interests of the accused and the College, previous violations of the accused, and prior College responses to similar violations. Points will be issued ranging from 0 to 7 with accompanying sanctions. Deans may assign up to 10 points with sanctions up to and including suspension. The accused may not appeal decisions made in an Administrative Review.

Hearings
Notice
The accused and the complainant will receive written notice of the charges, including date and location of the reported incident(s); the type of hearing that will take place; the date, time and
location of the hearing; the hearing procedures that will be followed; the names of the Judicial hearing board members; and copies of written statements and other pertinent information that will be given to the Judicial Body. This notification may be personally delivered or placed in the accused’s and complainant’s on-campus mailboxes at least forty-eight (48) hours prior to the scheduled hearing. In the event a hearing is scheduled during a break, notice will be sent by certified mail. The student charged may waive the right to this notice.

- If an accused student fails to appear at the designated time, fails to reschedule with the Dean of Students, or withdraws from College prior to the resolution of the case, a decision may still be rendered and an appropriate sanction may be assessed based on the available information. A hearing may be postponed upon written request to, and at the discretion of, the Dean of Students.

**General Matters**

The accused and the complainant may have an advisor who is a full time employee of the College (faculty, administration, or staff) or student, who is not an attorney or parent/legal guardian, present at the hearing. Advisors are not permitted to participate directly in any hearing. Neither the accused nor the complainant may be accompanied by legal counsel (whether a practicing attorney or not), parents or legal guardians.

- The accused student and/or complainant may request that a specific member of the hearing body be excluded from the hearing for cause. This request shall be made in writing to the Director of Student Conduct or the Dean of Students’ Designee at least three working days before the hearing. The final decision on the request will be made by the Director of Student Conduct or Dean of Students Designee. The Director of Student Conduct or Dean’s designee will determine whether the information presented is appropriate grounds to excuse a member from the hearing. If a member is excused, the Director of Student Conduct or Dean’s Designee shall select a replacement from the body of trained board members.

- The accused student and/or complainant may request that a specific Hearing Officer be excluded from the hearing for cause. This request shall be made in writing to the Director of Student Conduct or the Dean of Students’ Designee at least three working days before the hearing. The final decision on the request will be made by the Director of Student Conduct or Dean of Students Designee. The Director of Student Conduct or Dean’s designee will determine whether the information presented is appropriate grounds to excuse a Hearing Officer from the hearing. If a Hearing Officer is excused, the Director of Student Conduct or Dean’s Designee shall select a replacement from the body of trained board members.

- Notes may be taken by the participants in the hearing solely for personal use. There will be a single verbatim audio recording of the hearing which shall be the sole property of the Dean of Students Office. This recording will be available only for review by the accused and, in the case of sexual misconduct changes, the complainant, or the College in the office of the Dean of Students for the purpose of review in connection of an appeal. The recording will be maintained for a period of four (4) months from the date of appeal period has lapsed or an appeal decision has been rendered whichever is later.
• Where and as determined by the Judicial Body to be appropriate in extraordinary cases, the Judicial Body will make reasonable accommodation out of concerns for personal safety or well-being of any of the participants in the process while taking into account the opportunity to hear and question witnesses.

Types of Hearing Board

• **The Judicial Hearing Board** is composed of two (2) to five (5) faculty, two (2) to five (5) students, and the chair, a Senior Student Affairs Administrator who will have a vote. The two (2) to five (5) faculty members and the two (2) to five (5) student members of the Judicial Hearing Board will be appointed by the Vice President of Student Affairs. The recording secretary of the Judicial Hearing Board will be elected annually by the members of the Judicial Hearing Board.

• **The Student Conduct Board** is composed of nine (9) students and the Director of Student Conduct, who will be present throughout the hearing and the deliberations of the Student Conduct Board, but who will not have a vote. The nine (9) student members of the Student Conduct Board will be appointed by the Student Forum through a procedure to be determined by that organization. The chairperson, the vice chairperson, and recording secretary of the Student Conduct Board will be elected annually by the members of the Student Conduct Board. If the chairperson is unable to preside at a hearing, the vice-chairperson will serve in his/her stead.

• **The Fraternity and Sorority Conduct Board** shall be composed of fifteen (15) students, who have been initiated into a fraternity/sorority with Full Recognition from Union College. Three (3) of these members must be Executive Board Members representing the three (3) governing councils. The Board Chair responsibilities will rotate between these three (3) members each Academic Year unless other needs arise. The remaining twelve (12) members of the Board shall be selected by the outgoing Board Chair and the Director of Fraternity and Sorority Affairs through an application and review process. The Fraternity and Sorority Conduct Board will hear cases of alleged chapter violations of the Student Conduct Code and/or Fraternity and Sorority Policies. The Director of Fraternity and Sorority Affairs will be present throughout the hearing and deliberation process of the Fraternity and Sorority Conduct Board but is not permitted to vote. Members of the Fraternity and Sorority Conduct Board will serve as volunteers who are trained in FERPA, confidentiality, procedures, and applicable policies and rules of the College.

• The Judicial Hearing Board, Student Conduct Board and the Fraternity and Sorority Conduct Board have been given the responsibility by the College Administration to adjudicate Proscribed Conduct; however, the Judicial Hearing Board will adjudicate cases involving an alleged violation of the Sexual Assault and Sexual Harassment Policy, and the Fraternity and Sorority Conduct Board will primarily adjudicate cases involving Greek organizations involving allegations of violation of the Greek Recognition Policy and the Social Events with Alcohol Policy. Their purpose is to ascertain the facts of individual cases and make recommendations to the College administration for ultimate
disposition. Hearings before the Judicial Hearing Board, the Student Conduct Board, and the Fraternity and Sorority Conduct Board need not conform to requirements of criminal or civil procedure and/or proof. The intent of the procedure is to provide the accused with a fair hearing before his/her peers, to give him/her or the spokesperson of the organization the opportunity to respond to any charges, and to give the accused the opportunity to ask questions of the complainant or witnesses in order to clarify statements presented during the hearing. Within this framework, the Judicial Hearing Board, the Student Conduct Board, and the Fraternity and Sorority Conduct Board may conduct the hearing and make necessary adaptations to fit particular circumstances.

- **Quorum**: The Judicial Hearing Board chair - one (1) faculty member and one (1) student member constitute a quorum for conducting a hearing. The Student Conduct Board – the Director of Student Conduct and five (5) student members constitute a quorum for conducting a hearing. The Fraternity and Sorority Conduct Board – the Director of Fraternity and Sorority Affairs and five (5) student members shall constitute a quorum for conducting a hearing.

- At the Judicial Hearing Board, Student Conduct Board, or the Fraternity and Sorority Conduct Board Hearing, the chairperson will present the charges and call upon the person bringing the charges to offer information. The accused is responsible for presenting his or her own case and may make a written or verbal statement. The accused, the chairperson, and complainant have the right to present witnesses (see definition of “witness”) from the campus community. The accused, the complainant, and any witnesses will be subject to questions from the Student Conduct Board or Fraternity and Sorority Conduct Board. The accused may question witnesses and the complainant in order to clarify statements during the hearing. The complainant may question witnesses and the accused in order to clarify statements during the hearing.

- Findings of fact and disposition of the charge(s) will be determined by a majority of members present at a hearing of the Judicial Hearing Board the Student Conduct Board or the Fraternity and Sorority Conduct Board. A brief summary of the findings will be submitted by the panel chairperson to the Dean of Students or designee, who shall not be bound by the recommendations) in determining sanctions.

**Standard of Proof**

In order to determine that the student has violated the Student Conduct Code, a majority of the Judicial Hearing Board, Student Conduct Board or Fraternity and Sorority Conduct Board members present at the hearing must conclude that by a preponderance of the evidence a violation has occurred. A “preponderance of evidence” means a finding that it is more likely than not that a violation occurred. The Chairperson of the Student Conduct Board does not vote unless it is necessary to break a tie vote.

**Sanctions**

Following the hearing, the accused and, in the case of sexual misconduct change, the complainant will be notified in writing that based on the information presented:
• Proscribed Conduct has been found and sanctions imposed on the accused; or

• A violation did not occur and the accused is not responsible.

This notification shall be mailed to the accused student’s local address or delivered personally within ten (10) days of the hearing date. If the Judicial Body determines that a violation has taken place, a copy of this letter will be kept in the accused student’s judicial file in the Office of the Dean of Students.

Upon a finding of Proscribed Conduct, points ranging from 0 to 10 accompanied by sanctions, including, but not limited to, those listed below may be imposed by the Senior Associate Dean of Students/Director of Student Conduct or designee. Particular sanctions are not necessarily associated with particular violations, and more than one of the sanctions listed below may be imposed for any single violation. A student’s history of inappropriate behavior and the nature or severity of an incident may be considered in determining appropriate sanctions. If judicial sanctions are not fulfilled by the sanctioned student, more serious judicial sanctions may be imposed, including Suspension from the College.

• **Campus Service:** Requirement that an accused student complete a specified number of hours working on campus.

• **Community Services:** Requirement that the accused locate and become a long term participant in an organization or project which provides service to the surrounding community. Particular information will be provided by the Hearing Officer.

• **Educational Programs:** Requirement that the accused take part in a required educational program on or off campus. The Judicial Body may require the student to participate in an online educational program that addresses particular issues.

• **Expulsion:** Permanent separation from the College including loss of student status; reinstatement or readmission is not possible.

• **Fine:** Requirement to pay a monetary fine.

• **Interim Restrictions:** Imposition on an interim basis of any sanction or sanctions listed in this Section.

• **Loss of Privileges:** Denial of specified privileges for a designated period of time. These may include loss or housing privileges or opportunity to participate in term abroad, or in sports.

• **Member of the College Community:** A matriculated student or a student currently on leave or a full-time employee of the College.
● **Parental Notification:** Parent(s) and/or legal guardian(s) of dependent students may receive notification of judicial sanctions incurred by their son/daughter in response to violations of designated policies and specified judicial sanctions.

● **Physical Restrictions:** A directive given to an accused student that does not permit him/her/them to be in specified locations on College Premises.

● **Probation:** The next violation is likely to result in Suspension or Expulsion.

● **Residence Reassignment:** Relocation to another living space on campus.

● **Residence Termination:** Removal from campus housing.

● **Restitution:** Monetary reimbursement to the College, an individual, or an organization for repair or replacement of property damaged, stolen, or misappropriated.

● **Suspension:** Separation from the College community for a defined period of time, usually no fewer than two (2) Academic Terms. Additional stipulations or conditions for reinstatement may be assigned. Reinstatement is contingent upon a positive administrative review. A student under suspension is not allowed to transfer in credit for courses taken at other institutions during the defined period of time of the suspension.

● **Suspension with Academic Delay:** The student will be suspended from the College, but the commencement of the suspension will be deferred and the student will be permitted to remain enrolled in classes until the end of the term. However, if the student fails to comply with any interim restriction which may be imposed during the deferral period (e.g., fails to comply with a “no contact” directive), violates the Student Conduct Code while in the deferral period and is found responsible, or fails to complete the assigned sanctions by the given deadline(s), the student will be immediately suspended. During the deferral period, the student is not considered to be in good standing with the College and may not represent the College on any athletic team other than intramurals, hold an office in any student organization registered with the College, represent the College in any extracurricular activity or official function, or participate in any study abroad program.

● **Withholding the Granting of a Degree or Revocation of a Degree:** Action by the College to withhold or revoke a student’s degree.

● **Written Warning:** Written notification given to a student that continued or repeated inappropriate behavior may result in more formal judicial action. A letter of written warning is kept in the student’s Judicial File.

**Appeals**
The point of an appeal is not to provide the accused with a new hearing. The accused may appeal the decision of the Hearing Board based only upon the grounds outlined below with respect to the violation(s) found to have occurred. The complainant, in the case involving sexual
misconduct, may appeal the decision of the Hearing Board based only upon the grounds outlined below. The appeal is to be prepared by the student or organization seeking the appeal, not legal counsel. There is no option for an appeal of sanctions issued through an Administrative Review. Appeals of hearing decisions must be submitted to the Vice President of Student Affairs/Dean of Students in writing within **five (5) business days** of written notification of the hearing results. The imposition of sanctions remains in effect during the period of the appeal proceedings.

The Vice President for Student Affairs and Dean of Students may review all materials presented at the hearing and may consult with the chair of the appropriate hearing board on questions of judicial procedure; and the Director of Student Conduct, on questions of appropriateness of the sanction(s).

Appeals shall be submitted based on the student’s ability to demonstrate that:

- The hearing was materially inconsistent with the established judicial procedure;
- New information discovered after the hearing that could not have been readily discovered before the hearing, and which evidence might have had an effect on the outcome of the hearing.

An appeal must set forth concisely the grounds for appeal, as well as any supporting material submitted by the accused students.

A written decision will be rendered by the Vice President for Student Affairs (or President in accordance with the above procedures) and mailed to the student’s local address, ordinarily within ten (10) days of receipt of the appeal. Vice President for Student Affairs (or President) may:

- Uphold the original decision.
- Remand the case to the appropriate body for rehearing.

The outcome of the appeal is final.

**Availability of Records**

All incident reports, student judicial files, judicial proceedings and outcomes, constitute educational records under the Family Educational Rights and Privacy Act (commonly known as the “Buckley Amendment”) and are subject to its release and confidentiality provisions, and the College’s FERPA policy. Under circumstances where the charges involve physical assault or sex offenses, the student bringing the charges as well as the student charged will be informed of the final determination of any Judicial Body. In matters involving serious offenses, as defined under the FERPA regulations, the College reserves the right to reveal the outcome of any judicial proceedings and the name of any student found to be in violation to the College community. Union College must, upon written request from the victim (or the next of kin if the victim dies) of an alleged crime of violence, disclose to the victim (or the next of kin in the victim dies), the final results of the disciplinary proceeding dealing with the crime or offense.
All non-academic student disciplinary files will be maintained in accordance with Dean of Students Office policies. All academic student records will be maintained in accordance with the Dean of Studies Office policies. The College may inform parents of students who are under the age of 18 or dependent of the outcome of judicial proceedings. If the sanction is Suspension or Expulsion, the College will notify the parent(s) or the legal guardian(s) of a dependent student or a student below 18 years of age.

**Interpretation of the College Judicial Code: Definitions**

- **Accused**: The Accused is the student who is responding to the complaint and changes.

- **Administrative Review**: This term refers to the judicial process described in this document.

- **Advisor**: An Accused or Victim may bring any person he or she wants to the hearing as a consultant (a/k/a “Advisor”). This person must be a full time employee of the College (faculty, administration, or staff) or student who is not an attorney or parent/legal guardian. The Advisor provides the Accused or Victim advice during the hearing. The Advisor is not allowed to argue for, advocate for, or present the case for the Accused or Victim or to address the Board.

- **Board Hearing**: A hearing is a structured meeting designed to elicit the relevant information while providing the Accused with the opportunity to challenge the statement of the Complainant. Chair: The Chair is the chairperson of the Hearing Board who is a voting member of the Board.

- **Code of Student Conduct**: The document(s) in which the rules governing behavioral expectations of students are listed, including information regarding violations, complaints, etc.

- **College Policies, Rules and/or Regulations**: This term refers to the written regulations of the College including, but not limited to: Rules of Public Order; the Student Conduct Code; Bias Policy; Sexual Misconduct and Sexual Harassment Policy; Alcohol and Drug Policy; Hazing Policy; Smoking Policy; Terms Abroad Guidelines; or, the Undergraduate Catalogs.

- **College Premises**: This term includes all campus land, buildings, and facilities, as well as off-campus property in the possession of or owned, or controlled by the College.

- **Complainant**: The person(s) responsible for filing the initial complaint. Can be the victim of misconduct, the witness to a violation of the Code, or Union College itself.

- **Conduct Code**: The Conduct Code is a document that sets forth the rules and regulations relating to conduct of students, including information regarding the type of violation that will subject a student to discipline and the procedures.
● **Day**: This term refers to business days; it does not include weekends and holidays.

● **Deliberation**: Deliberation occurs when the Board looks at all the information, applies the standard of proof to that information, and makes a determination about the Accused’s behavior with respect to the alleged violation. (See the chapter on deliberation for a more substantial understanding of this topic.)

● **Director of Student Conduct**: The Director of Student Conduct is the College official in charge of administering the Conduct Code. The Director of Student Conduct, with assistance of College Counsel, trains all of the Board, assures adherence to procedure, and answers questions about process and information.

● **Evidence**: Evidence is any information brought to a hearing, whether furnished by witnesses or derived from documents or from any other source. It should be noted that the term “information” is preferred to “evidence.”

● **Fraternity and Sorority Conduct Board**: The Fraternity and Sorority Conduct Board consists of twelve (12) students, who have been initiated into a fraternity/sorority with Full Recognition from Union College. Three (3) of these members will be Executive Board Members representing the three (3) governing councils. The Board Chair responsibilities will rotate between these three (3) members each Academic Year unless other needs arise. The remaining nine (9) members of the Board shall be selected by the outgoing Board Chair and the Director of Fraternity and Sorority Affairs through an application and review process. The Fraternity and Sorority Conduct Board will hear cases of alleged chapter violations of the Student Conduct Code and/or Fraternity and Sorority Policies. The Director of Fraternity and Sorority Affairs will be present throughout the hearing and deliberation process of the Fraternity and Sorority Conduct Board but is not permitted to vote. Members of the Fraternity and Sorority Conduct Board will serve as volunteers who are trained in FERPA, confidentiality, procedures, and applicable policies and rules of the College.

● **Hearing Board**: There are three Hearing Boards with the authority to hear Conduct Code cases: Judicial Hearing Board, Student Conduct Board, Fraternity and Sorority Conduct Board. The Vice President for Student Affairs is authorized to refer a matter to any one of the three Boards.

● **Hearing Coordinator**: The Director of Student Conduct coordinates the case.

● **Information**: Information is any knowledge, facts, or data brought to the hearing, whether furnished by witnesses or derived from documents or from any other source.

● **Judicial Body**: This term refers to any person or persons appointed to determine whether a Student has engaged in Proscribed Conduct and to recommend imposition of sanctions.
- **Judicial Hearing Board**: This term refers to the judicial process described in this document. The Judicial Hearing Board hears cases of alleged violations of the Code of Conduct including cases involving an alleged violation of the Sexual Misconduct and Sexual Harassment Policy.

- **Office**: The Vice President for Student Affairs Office is the central location for student Conduct Code matters.

- **Proscribed Conduct**: This term is defined as: a violation of published College Policies, Rules and/or Regulations, including, but not limited to, the Student Conduct Code; Sexual Assault Policy; Harassment Policy; Alcohol and Drug Policy; Hazing Policy; Rules of Public Order; Undergraduate Catalogs; conduct which adversely affects the College community and/or the pursuit of its objectives, whether that conduct occurs on or off College Premises; or conduct which results in charges of violation of any federal, state or local law, whether that conduct occurs on or off College Premises.

- **Sanction**: A sanction is an outcome of either an Administrative Review or determined by the Director of Student Conduct after taking into account non-binding recommendations of one of the Boards.

- **Standard of Proof**: The standard of proof in Conduct Code hearings is “preponderance of the evidence” which simply means that, based upon the information, it is “more likely than not” that a violation occurred.

- **Student**: This term includes any individual who is matriculated at the College on either a full-time or part-time basis, and also includes any individual who is auditing a course at the College or who withdraws after allegedly violating the Student Code. Individuals who are both students and employees will be treated as Students for the purpose of this policy only if their primary relationship to the institution is that of student. Allegations against individuals who are regular employees (regardless of student status) will be handled under the appropriate College personnel policies.

- **Student Organization**: This term refers to any number of persons who have complied with the formal requirements for College recognition or registration as a student organization.

- **Student Conduct Board**: The Student Conduct Board consists of students; the Chair is a student. The Director of Student Conduct will assist the Student Conduct Board. The Student Conduct Board hears cases of alleged violation of the Code of Conduct. Members of the Student Conduct Board serve as volunteers who are trained in FERPA, confidentiality, procedures, applicable policies and rules of the College, and the philosophy of the Conduct Code at Union College.

- **Victim**: A Victim is a person who has been affected by the behavior of the Accused. Typically, Victims of sexual assaults are referred to as “Survivors.” Prior to a decision regarding the Accused’s behavior, Victims are “alleged” Victims.
Witness: A witness provides information to a Conduct Code Board and must be a member of the College community. However, an exception may be made by the Director of Student Conduct to allow a non-member of the College community to be permitted to testify upon written petition from the Accused, Complainant, or Victim/Survivor to the Director of Student Conduct, to be received at least 48 hours in advance of the Hearing. A character witness is a witness without direct knowledge of the incident in question who the Complainant, Victim/Survivor, and/or Accused may desire to present to the Hearing only for the purpose of providing testimony relative to good character. Only one character witness can testify on behalf of any party.

SEXUAL MISCONDUCT POLICY (NEW)

We would like to acknowledge and thank Tufts University and Occidental College for being able to base parts of our Sexual Misconduct Policy on their policies and procedures on sexual misconduct.

Applies to sexual misconduct, relationship violence, sexual harassment, or stalking. Title IX of the Education Amendments of 1972 is a federal law that prohibits sex discrimination in education. It reads:

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

--Legal Citation: Title IX of the Education Amendments of 1972, and its implementing regulation at 34 C.F.R. Part 106 (Title IX)

Sex discrimination includes sexual harassment and sexual assault.

INTRODUCTION

Institutional Values and Community Expectations
Union College is an educational community where strong emphasis is placed on self-discovery and awareness. Where such an atmosphere exists for freedom of expression, however, it must always be combined with a mutual respect and consideration for the lives and feelings of others. In such a setting, there is no place for conduct that diminishes, uses, or abuses other individuals. Any violation of trust, any form of sexual intimidation, exploitation, or discrimination jeopardizes the mission of the institution and threatens the educational experience and well-being of students. Union College will not tolerate sexual misconduct, and the institution will take appropriate action, as deemed necessary, to prevent and address such conduct.
It is the policy of Union College, in keeping with efforts to establish an environment in which the dignity and worth of all members of the institutional community are respected, to view sexual misconduct, relationship violence, sexual harassment, or stalking of students as unacceptable conduct that will not be tolerated. This policy includes all forms of sexual discrimination including sexual misconduct, relationship violence, sexual harassment, or stalking by employees, students, or third parties.

Recognizing its responsibility to uphold the tenets inherent in this policy, the College thus establishes the following procedures and guidelines designed to educate and inform students relative to: (1) the rights of the complainant and the respondent; (2) the definition of sexual misconduct, relationship violence, sexual harassment, or stalking; and (3) procedures for filing and resolving related complaints.

Union College encourages the prompt reporting of any incident of sexual misconduct to the College and to local law enforcement (for reporting options, including confidential resources see below “Resources” page 53 “Reporting” page 56). Upon receipt of a report, the College will take prompt and effective action by: providing interim remedies and support for individuals who make a report or seek assistance under this policy (referred to as the “complainant”); conducting a review of the conduct under Title IX of the Education Amendments of 1972; addressing the safety of individuals and the campus community; and, as warranted, pursuing resolution through informal measures or formal disciplinary action against the accused individual (referred to in this policy as the “respondent”). The policy provides specific procedures for investigation and resolution based on the role of respondent (student, staff or faculty).

All Union College community members are strongly encouraged to report information regarding any incident of sexual misconduct, relationship violence, sexual harassment, or stalking directly to the Title IX Coordinator or a member of the Title IX Team. The College cannot take appropriate action unless an incident of sexual misconduct, relationship violence, sexual harassment, or stalking is reported to a “Responsible Employee” of the College (see definition of a Responsible Employee on page 47 below).

The Title IX Team includes: the Senior Associate Dean of Students/Director of Student Conduct, the Director of Campus Safety, and a Deputy Title IX Coordinator.

Retaliation against any person or group who makes a complaint, cooperates with an investigation, or participates in a grievance procedure is a violation of College policy. Retaliation should be reported promptly to the Title IX Coordinator for investigation, which may result in disciplinary action independent of any sanction or interim measures imposed in response to the underlying allegations of discrimination and/or harassment.

Union College encourages all members of our community to participate in the process of creating a safe, welcoming and respectful environment on campus. In particular, the College expects that all its community members will take reasonable and prudent actions to prevent or stop an act of sexual misconduct. Taking action may include direct intervention when safe to do so, enlisting the assistance of friends, contacting Campus Safety, or seeking assistance
from a person in authority. Community members who chose to exercise this positive moral obligation will be supported by the College and protected from retaliation.

The College provides a number of rights to complainants in accusations of misconduct and to those accused of sexual misconduct including, but not limited to, the following:

**Campus Sexual Misconduct Bill of Rights**

**Complainant**  
If you file a report of sexual misconduct, relationship violence, sexual harassment, or stalking (the complainant), you have the right to:

— Make a report to a College official with knowledge about the College Sexual Misconduct Policy, reporting options, and resources.

— Obtain assistance from College officials to make a report to local law enforcement and/or state police.

— Information about on and off campus resources including intervention, mental health counseling, and medical services, which shall include information on whether such resources are available at no cost or for a fee.

— Information about sexually transmitted infections, sexual assault forensic examinations, and resources available through the New York State Office of Victim Services (found at [https://ovs.ny.gov/](https://ovs.ny.gov/))

— Information about the range of interim accommodations and remedies.

— Have disclosures of sexual misconduct, relationship violence, sexual harassment, or stalking 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 by the College.

— 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 College courteous, fair, and respectful health care and counseling services, where available.

— Be free from any suggestion that you are at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations.

— Describe the incident to as few College representatives as practicable and not be required to unnecessarily repeat a description of the incident.

— Be protected from retaliation by the College, any student, the respondent, and/or his/her friends, family, and acquaintances within the jurisdiction of the College.

— Access to at least one level of appeal of a determination.


**Respondent**

As a student accused of sexual misconduct, relationship violence, sexual harassment, or stalking (the respondent), you are entitled to:

— Be treated with dignity and respect by College officials.

— Be afforded the right to a presumption of not responsible until a finding of responsibility is made in accordance with the procedures defined in this policy.

— Receive from the College campus support resources (Counseling Services, the Office of Religious and Spiritual Life, and Health Services).

**Both Parties**

The complainant and respondent have the following rights:

— To be able to exercise their civil rights and practice religion without interference by the investigative, criminal justice, or judicial or conduct process of the College.

— To request a campus “no contact order” against the other party (see page 60 below on “No Contact Order”).

— To have an advisor of their choice (including legal counsel who they have retained) to assist in, and/or offer advice on, reporting and filing a complaint (if the complainant) and responding to a complaint (if the respondent); and to be present throughout the investigative process (while meeting with investigators), during informal resolution discussions with the Dean of Students or designee, and/or throughout critical stages of the Formal Complaint Resolution process, as requested. See definition of “Advisor” below.

— To have the rights set forth under the Formal Resolution Procedures. See Formal Resolution” below.

**SCOPE OF POLICY**

**When to Use this Policy**

**Complaints Against Students**

This policy applies only in those instances when a student has been subject to sexual misconduct, relationship violence, sexual harassment, or stalking by another student. When used in this policy, complainant refers to the individual who files a complaint or incident report of sexual misconduct, relationship violence, sexual harassment, or stalking. Respondent refers to the individual who has been accused of prohibited conduct under this policy. A third party refers to any other participant in the process including a witness to the incident or an individual who makes a report on behalf of someone else.

This policy also applies where a prospective student or other visitor to the campus (e.g., a guest of another student, an alumnus or alumna, or a member of a visiting team) complains of a Union College student’s behavior. If the respondent is not a student, then this policy does not apply, and the student should do the following:
Complaints Against Faculty or Staff  

If a student wishes to bring forward a complaint of sexual misconduct, relationship violence, sexual harassment, or stalking against a faculty or staff member, the student should contact the Title IX Coordinator. When the respondent is not a student, if the respondent presents a continuing threat to the health and safety of the complainant, interim protective measures will be pursued.

Complaints Against Visitors or Non-Community Members

If a student wishes to bring forward a complaint of sexual misconduct, relationship violence, sexual harassment, or stalking against a visitor or non-community member (e.g., an alumnus or alumna, a prospective student, a guest of a student, a member of another college’s team, a local resident) the complaint should be made to Campus Safety at 518-388-6911. Visitors accused of sexual misconduct, relationship violence, sexual harassment, or stalking are not entitled to a hearing of any kind. Campus Safety will investigate complaints against visitors and the College will determine the appropriate action to be taken. (For more information see “Rules of Public Order” approved by Board of Trustees of Union College and found in the Student Handbook.)

On Campus and Off Campus Behavior

This policy applies to conduct that occurs on any part of Union’s campus or property. It also applies when students travel off-campus as part of a College activity, team, organization, or event. Additionally, Union College has the discretion to discipline student behavior that occurs off-campus, in the City, and/or during a time when the College is not in session. In making these determinations, the Dean of Students considers whether the behavior impacts the campus environment (as would be the case, for example, if one student sexually assaults another student in an off-campus apartment or overseas during a term abroad, or if a student sends another student lewd and threatening sexual emails while at home during the term break). In understanding this aspect of Union’s expectations for student behavior, it may be helpful to think of student status as “portable” and therefore operative even when students are not on Union’s campus or property.

A complainant is encouraged to report misconduct regardless of where the incident occurred or who committed it. Even if the College does not have jurisdiction over the respondent, the College will still take prompt action to provide for the safety and well-being of the complainant and the broader campus community.

PRIVACY V. CONFIDENTIALITY

The College is committed to protecting the privacy of all individuals involved in a report of sexual misconduct, relationship violence, sexual harassment, or stalking. All College employees and students who are involved in the College’s Title IX response, including the Title IX

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1 Related Consensual Relations Policies: (1) Faculty-Student: See Faculty Manual at FM Section II, Item XII; Administrator-Student: See Administrative Manual at Section 4.23; (3) Staff-Student: See Staff Handbook at Section 4.20.
Coordinator, investigators, and hearing panel members, receive specific instruction about respecting and safeguarding private information. Throughout the process, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the report. Privacy and confidentiality have distinct meanings under this policy.

**Privacy**
Privacy generally means that information related to a report of misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those College employees who “need to know” in order to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

**Confidentiality**
Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without the express permission of the individual. These campus and community professionals include mental health providers, ordained clergy, and rape crisis counselors, all of whom have legally protected confidentiality. These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others.

An individual who seeks completely confidential assistance may do so by speaking with professionals who have a legally protected confidentiality. On campus, confidential resources available to students include psychological counselors at the Counseling Center, licensed health care professionals in Wicker Wellness Center, and the minister (Viki Brooks) in the Office for Religious & Spiritual Life. When a report involves suspected abuse of a minor under the age of 18, these confidential resources are required by state law to notify child protective services and/or local law enforcement.

An individual may also seek assistance from a medical provider. In general, the disclosure of private information contained in medical records is protected by New York State patient confidentiality laws.

**Responsible Employees**
In general, most College employees do not have legally protected confidentiality. Under Title IX, the College is required to take immediate and corrective action if a “Responsible Employee” knew or, in the exercise of reasonable care, should have known about sexual or gender-based harassment that creates a hostile environment. A Responsible Employee includes any employee who:

- Has the authority to take action to redress the harassment;
- Has the duty to report to appropriate school officials sexual harassment or any other misconduct by students or employees; or
- A student could reasonably believe has the authority or responsibility to take action.
Using this lens, employees with supervisory and leadership responsibilities on campus are considered Responsible Employees. This includes, for example, faculty, coaches, administrators, Resident Directors, and Resident Advisors.

The College requires that all Responsible Employees share a report of misconduct with the Director of Campus Safety. The Director of Campus Safety will notify the Senior Associate Dean of Students/Director of Student Conduct and Title IX Coordinator.

**PROHIBITED CONDUCT AND DEFINITIONS**
The College prohibits all forms of sexual misconduct which includes, but is not limited to, prohibited behaviors often described as sexual and gender discrimination, sexual assault, sexual exploitation, relationship violence, sexual harassment, and stalking. The College prohibits the following specific conduct:

**Sexual Misconduct and Related Terms**
State law defines various violent or non-consensual sexual acts as crimes. Additionally, Union has defined categories of sexual misconduct, as stated below, for which College disciplinary action may be imposed. Generally speaking, Union considers sexual assault violations to be the most serious, and therefore imposes the most severe sanctions, up to and including suspension or expulsion. However, Union reserves the right to impose any level of discipline, up to and including suspension or expulsion, for any act of sexual misconduct, relationship violence, or sexual exploitation.

Acts of sexual misconduct and relationship violence may be committed by men against women, women against men, men against men, and women against women regardless of actual or perceived sex, gender, gender identity, gender expression, and/or sexual orientation. The issue in any case is not the gender of the persons involved but the acts.

**Sexual Assault**
Sexual assault refers to any sexual penetration (anal, oral, or vaginal), however slight, with any object, or sexual intercourse by a man or woman upon a man or woman without consent. Sexual penetration includes vaginal or anal penetration by a penis, tongue, finger, or object or oral copulation by mouth to genital contact or genital to mouth contact.

**Sexual Misconduct**
Sexual misconduct refers to any intentional sexual touching, however slight, with any object by a man or woman upon a man or woman without consent. Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner. Sexual misconduct also includes any disrobing of another or exposure to another by a man or woman without affirmative consent.

**Sexual Exploitation**
Sexual exploitation refers to a situation in which a person takes non-consensual or abusive sexual advantage of another, and situations in which the conduct does not fall within the definitions of sexual assault or sexual misconduct. Sanctions for sexual
exploitation can vary greatly depending on the severity of the violation. Severe cases can involve suspension or expulsion. Examples of sexual exploitation include, but are not limited to:

— Sexual voyeurism (such as watching a person undressing, using the bathroom or engaged in sexual acts without the consent of the person observed).

— Taking pictures or video or audio recording another in a sexual act, or in any other private activity without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person’s consent).

— Prostitution (such as selling or exchanging sexual acts for money or something else of value or benefit).

— Engaging in sexual activity with another person while knowingly infected with a sexually transmitted disease (STD) and without informing the other person of the infection.

— Administering drugs (such as “date rape” drugs) to another person without his or her knowledge or affirmative consent.

**Sexual and Gender Discrimination**

Sexual and gender discrimination includes all forms of sexual and gender harassment and/or sexual and gender violence by employees, students, or third parties against employees, students, or third parties.

**Retaliation**

Acts or attempts to retaliate or seek retribution against the complainant, respondent, or any individual or group of individuals involved in the complaint, investigation and/or resolution of an allegation of sexual misconduct. Retaliation can be committed by any individual or group of individuals, not just a respondent or complainant. Retaliation can take many forms, including threats, intimidation, pressuring, continued abuse, violence or other forms of harm to others.

**Relationship Violence**

Under Clery and the Campus SaVE Act, the College will record and report all relevant incidents of intimate partner violence. Relationship violence includes the following violations:

**Domestic Violence**

Causing or attempting to cause physical or sexual assault or abuse, placing another in reasonable fear of serious bodily injury, restraining another’s liberty or freedom of movement, or stalking, where such conduct is directed against the complainant by his/her current or former spouse or intimate partner or any other person from whom the complainant is protected under federal or state law.
**Dating Violence**
Causing or attempting to cause physical or sexual assault or abuse, placing another in reasonable fear of serious bodily injury, restraining another’s liberty or freedom of movement, or stalking where such conduct is directed against the complainant by someone with whom he/she is or has been in a romantic or intimate relationship. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.

**Sexual Harassment**
Any unwelcome sexual advance, request for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature when:
- Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual’s employment, evaluation of academic work, or participation in any aspect of a College program or activity; or
- Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance, i.e. it is sufficiently serious, pervasive or persistent as to create an intimidating, hostile, humiliating, demeaning, or sexually offensive working, academic, residential, or social environment under both a subjective and objective standard.

A single isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to create a hostile environment, particularly if the harassment is physical.

Sexual harassment:
- May be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated.
- Does NOT have to include intent to harm, be directed at a specific target, or involve repeated incidents.
- May be committed by anyone, regardless of gender, age, position or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational or employment relationships, harassment can occur in any context.
- May be committed by a stranger, an acquaintance, or someone with whom the complainant has an intimate or sexual relationship.
- May be committed by or against an individual or may be a result of the actions of an organization or group.
- May occur by or against an individual of any sex, gender identity, gender expression or sexual orientation.
- May occur in the classroom, in the workplace, in residential settings, or in any other setting.
- May be a one-time event or can be part of a pattern of behavior.
- May be committed in the presence of others or when the parties are alone.
- May affect the complainant and/or third parties who witness or observe harassment and are affected by it.

Examples of conduct that may constitute sexual harassment as defined above may include a severe, persistent or pervasive pattern of unwelcome conduct that includes one or more of the following:

**Physical Conduct**
- Unwelcome touching, sexual/physical assault, impeding, restraining, or blocking movements
- Unwanted sexual advances within the employment context

**Verbal Conduct**
- Making or using derogatory comments, epithets, slurs or humor
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations
- Objectively offensive comments of a sexual nature, including persistent or pervasive sexually explicit statements, questions, jokes, or anecdotes

**Visual Conduct**
- Leering, making sexual gestures, displaying of suggestive objects or pictures, cartoon or posters in a public space or forum
- Severe, persistent, or pervasive visual displays of suggestive, erotic, or degrading sexually oriented images that are not pedagogically appropriate

**Written Conduct**
- Letters, notes or electronic communications containing comments, words, or images described above

**Quid Pro Quo Conduct**
- Direct propositions of a sexual nature between those for whom a power imbalance or supervisory or other authority relationship exists
- Offering employment benefits in exchange for sexual favors
- Making submission to sexual advances an actual or implied condition of employment, work status, promotion, grades, or letters of recommendation,
including subtle pressure for sexual activity, an element of which may be repeated requests for private meetings with no academic or work purpose
— Making or threatening reprisals after a negative response to sexual advances

**Stalking**
Repeated acts or communications directed toward another person, including following the other person without proper justification, which places the other person in reasonable fear of bodily injury or cause substantial emotional distress. Stalking includes, but is not limited to, repeatedly engaging in contact, face-to-face communication, telephone calls or messages, text messages, emails, letters, the giving of unwanted gifts, threatening or obscene gestures, surveillance, following, trespassing, or vandalism.

**Consent, Force, Coercion, Incapacitation, Alcohol and other Drugs**

**Consent**
Under New York law, affirmative consent means: 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 express.
— 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.

**Force/Intimidation/Threat of Harm**
Force is the use or threat of physical violence or intimidation to overcome an individual’s freedom of will to choose whether or not to participate in sexual activity. For the use of force to be demonstrated, there is no requirement that a complainant resists the sexual advance or request. However, resistance by the complainant will be viewed as a clear demonstration of non-consent.
**Coercion**

Coercion is the improper use of pressure to compel another individual to initiate or continue sexual activity against his/her will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats and blackmail. A person’s words or conduct are sufficient to constitute coercion if they wrongfully impair another individual’s freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include threatening to “out” someone based on sexual orientation, gender identity or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.

**Incapacitation**

Incapacitation is a state where an individual cannot make an informed and rational decision to engage in sexual activity because he/she lacks conscious knowledge of the nature of the act (e.g., to understand the “who, what, when, where, why or how” of the sexual interaction) and/or is physically helpless. An individual is incapacitated, and therefore unable to give consent, if he/she is asleep, unconscious, or otherwise unaware that sexual activity is occurring.

Incapacitation may result from the use of alcohol and/or drugs. Consumption of alcohol or other drugs alone is insufficient to establish incapacitation. The impact of alcohol and other drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impact an individual’s:

- Decision-making ability;
- Awareness of consequences;
- Ability to make informed judgments; or
- Capacity to appreciate the nature and the quality of the act.

Evaluating incapacitation also requires an assessment of whether a respondent knew or should have known, that the complainant was incapacitated.

**Alcohol and Other Drugs**

In general, sexual contact while under the influence of alcohol or other drugs poses a risk to all parties. Alcohol and other drugs impair a person’s decision-making capacity, awareness of the consequences, and ability to make informed judgments. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person’s level of intoxication. If there is any doubt as to the level or extent of the other individual’s intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

Being intoxicated or impaired by alcohol or other drugs is never an excuse for sexual misconduct, relationship violence, sexual harassment, or stalking and does not diminish one’s responsibility to obtain consent.

**RESOURCES**

The College is committed to treating all members of the community with dignity, care and respect. A student who experiences or is affected by sexual misconduct, relationship violence, sexual harassment, or stalking whether as a complainant, a respondent, or a third party, will have
equal access to support and counseling services through the College. Interim remedies are also available to all parties (see “Interim Measures, Remedies, and Accommodations” below).

The College recognizes that deciding whether or not to make a report, either to the College or law enforcement, and choosing how to proceed can be difficult decisions. Making a report means telling someone in authority what happened, in person, by telephone, in writing or by email. All individuals are encouraged to seek the support of campus and community resources. These trained professionals can provide guidance in making decisions, information about available resources and procedural options, and assistance to either party in the event that a report and/or resolution under this policy is pursued. Individuals are encouraged to use all available resources on and off campus, regardless of when or where the incident occurred.

There are many resources available on campus and in the surrounding community. As detailed below, there are confidential resources which by law cannot share information without the consent of the individual seeking assistance. There are also a variety of College resources that will be discreet and private, but are not considered confidential. These resources will maintain the privacy of an individual’s information within the limited circle of those involved in the resolution of a complaint under this policy. For more information about the difference between privacy and confidentiality, see the section above on “Privacy v. Confidentiality”.

Confidential Resources
The College encourages all community members to make a prompt report of any incident of sexual misconduct, relationship violence, sexual harassment, or stalking to local law enforcement and the College. For individuals who are not prepared to make a report, or who may be unsure what happened, but are still seeking information and support, there are several legally-protected confidential resources available as designated below. These confidential resources will not share information with the College or anyone else without the individual’s permission.

<table>
<thead>
<tr>
<th>Confidential Resources</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td><strong>CAMPUS RESOURCES</strong></td>
<td></td>
</tr>
<tr>
<td>Sexual Assault Resource Hotline</td>
<td>518-388-6600 ext. 1</td>
</tr>
<tr>
<td>Counseling Center-Wicker Wellness Center</td>
<td>518-388-6161</td>
</tr>
<tr>
<td>Health Services-Wicker Wellness Center</td>
<td>518-388-6120</td>
</tr>
<tr>
<td>Campus Minister</td>
<td>518-388-6618</td>
</tr>
<tr>
<td><strong>OFF CAMPUS RESOURCES</strong></td>
<td></td>
</tr>
<tr>
<td>Schenectady County Sexual Assault Support Services</td>
<td>518-346-2266</td>
</tr>
<tr>
<td>Schenectady YWCA Domestic Violence Hotline</td>
<td>518-374-3386</td>
</tr>
</tbody>
</table>

Confidential Medical Resources
A medical provider can provide emergency and/or follow-up medical services. The medical exam has two goals: first, to diagnose and treat the full extent of any injury or physical effect (including prevention of sexually transmitted illnesses and pregnancy) and second, to properly collect and preserve evidence. There is a limited window of time (within 96 hours) following an incident of sexual assault to preserve physical and other forms of evidence. Taking the step to gather evidence immediately does not commit an individual to any particular course of action. The decision to seek timely medical attention and gather any evidence, however, will preserve
the full range of options to seek resolution under this policy or through the pursuit of criminal prosecution.

On campus, Wicker Wellness Center can provide medical care; however, Wicker is not equipped for forensic examinations.

<table>
<thead>
<tr>
<th>Wicker Wellness Center</th>
<th>Health: 518-388-6120</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Counseling: 518-388-6161</td>
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<table>
<thead>
<tr>
<th>Emergency Medical Contact Information</th>
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</thead>
<tbody>
<tr>
<td>Ellis Hospital ER, Nott Street</td>
</tr>
<tr>
<td>Ellis Health Center ER, McClellan Street</td>
</tr>
<tr>
<td>Urgent Care, Community Care Physicians, Niskayuna, NY</td>
</tr>
<tr>
<td>Urgent Care, Surya Immediate Care, Latham, NY</td>
</tr>
<tr>
<td>Urgent Care, Albany Med EmUrgentCare, Glenville, NY</td>
</tr>
</tbody>
</table>

**Campus Resources**

In addition to the confidential resources listed above, Union College community members have access to a variety of resources provided by the College. The staff members listed below are trained to support individuals affected by sexual harassment or misconduct and to coordinate with the Title IX Coordinator consistent with the College’s commitment to a safe and healthy educational environment. While not bound by confidentiality, these resources will maintain the privacy of an individual’s information within the limited circle of those involved in the Title IX resolution process.

**Campus Safety**

518-388-6911; campussafety@union.edu; website: union.edu/safety; College Park Hall, Union College, 807 Union Street, Schenectady NY 12308-3103.

**Dean of Students**

518-388-6116; dos_office@union.edu; website: union.edu/dean; Reamer Campus Center 306, Union College, 807 Union Street, Schenectady NY 12308-3103

**Title IX Coordinator**

Dr. Melissa Kelley, 518-388-6585; kelleym2@union.edu; 403E Reamer Campus Center; Union College, 807 Union Street, Schenectady NY 12308-3103.

- **Duties and Responsibilities:** Monitoring and oversight of overall implementation of Title IX compliance at Union College including coordination of training, education, communications, and administration of grievance procedures for faculty, administrative staff, and hourly staff.
- Additionally, if you have a complaint against a Union College faculty member, administrator, staff member, or visitor for sexual harassment, sex discrimination, or sexual assault, you should contact the Title IX Coordinator.

**Title IX Deputy Coordinators**

**Complaints Related to Athletics Against/By Union Students and Employees**

If you have a complaint against a Union College student, coach, athletics’ administrator, or visiting student athlete, coach, or athletics personnel, or visiting spectator for sexual
discrimination, harassment, misconduct (including sexual assault), or retaliation, you may contact Senior Associate Director of the Athletic Department who will facilitate the handling of the complaint, the Title IX Coordinator, or one of the other Deputy Coordinators listed below.

**Gender Equity in Athletics**
If you have a complaint about gender equity in Union College athletics programs, you should contact the Senior Associate Director of the Athletic Department who is responsible for Title IX Compliance in matters related to gender equity in Union College athletics programs:

- Joanne Little, Senior Associate Director, 518-388-6433; littlej@union.edu; Voice Mail: 518-388-6433; Athletic Department, Alumni Gym, Union College, 807 Union Street, Schenectady NY 12308-3103.

**Complaints Against Union Students**
If you have an inquiry or complaint against a Union College student for sexual discrimination, sexual harassment (including stalking), sexual misconduct (including sexual assault), or retaliation; you may contact any of the following officials listed:

- Jason F. Benitez, Director of Multicultural Affairs, 518-388-6030; benitezj@union.edu; Campus Diversity, Reamer Campus Center, Union College, 807 Union Street, Schenectady NY 12308-3103.
- AJ Place, Assistant Director, 518-388-6117; placea@union.edu; Residential Life, Reamer Campus Center, Union College, 807 Union Street, Schenectady NY 12308-3103.
- Callie Stacey, Director of Operations, 518-388-6050; staceyc@union.edu; Voice Mail: 518-388-6487; Dining Services-Office, Reamer Campus Center 202, Union College, 807 Union Street, Schenectady NY 12308-3103.
- Joanne Little, Senior Associate Director, 518-388-6433; littlej@union.edu; Voice Mail: 518-388-6433; Athletic Department, Alumni Gym, Union College, 807 Union Street, Schenectady NY 12308-3103.

**REPORTING**

**Emergency and External Reporting Options**
The College encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident of sexual misconduct. This is the best option to ensure preservation of evidence and to begin a timely investigative and remedial response. The College will help any student to get to a safe place and will provide transportation to the hospital, coordination with law enforcement, and information about on- and off-campus resources and options for resolution.
Emergency Contact Information

| New York State Police, Sexual Assault Victims Unit | 844-845-7269 |
| Schenectady Police Department, 531 Liberty Street, Schenectady | 518-382-5200 |
| Ellis Hospital ER, Nott Street, Schenectady | 518-243-4121 |
| Ellis Health Center ER, McClellan Street, Schenectady | 518-382-2222 |
| Urgent Care, Community Care Physicians, Niskayuna | 518-713-5341 |
| Urgent Care, Surya Immediate Care, Latham | 518-867-8080 |
| Urgent Care, Albany Med EmUrgentCare, Glenville | 518-264-2900 |

**Campus Reporting Options**

The College has a strong interest in supporting survivors of sexual misconduct, relationship violence, sexual harassment, and stalking and encourages all individuals or third party witnesses to report any incident to the College.

Making a report means telling someone in authority what happened -- in person, by telephone, in writing or by email. At the time a report is made, a complainant does not have to decide whether or not to request any particular course of action, nor does a complainant need to know how to label what happened. Choosing to make a report, and deciding how to proceed after making the report, can be a process that unfolds over time. The College provides support that can assist each individual in making these important decisions, and to the extent legally possible will respect an individual’s autonomy in deciding how to proceed. In this process, the College will balance the individual’s interest with its obligation to provide a safe and non-discriminatory environment for all members of the College community.

Any individual who reports sexual misconduct, relationship violence, sexual harassment, or stalking can be assured that all reports will be investigated and resolved in a fair and impartial manner. The complainant, respondent, and all individuals involved can expect to be treated with dignity and respect. In every report under this policy, the College will make an immediate assessment of any risk of harm to the complainant or to the broader campus community and will take steps necessary to address those risks. These steps will include interim measures to provide for the safety of the individual and the campus community.

The College encourages all students to report misconduct to College staff members listed above under “Campus Resources” or a College employee whom the complainant trusts and feels comfortable with. In general, most College employees do not have legally protected confidentiality. Under Title IX, a College is required to take immediate and corrective action if a Responsible Employee knew or, in the exercise of reasonable care, should have known about sexual misconduct, relationship violence, sexual harassment, or stalking.

The College requires that all Responsible Employees share a report of misconduct with the Director of Campus Safety. The Director of Campus Safety will notify the Senior Associate Dean of Students/Director of Student Conduct and Title IX Coordinator. The Title IX Team will conduct an initial assessment of the conduct, the complainant’s expressed preferences, if any, as to course of action, and the necessity for any interim remedies or accommodations to protect the safety of the complainant or the community.
Anonymous Reporting
Any individual may make an anonymous report concerning an act of sexual misconduct, relationship violence, sexual harassment, or stalking. An individual may report the incident without disclosing his/her name, identifying the respondent or requesting any action. Depending on the extent of information available about the incident or the individuals involved, however, the College’s ability to respond to an anonymous report may be limited. The Anonymous Reporting Form can be found at: http://www.union.edu/offices/safety/_documents/misc/union-college-anonymous-report-form1.pdf

The Title IX Coordinator will receive the anonymous report and will determine any appropriate steps, including individual or community remedies as appropriate, and in consultation with the Director of Campus Safety, compliance with all Clery Act obligations.

Reporting Considerations: Timeliness and Location of Incident
Complainants and third-party witnesses are encouraged to report sexual misconduct, relationship violence, sexual harassment, and stalking as soon as possible in order to maximize the College’s ability to respond promptly and effectively. The College does not, however, limit the time frame for reporting. If the respondent is not a member of the Union College community, the College will still seek to meet its Title IX obligation by taking steps to end the sexual misconduct, relationship violence, sexual harassment, or stalking, prevent its recurrence, and address its effects, but its ability to take disciplinary action against the respondent may be limited.

An incident does not have to occur on campus to be reported to the College. Off-campus conduct that is likely to have a substantial effect on the complainant’s on-campus life and activities or poses a threat or danger to members of the Union College community may also be addressed under this policy.

Amnesty for Alcohol or Other Drug Use
The health and safety of every student at Union College is of utmost importance. The College recognizes that students who have been drinking alcohol and/or using other drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to sexual misconduct, relationship violence, sexual harassment, or stalking occurs may be hesitant to report such incidents due to fear of potential consequences for their conduct. Union College strongly encourages students to report sexual misconduct, relationship violence, sexual harassment, or stalking to College officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of sexual misconduct, relationship violence, sexual harassment, or stalking to College officials or law enforcement will not be subject to Union College’s Code of Conduct action for violations of alcohol and/or other drug use policies occurring at or near the time of the commission of sexual misconduct, relationship violence, sexual harassment, or stalking.

Statement Against Retaliation
It is a violation of College policy to retaliate in any way against an individual because he or she raised allegations of sexual misconduct, relationship violence, sexual harassment, or stalking. The College recognizes that retaliation can take many forms, may be committed by or against an individual or a group, and that a complainant, respondent, or third party may commit or be the subject of retaliation.
The College will take immediate and responsive action to any report of retaliation and will pursue disciplinary action as appropriate. An individual reporting sexual misconduct, relationship violence, sexual harassment, or stalking is entitled to protection from any form of retaliation following a report that is made in good faith, even if the report is later not proven.

**False Reports**
The College will not tolerate intentional false reporting of incidents. The College takes the accuracy of information very seriously as a charge of sexual misconduct, relationship violence, sexual harassment, or stalking may have severe consequences. A good-faith complaint that results in a finding of not responsible is not considered a false or fabricated accusation of sexual misconduct. However, when a complainant or third party witness is found to have fabricated allegations or given false information with malicious intent or in bad faith, the complainant or third party witness may be subject to disciplinary action. It is a violation of the Code of Student Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

**INTERIM MEASURES, REMEDIES, AND ACCOMMODATIONS**

**Overview**
Upon receipt of a report, the College will impose reasonable and appropriate interim measures designed to eliminate the hostile environment and protect the parties involved. The College will make reasonable efforts to communicate with the parties to ensure that all safety, emotional and physical well-being concerns are being addressed. Interim measures may be imposed regardless of whether formal disciplinary action is sought by the Complainant or the College.

A complainant or respondent may request a No Contact Order or other protection, or the College may choose to impose interim measures at its discretion to ensure the safety of all parties, the broader College community and/or the integrity of the process.

All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. The College will take immediate and responsive action to enforce a previously implemented measure.

The respondent and the complainant, upon written request to the Dean of Students or designee, shall have the right to:
- request a review of the need for, and terms of, interim measures which were imposed in accordance with paragraph VII of the Sexual Misconduct Policy; and/or
- request modifications to the terms of the interim measures.

The respondent and the complainant shall be allowed to submit evidence in support of their request. The request must be initiated within five (5) business days of the imposition of the interim measures.
The Dean of Students or designee shall review the request and supporting evidence, if submitted, promptly. A decision will be issued within three (3) business days of receipt of the written request. The decision is final.

**Range of Measures**
Interim measures will be implemented at the discretion of the College. Potential remedies, which may be applied to the complainant and/or the respondent, include:

- Access to counseling services and assistance in setting up initial appointment, both on and off campus.
- Imposition of campus “No Contact Order.”
- Rescheduling of exams and assignments (in conjunction with appropriate faculty).
- Providing alternative course completion options (with the agreement of the appropriate faculty).
- Change in class schedule, including the ability to take an “incomplete,” drop a course without penalty or transfer sections (with the agreement of the appropriate faculty).
- Change in work schedule or job assignment.
- Change in on-campus housing.
- Arranging to dissolve a housing contract and pro-rating a refund in accordance with campus housing policies.
- Assistance from College support staff in completing housing relocation.
- Limit an individual or organization’s access to certain College facilities or activities pending resolution of the matter.
- Voluntary leave of absence.
- Providing an escort to ensure safe movement between classes and activities.
- Providing medical services.
- Providing academic support services.
- Interim suspension or College-imposed leave.
- Any other remedy that can be tailored to the involved individuals to achieve the goals of this policy.
- To seek an Order of Protection from a court of competent jurisdiction; the College will enforce the Order of Protection once notified by the complainant of its existence and terms.

**No Contact Order**
In cases involving allegations of sexual misconduct, relationship violence, sexual harassment, or stalking, the Dean of Students (or designee), regardless of whether the complainant wishes to pursue a formal or informal resolution or no resolution, shall afford each party (the complainant and respondent) the opportunity to request a No Contact Order. Each request shall be reviewed promptly. Additionally, a No Contact Order may be issued upon notification of a report of
sexual misconduct, relationship violence, sexual harassment, or stalking if appropriate to do so in the judgment of the Dean of Students (or designee).

A No Contact Order typically will include a directive that the complainant and respondent refrain from having contact with one another, directly or through third parties, whether in person or via electronic means, pending the investigation and resolution of the matter. If the complainant and respondent observe each other in a public place, it shall be the responsibility of the respondent to leave the area immediately and without directly contacting the complainant. The No Contact Order may establish a schedule for the complainant and respondent to access applicable buildings and properties when the complainant is not accessing the same. The Dean of Students (or designee) shall make the No Contact Order available to the complainant and respondent as soon as it is issued.

In the event the Dean of Students (or designee) is notified of a violation of the terms of a No Contact Order, the party in alleged violation of the No Contact Order shall be provided an opportunity to review the matter with the Dean of Students (or designee). If the Dean of Students (or designee), based upon the information available, decides that the No Contact Order has been violated, the Dean of Students (or designee) may suspend the party temporarily pending the resolution of the underlying complaint. The Dean of Students (or designee) may also take further protective action that he/she deems appropriate concerning the interaction of the parties pending the hearing, if any, including without limitation asking the Dean of Studies to alter the student’s academic schedule and/or the Director of Residential Life to alter the student’s housing.

**Interim Suspension**
An interim suspension of the respondent may be imposed only by the Dean of Students (or designee) and shall become effective immediately without prior notice whenever there is evidence that the continued presence of the respondent poses a substantial and continuing threat to the complainant or to the College community. The complainant may submit evidence supporting an interim suspension. Should an interim suspension be issued and resolution of the matter that prompted it is not resolved within two (2) weeks, the interim suspension may convert to an administrative leave of absence. The College may notify parent(s) or legal guardian(s) of dependent students or students under eighteen (18) years of age of the interim suspension and, when applicable, of any alternative housing arrangements.

**RESOLVING REPORTS AND COMPLAINTS**

**Overview**
As outlined in the Reporting section of this above, an individual who wishes to make a report of sexual harassment, sexual violence, stalking or intimate partner violence is encouraged to make a report directly to the Title IX Coordinator, Deputy Title IX Coordinators, the Dean of Students Office, or Campus Safety. In every instance under this policy, the College, through the coordinated efforts of the Senior Associate Dean of Students/Director of Student Conduct, will conduct an initial Title IX Assessment. The Director of Campus Safety will make an immediate assessment of imminent risk to the individual or the campus community and respond accordingly.
**Timely Warning**

If a report of misconduct discloses a serious or continuing threat to the Union College community, the College may issue a campus wide timely warning (which can take the form of an email to campus) to protect the health or safety of the community. The timely warning will not include any identifying information about the complainant. Even where there is no imminent threat, the College may send campus-wide e-mail notifications on all reported sexual misconduct.

At no time will the College release the name of the complainant to the general public without the express consent of the complainant. The release of the respondent’s name to the general public is guided by Family Educational Rights and Privacy Act (FERPA) and the Clery Act.

All College proceedings are conducted in compliance with the requirements of FERPA, the Clery Act, Title IX, and state and federal law. No information shall be released from such proceedings except as required or permitted by law and College policy.

**Coordination with Law Enforcement**

Upon receipt of a report, Campus Safety will comply with any legal requirements to notify local law enforcement if a violent felony is suspected to have occurred and/or when physical evidence of the sexual misconduct, relationship violence, sexual harassment, or stalking incident is available and/or offered; to the fullest extent permitted by law, the identity of the complainant will not be disclosed without his/her permission being given. Physical evidence must be properly documented and stored by local law enforcement to maintain the ability for it to be presented as evidence and used in a legal case if a complaint is filed by the complainant with local law enforcement.

Information regarding Campus Safety’s Emergency Response Protocol can be found at: http://www.union.edu/offices/safety/

The College encourages complainants to pursue criminal action for incidents of sexual misconduct, relationship violence, sexual harassment, and stalking that may also be crimes under New York law. The College, through Campus Safety, will assist a complainant in making a criminal report and cooperate with law enforcement agencies if the complainant decides to pursue the criminal process to the extent permitted by law.

The College’s Sexual Misconduct Policy may contain provisions, including definitions, burden of proof, and standards that differ from New York criminal law. A Complainant may seek recourse under this policy and/or pursue criminal action. Neither law enforcement’s determination whether or not to prosecute a respondent nor the outcome of any criminal prosecution are determinative of whether a violation of this policy has occurred. Proceedings under this policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.

At the request of law enforcement, the College may agree to defer its Title IX fact-gathering until after the initial stages of a criminal investigation, but the College is not obligated to make
such deferral. The College will nevertheless communicate with the complainant regarding Title IX rights, procedural options, and the implementation of interim measures to assure safety and well-being. If the College defers its Title IX fact-gathering, the College will promptly resume its Title IX fact gathering as soon as it is informed that law enforcement has completed its initial investigation or once it decides to stop deferring fact-gathering during a criminal investigation.

**Initial Title IX Assessment**

Upon receipt of a report, the College, through the coordinated efforts of the Title IX Team (the Senior Associate Dean of Students/Director of Student Conduct, the Director of Campus Safety, and a Deputy Title IX Coordinator), will conduct an initial Title IX assessment. The first step of the assessment will usually be a preliminary meeting with the complainant with the Title IX Team. The purpose of the preliminary meeting is to gain a basic understanding of the nature and circumstances of the report; it is not intended to be a full forensic interview. At this meeting, the complainant will be provided with information about resources, procedural options and interim remedies.

As part of the initial assessment of the report, the Senior Associate Dean of Students/Director of Student Conduct and the assigned Deputy Title IX Coordinator will:

- Assess the nature and circumstances of the allegation.
- Address immediate physical safety and emotional well-being needs.
- Notify the complainant of his/her right to contact law enforcement and seek medical treatment, including the importance of preservation of evidence.
- Enter the report into the College’s daily crime log.
- Provide the complainant with information about:
  - On- and off-campus resources including intervention, mental health counseling, and medical services, which shall include information on whether such resources are available at no cost or for a fee.
  - Sexually transmitted infections, sexual assault forensic examinations, and resources available through the New York State Office of Victim Services (found at [https://ovs.ny.gov/](https://ovs.ny.gov/))
  - The range of interim accommodations and remedies.
- An explanation of the procedural options, including Informal Resolution and Formal Resolution and the process for filing a Formal Complaint (see below, “Filing a Disciplinary Complaint”).
- Assess for pattern evidence or other similar conduct by respondent.
- Discuss the complainant’s expressed preference for manner of resolution and any barriers to proceeding.
- Explain the College’s policy prohibiting retaliation.

This initial review will proceed to the point where a reasonable assessment of the safety of the individual and of the campus community can be made. Thereafter, an investigation may continue
depending on a variety of factors, such as the complainant’s wish to pursue disciplinary action (Formal Complaint), the complainant’s request to maintain confidentiality (see “Request for Confidentiality” below), the risk posed to any individual or the campus community by not proceeding, and the nature of the allegation.

If the complainant elects to file a disciplinary or Formal Complaint, a complainant’s Statement, in addition to other forms, is required to initiate the action.

At the conclusion of the Title IX assessment, the Title IX Team will determine the appropriate manner of resolution and, if appropriate, refer the report for further Investigation, Informal Resolution or Formal Resolution.

The determination as to how to proceed will be communicated to the complainant in writing. Depending on the circumstances and requested resolution, the respondent may or may not be notified of the report or resolution. A respondent will be notified when the College seeks action that would impact a respondent, such as protective measures that restrict his/her movement on campus, the initiation of an investigation after the initial assessment or the decision to involve the respondent in Informal Resolution.

**Request for Confidentiality**
When a complainant requests that his/her name or other identifiable information not be shared with the respondent or that no formal action be taken, the Title IX Team will balance this request with its dual obligation to provide a safe and non-discriminatory environment for all College community members and to remain true to principles of fundamental fairness that require notice and an opportunity to respond before action is taken against a respondent. In making this determination, the College may consider the following factors, including but not limited to:

- Whether the respondent has a history of violent behavior or is a repeat offender.
- Whether the incident represents an escalation in unlawful conduct on behalf of the respondent from previously noted behavior.
- The increased risk that the respondent will commit additional acts of violence.
- Whether the respondent used a weapon or force.
- Whether the complainant is a minor.
- Whether the College possesses other means to obtain evidence such as security footage, and whether available information reveals a pattern of perpetration at a given location or by a particular group.

The College will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation, but its ability to do so may be limited based on the nature of the request by the complainant. Where the College is unable to take action consistent with the request of the complainant, a member of the Title IX Team will inform the complainant about the chosen course of action, which may include the College seeking disciplinary action against a respondent. Alternatively, the course of action may also include steps to limit the effects of the alleged harassment and prevent its recurrence that do
not involve formal disciplinary action against a respondent or revealing the identity of the complainant.

**Informal Resolution**
Informal resolution is designed to assist the parties in reaching a mutually agreeable resolution. An individual wishing to employ an informal resolution of a complaint will meet with the Dean of Students or designee who will explain the process and options available to the student. The Dean of Students Office may seek to resolve certain sexual misconduct cases through an informal process involving both the complainant and accused. (For example, a complainant and respondent may agree with the office that education and training for the respondent are an appropriate and sufficient conclusion. If, based on the information provided about the incident, the Dean of Students office believes such a resolution is possible and appropriate, the office will speak with the complainant. If the complainant agrees, the office will then speak with the respondent. If both the complainant and respondent are satisfied with a proposed resolution and the office believes the resolution satisfies the College’s obligation to provide a safe and nondiscriminatory environment for all students, the resolution will be implemented, the disciplinary process will be concluded and the matter will be closed. If these efforts are unsuccessful, the disciplinary process will continue. Before starting these discussions, the Dean of Students Office will notify the complainant and respondent that each has the right to end the informal process at any time. **The College will not use informal resolution for cases involving allegations of sexual assault.**

The Dean of Students will maintain records of all reports and conduct referred for informal resolution. Informal resolution will typically be completed within **thirty (30) business days** of the initial report.

**Administrative Complaint**
Union College may independently initiate a disciplinary complaint against a student under this policy pursuant to a complaint called a “Dean’s Complaint.” In this type of Administrative Complaint, the College will act as the complainant in the adjudication of a sexual misconduct complaint against a student. Such complaints will proceed under the processes outlined in this policy and may result in disciplinary action as if the complainant were a student.

**Sexual Misconduct Adjudication Process**
Formal Resolution of a complaint under this policy will occur through the use of a Conduct Conference (Section 0 below) or a Judicial Board (Section 0 below)

**Filing A Disciplinary Complaint**
A person who has experienced an incident of sexual misconduct, including sexual harassment, sex/gender discrimination, sexual assault, relationship violence, stalking, sexual exploitation and any other sexual misconduct committed by a Union College student, may file a complaint against the student responsible for that conduct. Complaints should be filed with the Senior Associate Dean of Students/Director of Student Conduct. The contact information at the time of publication of this Policy is: Trish Williams, 518-388-6116/6061, williamt@union.edu, Reamer Campus Center 306A, Union College, 807 Union Street, Schenectady New York 12308.
The individual bringing the allegation is called the complainant. The complainant will be asked to submit three forms (see Sections 0, 0, and 0 below) to initiate the disciplinary complaint. The complainant’s forms should be signed, dated, and submitted to the Senior Associate Dean of Students/Director of Student Conduct. The complainant is welcome to have an Advisor (as defined hereafter in this Policy) attend any meetings the Senior Associate Dean of Students/Director of Student Conduct has with the complainant.

Timing of Complaints
There is no time limit for the submission of a complaint alleging sexual misconduct. A complaint may be filed at any time as long as the respondent remains enrolled at the College. A complaint received after the term has ended or during a College break may result in a delay in the adjudication of the complaint until the beginning of the subsequent term in which the respondent is enrolled. Please note that the College only has jurisdiction over students when they are enrolled.

The College reserves the right to initiate adjudication of a complaint immediately to protect the interests and safety of the College community even when the incident takes place after the end of the term.

Complainant’s Statement
For a complainant to file a disciplinary complaint against a student, the complainant must submit a written statement detailing the allegations of the sexual misconduct. This statement is the first opportunity for the complainant to describe the allegations against the respondent. The statement should communicate the complainant’s full account of the event and its context, as well as the complainant’s reflections. To facilitate the process, the complainant should follow these guidelines:

- **Tell the story in full.** Relate in full the facts of the incident as you recall them. Take care to distinguish between what you saw, heard, or experienced first-hand from what you may have learned later from others.
- **Describe the context.** It is important for you to give your perception of the respondent’s conduct and the context in which the alleged incident occurred, including its location, and any witnesses to it.
- **Reflect on the event.** It is helpful for you to provide any conclusions you have drawn about the incident, stating clearly why you believe the respondent’s actions may have violated College policy or the Code of Conduct.

The Complainant’s Statement should include the name of the respondent, the date and location of the alleged sexual misconduct and the details of the alleged misconduct. This statement should provide as much detail as possible about the facts surrounding the alleged sexual misconduct.
A descriptive list of all sources of information (e.g., witnesses, correspondence, records, etc.) should be attached to the Complainant’s Statement. This list should include information which the complainant believes should be considered in deciding this disciplinary complaint, along with a brief explanation of why this information would be relevant and helpful to the process. The sources and/or location of this supporting information should be identified. Complainants are advised to not attempt to obtain this information themselves. The Investigator(s) will solicit any relevant statements or documents referenced through this process.

The Complainant’s Statement is one of the most important documents to be considered in the sexual misconduct Adjudication Process. Once submitted, the Complainant’s Statement may not be amended, but it may be supplemented through interviews with the Investigator(s) as set forth in Section 0 below. The statement must be prepared by the complainant.

It is unacceptable for a complainant to submit a statement written by others, including parents, support persons, or attorneys. However, complainants are encouraged to share a draft of the statement with a support person who is well-positioned to discuss, among other matters, the statement’s style, organization, length, and clarity, while also anticipating questions it may raise for the fact-finder. The complainant will be required to sign a statement verifying that he/she authored the Complainant’s Statement.

The respondent will not be allowed to see the Complainant’s Statement until after the respondent has filed their statement in response to the original Complaint Form. Once the respondent has submitted their statement, they will be given a copy of the Complainant’s Statement. The complainant will also be given a copy of the Respondent’s Statement.

**Complaint Form**
In addition to the Complainant’s Statement, the complainant will be asked to complete a less detailed Complaint Form. This document will contain basic information about the complaint made against the respondent student, such as the time, date, location, and brief description of the allegations underlying the disciplinary complaint. This Complaint Form must contain sufficient detail to permit a reasonable person to understand the charges being brought and to be able to adequately respond. The respondent will be given access to the Complaint Form prior to filing a written response statement.

**Confidentiality/Non-Retaliation Acknowledgment**
The complainant will be required to sign a Confidentiality/Non-Retaliation Acknowledgment, agreeing not to disclose or discuss anything relating to the disciplinary complaint with anyone
other than those authorized to see such information under this process. The complainant will still be able to discuss the facts underlying the subject of the disciplinary complaint with attorneys, counselors, clergy, physicians, other therapeutic professionals and family. The complainant should refrain from discussing the disciplinary complaint itself and/or the adjudication process with anyone affiliated with Union College. This is to preserve the integrity of the investigative process and also to prevent allegations of retaliation. Through this Acknowledgment, the complainant also agrees to refrain from any retaliatory conduct against the respondent or any witnesses in the matter, as discussed under Section 0 above “Retaliation”, and may be responsible for any retaliation by persons affiliated with the complainant (i.e. a friend or family member).

**Responding To A Disciplinary Complaint**
The person against whom the disciplinary complaint is brought is called the respondent. The respondent shall be given written notification when a disciplinary complaint has been filed against him or her.

**Initial Meeting/ Confidentiality/Non-Retaliation Acknowledgment**
Within **five (5) business days** of receiving notice of the disciplinary complaint, the respondent must meet with the Senior Associate Dean of Students/Director of Student Conduct, presently Trish Williams (518-388-6116/6061; williamt@union.edu). The respondent is welcome to have an Advisor (as defined hereafter in this Policy) attend any meetings between the Senior Associate Dean of Students/Director of Student Conduct and the respondent. At this meeting, the Senior Associate Dean of Students/Director of Student Conduct will provide the respondent with a copy of the Complaint Form, discuss the nature of the Complaint, explain the rights and responsibilities of the respondent, explain the prohibition against retaliation, explain the Sexual Misconduct Adjudication Process and give the respondent a copy of the relevant policies. Prior to reviewing the Complaint Form, the respondent will be required to sign a Confidentiality/Non-Retaliation Acknowledgment, agreeing not to disclose or discuss anything relating to the disciplinary complaint with anyone other than those authorized to see/hear such information under this process. Through this Acknowledgment, the respondent also agrees to refrain from any retaliatory conduct against the complainant or any witnesses in the matter, as discussed under Section 0 above “Retaliation”, and may be responsible for any retaliation by persons affiliated with the respondent (i.e. a friend or family member). Refusal/failure by the respondent to meet and cooperate with the Senior Associate Dean of Students/Director of Student Conduct or Investigator(s) regarding this matter or to sign the Confidentiality/Non-Retaliation Acknowledgment, as determined by the Vice President for Student Affairs/Dean of Student Affairs, may result in either or both: (1) an automatic suspension of the respondent from the College and/or (2) the adjudication of the disciplinary complaint without input from the respondent.
Pre-Fact-Finding Resolution of Complaint/Acceptance

After meeting with the Senior Associate Dean of Students/Director of Student Conduct and reviewing the Complaint Form, the respondent has the right to end the Sexual Misconduct Adjudication Process by signing a document accepting responsibility for the conduct alleged in the Complaint Form. If the respondent accepts responsibility for the conduct alleged in the Complaint Form, the process would not proceed to the Fact Finding Investigation phase. Instead, the matter would be referred to the Judicial Board to decide the issue of the appropriate disciplinary action against the respondent.

The Judicial Board may take the respondent’s acceptance of responsibility into consideration in determining the appropriate sanction. Once the respondent accepts responsibility, such acceptance cannot be withdrawn. A written finding of the acceptance of responsibility and the resulting disciplinary action will be issued by the Judicial Board, which will become part of the respondent’s student records and will be shared with the complainant. If the respondent does not wish to participate in this resolution process, then he/she will need to prepare a Respondent’s Statement as noted below. The respondent must decide whether he/she would like to utilize this resolution process before expiration of the seven (7) days for submitting the Respondent’s Statement.

Respondent’s Statement
The respondent will be asked to provide a written response to the information contained in the Complaint Form. The Respondent’s Statement must be submitted to the Senior Associate Dean of Students/Director of Student Conduct within seven (7) days after the meeting between the respondent and the Senior Associate Dean of Students/Director of Student Conduct. The Respondent’s Statement should contain the respondent’s full recollection of the alleged incident. This statement is the respondent’s first opportunity to respond to the allegations made by the complainant. The statement should communicate the respondent’s recollection of the event and its context, as well as the respondent’s reflections by following these guidelines:

— **Tell the story in full.** Relate in full the facts of the incident as you recall them. You should take care to distinguish between what you saw, heard, or experienced from what you may have learned later from others.

— **Describe the context.** It is important for you to give your perception of the conduct and the context in which the alleged incident occurred, including its location, and any witnesses to it.

— **Reflect on the event.** It is helpful for you to provide any conclusions you have drawn about the incident, stating clearly why you believe that your actions have not violated College policy or the Code of Conduct.
A descriptive list of all sources of information (e.g., witnesses, correspondence, records, etc.) should be attached to the Respondent’s Statement. That list should include information which the respondent believes should be considered in deciding the disciplinary complaint, along with a brief explanation of why this information would be relevant and helpful to the process. The sources and/or location of this supporting information should be identified. Respondents are advised not to attempt to obtain the information themselves. The Investigator(s) will solicit relevant statements or documents referenced through this process.

The Respondent’s Statement will be one of the most important documents to be considered in the Sexual Misconduct Adjudication Process. Once submitted, the Respondent’s Statement may not be amended, but it may be supplemented through interviews with the Investigator(s) as set forth in Section 0 below. The statement must be prepared by the respondent. It is unacceptable for a respondent to submit a statement written by others, including parents, support persons, or attorneys. However, the respondent is encouraged to share a draft of the statement with a support person who is well positioned to discuss, among other matters, the statement’s style, organization, length, and clarity, while also anticipating questions it may raise for the fact-finder. The respondent will be required to sign a statement verifying that they authored the Respondent’s Statement. Once the respondent has submitted their statement, the respondent will be given a copy of the Complainant’s Statement. The complainant will also be given a copy of the Respondent’s Statement.

**Fact Finding Investigation**

After both parties have submitted their statements, the Senior Associate Dean of Students/Director of Student Conduct will initiate a Fact-Finding Investigation, utilizing the College’s neutral investigators. It is the responsibility of the Investigator(s), not the parties, to gather the evidence relevant to the Complaint and the facts raised in the parties’ statement, to the extent reasonably possible. During the course of the investigation, the Investigator(s) may utilize some or all of the following procedures, in whatever order the Investigator(s) deems most appropriate. The scope of the Fact Finding Investigation will not be limited to information provided by the parties or to the violations outlined in the disciplinary complaint. In all cases, the Investigator(s) will conduct an impartial investigation into the allegations of the disciplinary complaint, reviewing all evidence deemed to be relevant. Parties and witnesses will be requested to make themselves reasonably available to the Investigator(s). Refusal by a party or witness to cooperate with the Investigator(s) in the Fact Finding Investigation, as determined by the Senior Associate Dean of Students, may result in disciplinary action against the person refusing to cooperate. A refusal to cooperate does not preclude completion of the investigation.

**Document Review**

Once statements have been submitted by the parties, the Investigator(s) will review the statements and all of the supporting material referenced. The Investigator(s) will then attempt to obtain any documents or other materials deemed relevant to the investigation. Any documents or information deemed to be material to the findings
regarding the disciplinary complaint or any other violations will be disclosed to both parties for comment or rebuttal.

Party Interviews
The Investigator(s) will interview the complainant and the respondent separately. This meeting is an opportunity for the participant to discuss his/her recollection of any event in question, supplement any written statements already submitted, voice any concerns, and work with the Investigator(s) to determine what information may be helpful in the investigation of the allegations. Parties may also discuss the impact that this experience has had on them. All of the materials provided to the Investigator(s) by either the complainant or the respondent will be disclosed to the other party in advance of their respective interviews, including the complete statement of the other party. The Investigator(s) may interview the parties more than once and as necessary. Both the complainant and respondent may have his/her Advisor (as defined hereinafter in this Policy) accompany them to the meetings between the Investigator(s) and the party being assisted by the Advisor, but such Advisor may not participate in the conversation. Prior to sitting in on any interviews, the Advisor will be required to sign a Confidentiality/Non-Retaliation Acknowledgment, agreeing not to disclose or discuss anything relating to the disciplinary complaint with anyone other than those authorized to see or hear such information under this process. At the conclusion of the interview, participants are permitted to make an optional closing statement.

Witness Interviews
The Investigator(s) will attempt to contact and interview any witnesses identified by the parties that the Investigator(s) deems to be relevant to the resolution of the disciplinary complaint. The Investigator(s) may also interview any other persons they find to be potentially relevant to this matter. Witnesses may not bring Advisors to their interviews. Prior to being interviewed, a witness will be required to sign a Confidentiality/ Non-Retaliation Acknowledgement, agreeing not to disclose or discuss anything relating to the disciplinary complaint and their interview with anyone. Through this Acknowledgment, the witness will also agree to refrain from any retaliatory conduct against the parties or any witnesses in the matter, as discussed under Section 0 above “Retaliation”, and may be responsible for any retaliation by persons affiliated with them (i.e. a friend or family member). The Investigator(s) will employ best efforts to interview relevant witnesses who are no longer on campus or in the Schenectady area, attempting to contact them by phone or internet.

Expert Witnesses
The Investigator(s) reserve the right to consult with any experts which the Investigator(s) deems helpful to the determination of the facts of this case. An expert witness could be consulted to review the allegations and information and provide a
professional opinion or otherwise give input regarding information or evidence discovered in the Fact Finding Investigation.

Admissibility of Evidence
The fact finding investigation process is intended to arrive at the truth of the matter without the formalities associated with rules and procedures specifically designed by lawyers to manage courtroom litigation. Students can address issues and present documents to the Investigator without concerns about admissibility. It should be noted that if the Investigator determines that the issues raised and/or documents presented are relevant and suggest whether the alleged conduct occurred then, in the interest of fairness, that information will be disclosed to the parties at or before the time the Investigative Report is made available for review by the parties.

(i) Sexual History
In general, a complainant’s prior sexual history is not relevant and will not be admitted as evidence at a hearing. Where there is a current or ongoing relationship between the complainant and the respondent, and the respondent alleges consent, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties. As noted in other sections of this policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Any prior sexual history of the complainant with other individuals is typically not relevant and will not be permitted.

(ii) Medical and Counseling Records
The use of medical and/or counseling records in the adjudication process is rare. Medical and counseling records are confidential documents that students will never be required to disclose in the process. Medical and counseling documents being privileged means that they cannot be shared with anyone other than the treating professional unless the patient agrees to disclosure. Students should be aware that there are legal implications to agreeing to produce privileged records. Students are encouraged to seek advice from a knowledgeable source about the possible consequences of releasing this information.

A complainant or respondent who, after due consideration, believes that his/her own medical or counseling records would be helpful in determining whether sexual misconduct occurred has several options for voluntarily presenting this information:

- The complainant or respondent can voluntarily decide to present their own medical or counseling records to the Investigator as part of the documents which they would like to have the fact finder consider in deciding the
disciplinary complaint. Please note that if a party decides to produce such records, they must be produced in their entirety. The production of excerpts or selected documents is inappropriate and will not be considered.

- On occasion, the Investigator may ask the complainant or respondent to voluntarily agree to provide these records if the Investigator believes that such documentation exists and that it would be helpful in deciding the disciplinary complaint. A party is under no obligation to provide this information and may simply say “no” to this request. A party has a right to refuse to provide these records and that refusal is completely acceptable. Prior to responding to such a request, a party is encouraged to consult with their Advisor about the implications of agreeing or denying the request. Please note that if a party does decide to produce such records, they must be produced in their entirety. The production of excerpts or selected documents is inappropriate and will not be considered.

- The Investigator may ask a complainant or respondent to voluntarily provide a verification of therapeutic or medical services to confirm simply that such treatment occurred; however, the verification will not provide any details regarding that treatment.

On rare occasions, a person may be in possession of the medical and/or counseling records of another party or witness. Such records can only be presented to the Investigator under the following circumstances: (i) The person can show that the records are relevant to the pending disciplinary complaint; (ii) the person can document or otherwise prove that the records were legally obtained and may be disclosed to those not in possession of the records; and (iii) the records can be authenticated. Failure to meet any of these conditions means that the records will not be considered in the determination regarding sexual misconduct.

**Investigation Report**

Once the Fact Finding Investigation has been completed, the Investigator(s) will evaluate the information obtained during this process. The Investigator(s) will prepare a report summarizing and analyzing the relevant facts received through the Investigation, noting any supporting documentation or statements. The Investigation Report may include assessments regarding the credibility of witnesses and reliability of documentation. The Investigator(s) will present the Investigation Report to the Senior Associate Dean of Students/Director of Student Conduct and, if the case goes to a hearing, the Judicial Board. Under ordinary circumstances, the Investigation Report should be submitted to the Senior Associate Dean of Students/Director of Student Conduct within fifteen (15) business days after the completion of the Fact Finding Investigation.
Formal Resolution
Formal resolution of a complaint under the Sexual Misconduct Policy will occur through the use of a Conduct Conference or a Judicial Board.

Conduct Conference
A complainant or respondent may request resolution through an administrative conduct conference, in which the Senior Associate Dean of Students/Director of Student Conduct will meet with the complainant and respondent to determine responsibility and render a decision as to what sanctions, if applicable, should be implemented. Both parties and the Senior Associate Dean of Students/Director of Student Conduct must agree that the matter is appropriate for resolution by a conduct conference. Depending upon the nature and severity of the allegations, the Senior Associate Dean of Students/Director of Student Conduct may decline to handle the matter administratively and refer the case to a Judicial Board.

A conduct conference is particularly appropriate when the respondent has admitted to the harassment or misconduct and there is no discernible dispute in the relevant facts of the investigation report; however, at the discretion of the Senior Associate Dean of Students/Director of Student Conduct, it may also be used when the facts are in dispute. The investigative report will serve as the primary evidence in making a determination of responsibility.

Both parties must have notice, the opportunity to review the investigative report in advance, and an opportunity to present any additional relevant information to the Senior Associate Dean of Students/Director of Student Conduct. In reaching a determination as to whether this policy has been violated, the Senior Associate Dean of Students/Director of Student Conduct will reach a determination by a preponderance of the evidence, that is, whether the conduct was more likely than not to have occurred as alleged. Based on the outcome of the conduct conference, the Senior Associate Dean of Students/Director of Student Conduct will issue an appropriate sanction.

Both a complainant and respondent may appeal the determination of the Senior Associate Dean of Students/Director of Student Conduct as provided in Section 0 below “Appeals”.

Judicial Hearing Board (Judicial Board)
The Judicial Hearing Board, is normally composed of two (2) faculty members, two (2) students, and the chair, a Senior Student Affairs Administrator. Each member, including the chair, will have an equal vote. The recording secretary of the Judicial Hearing Board will be elected annually by the members of the Judicial Hearing Board. A quorum of the Judicial Board for conducting a hearing shall consist of the chair, one (1) faculty, and one (1) student.

The Judicial Hearing Board has been given the responsibility by the College Administration to adjudicate Proscribed Conduct. The Judicial Hearing Board will adjudicate cases involving an alleged violation of the Sexual Misconduct Policy in accordance with the procedures set forth in Section 0 below, “Hearing Panel Procedures.”

Advisors
An advisor is any individual selected by the complainant or respondent, including retained legal counsel. If the complainant or respondent elects to have an advisor attend, the advisor is
permitted, subject to restrictions, to attend the sessions with the investigators, meetings with the Senior Associate Dean of Student/Director of Student Conduct, meetings with Dean of Students Office to discuss Informal Resolution, attend conduct conference, and/or appearances before the Judicial Hearing Board. The advisor is permitted to provide the complainant or respondent advice during these meetings at appropriate times when the student being advised is not giving testimony or answering questions. The advisor is not allowed to argue for, advocate for, or present the case for the respondent or complainant or directly address the investigators, the Senior Associate Dean of Student/Director of Student Conduct, Dean or Students or designee, or Board. The College reserves the right to remove or dismiss advisors from meetings who become disruptive, who do not abide by the restrictions set forth herein, or who intentionally delay the investigation or adjudication process.

Advisors who wish to communicate about the case may contact the College’s legal counsel, currently Higgins, Roberts & Suprunowicz, P.C., 518-374-3399 (ask for Charles Assini, Esq., or Michael Basile, Esq.)

**Pre-Hearing Procedures**

**Notice of Charges**
The Senior Associate Dean of Students/Director of Student Conduct will send a copy of a written Notification Letter to both the complainant and the respondent. The Notification Letter provides each party with a brief summary of the conduct at issue and the specific provisions of the policy that are alleged to have been violated.

**Pre-Hearing Meeting with Complainant and Respondent**
Following the Notification Letter, the Senior Associate Dean of Students/Director of Student Conduct will contact the complainant and respondent to schedule separate meetings with each party. At this pre-hearing meeting, each party will receive an explanation of the hearing process, be provided a list of potential Judicial Board members, and have the opportunity to ask any questions.

The complainant and the respondent may submit a written request to the Senior Associate Dean of Students/Director of Student Conduct that a member of the hearing panel be removed. The request must clearly state the grounds to support a claim of bias, conflict of interest or an inability to be fair and impartial. This challenge must be raised within **two (2) business days** of pre-hearing meeting. All objections must be raised prior to the commencement of the hearing. Failure to object within **two (2) business days** of the Pre-Hearing Meeting or prior to the hearing will forfeit one's ability to appeal the outcome based on perceived or actual bias.

If the complainant and/or respondent have elected to have advisors throughout the hearing process, the advisor is encouraged to accompany the complainant/respondent to this initial meeting.
Notice of Hearing
Once each party has met with the Senior Associate Dean of Students/Director of Student Conduct, a Notice of Hearing is sent to the complainant and the respondent. In addition, the Notice provides the parties with the date, time, and place of the hearing, as well as the name(s) of the person(s) hearing the case.

In general, the hearing will be scheduled within ten (10) business days of the date of the Notice of Hearing. Under extenuating circumstances, this time frame may be extended.

Pre-Hearing Review of Documents
The complainant and the respondent will each have the opportunity to review the Investigation Report, subject to the privacy limitations imposed by state and federal law, at least five (5) business days prior to the hearing. The Investigation Report will include any witness statements or interviews, statements or interviews by both parties, and any other documentary information that will be presented to the hearing panel.

Witnesses
The complainant, respondent, and the hearing panel all have the right to call witnesses to testify at a hearing before the Judicial Hearing Board. Witnesses must have observed the conduct in question or have information relevant to the incident and cannot be called solely to speak about an individual’s character.

In general, witnesses for both parties will be interviewed by the Investigator. If either party wishes to call witnesses not previously interviewed, the following must be submitted no later than five (5) business days before the hearing to the Senior Associate Dean of Students/Director of Student Conduct via e-mail or in hardcopy format:

— The names of any witnesses that either party intends to call;
— A written statement and/or description of what each witness observed, if not already provided during investigation;
— A summary of why the presence of any witness is relevant to making a decision about responsibility at the hearing; and,
— The reason why the witness was not interviewed by the investigator, if applicable.

The Senior Associate Dean of Students/Director of Student Conduct will determine if the proffered witness(es) has relevant information and if there is sufficient justification for permitting a witness who was not interviewed by the investigator.
The Senior Associate Dean of Students/Director of Student Conduct may also require the investigator to interview the newly proffered witness.

If witnesses are approved to be present, the respondent and complainant are provided with a list of witnesses and any relevant documents related to their appearance at the hearing no later than five (5) business days before the hearing. All parties have the opportunity to ask questions of witnesses (through the panel), regardless of who called them to the hearing.

**Relevance**
The Senior Associate Dean of Students/Director of Student Conduct will review the investigative report, any witness statements and any other documentary evidence to determine whether the proffered information contained therein is relevant and material to the determination of responsibility given the nature of the allegation. In general, the Senior Associate Dean of Students/Director of Student Conduct may redact information that is irrelevant, more prejudicial than probative, or immaterial. The Senior Associate Dean of Students/Director of Student Conduct may also redact statements of personal opinion, rather than direct observations or reasonable inferences from the facts, and statements as to general reputation for any character trait, including honesty. Neither the complainant nor the respondent shall have the right to review redactions from the Investigative Report.

**Prior Sexual History**
In general, a complainant’s prior sexual history is not relevant and will not be admitted as evidence at a hearing. Where there is a current or ongoing relationship between the complainant and the respondent, and the respondent alleges consent, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties. As noted in other sections of this Policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Any prior sexual history of the complainant with other individuals is typically not relevant and will not be permitted.

**Request to Reschedule Hearing**
Either party can request to have a hearing rescheduled. Absent extenuating circumstances, requests to reschedule must be submitted to the Senior Associate Dean of Students/Director of Student Conduct with an explanation for his or her request at least three (3) business days prior to the hearing. The Senior Associate Dean of Students/Director of Student Conduct will have sole discretion to grant or deny any request to reschedule a hearing.
Consolidation of Hearings
At the discretion of the Senior Associate Dean of Students/Director of Student Conduct, in consultation with the Title IX Coordinator, multiple reports may be consolidated against a respondent in one hearing, if the evidence related to each incident would be relevant and probative in reaching a determination on the other incident. Matters that include related conduct that would regularly have been heard under the Code of Student Conduct may be consolidated even if they involve multiple complainants and/or multiple respondents.

Hearing Panel Procedures

Attendance at Hearing
When a party fails to attend a hearing with a reason that the Senior Associate Dean of Students/Director of Student Conduct finds compelling, the hearing may be held in their absence at the discretion of the Senior Associate Dean of Students/Director of Student Conduct.

Once the investigation has commenced, a respondent will not be permitted to withdraw from the College. If a respondent chooses not to participate, the College may move forward with the hearing and imposition of sanction, if any, in absentia. If a student withdraws while subject to a complaint, investigation, or charges based upon alleged conduct constituting a crime of violence that the College is required, by federal law, to include in its annual security report, the transcript of the student shall include the notation “Withdrew with Conduct Charges Pending.”

A complainant or respondent may also request alternative testimony options that would not require physical proximity to the other party. Any proposed alternative must be reviewed in advance of the hearing to ensure that it is consistent with the goals of a fair and equitable process. While these options are intended to help make the alleged complainant or respondent more comfortable, they are not intended to work to the disadvantage of the other party.

Participants in Judicial Hearing Procedures
The Judicial Hearing Board is a closed hearing; it is not open to the public. The individuals who may appear before the Judicial Board are: the complainant; the respondent; any individual serving as an approved Advisor; and any individuals appearing as witnesses. Before and after giving testimony, witnesses may be excluded from the room or building where the hearing occurs.

Safeguarding of Privacy
All parties involved in a hearing are required to keep the 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. All copies provided must be returned to the College at the conclusion of the hearing and any appeals. Any breach of this duty is subject to further disciplinary action by the College.
Judicial Board Procedures

A hearing is not intended to be adversarial. It is intended to provide a fair and ample opportunity for each side to present his/her account of the incident and for the hearing panel to determine the facts of the case, make a determination as to whether College policy was violated, and to recommend appropriate sanctions, if necessary. The hearing is an informal proceeding not comparable to a criminal or civil trial; it is the mechanism by which the College assesses, and as appropriate, takes formal disciplinary action regarding a violation of College policy.

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 Dean of Students Office. The recording will be available only for review by the complainant, respondent or the College in the Dean of Students Office for the purpose of review in connection with an appeal. 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.

The Judicial Board must review the Investigation Report containing all pertinent information regarding the incident in question prior to the Judicial Board hearing. Relevant information supporting the violation(s) alleged may be offered in the form of written statements, documents, items, or oral information from the complainant, the respondent, and witnesses.

A hearing will be called to order by the Judicial 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.

The Investigator(s) will provide a summary of the investigation. This summary should include a focus on the areas of agreement and disagreement in order to assist the Judicial Board in prioritizing areas of inquiry. The Judicial Board, complainant, or respondent may make inquiries of the Investigator(s) at this juncture, as there will be additional opportunity to ask questions of the Investigator(s) after the Judicial Board has heard from the complainant, the respondent, and any witnesses.

The complainant may supplement the information provided to the Judicial Board with a brief statement. This is not intended to be a retelling of the event. The Judicial Board may pose questions to the complainant, including a written list of questions suggested by the respondent and forwarded to the Judicial Board in advance of 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 Judicial Board may pose questions to the respondent, including a written list of questions suggested by the complainant and forwarded to the Judicial Board in advance of the hearing.
The Judicial Board may hear from witnesses on behalf of the complainant and the respondent. Each witness will be questioned by the Judicial Board, and, as appropriate, the complainant and the respondent.

The Judicial Board, complainant, and respondent may then question the Investigator(s). The Investigator(s) is not permitted to offer an opinion as to the ultimate issue.

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 chair. The chair, in consultation with the Judicial Board will determine the appropriateness and relevance of the questions.

**Questioning of Witnesses**

It is the responsibility of the Judicial Board to assure that the information necessary to make an informed decision is presented. The Judicial Board members may play an active role in questioning both parties and witnesses involved in the case. At times, the Judicial Board members may need to ask difficult or sensitive questions in order to understand areas of factual dispute or gain a full understanding of the context.

The complainant and the respondent may not directly question one another. As outlined above, the parties may submit questions to the Judicial Board in writing, which may be posed at the discretion of the hearing panel. Similarly, the Judicial Board members are under no obligation to allow either party to directly question witnesses, and the Judicial Board may require that questions to witnesses be submitted in writing.

Parties and other individuals who offer information at a hearing are expected to respond honestly, and to the best of their knowledge. The Judicial Board reserves the right to recall any party or witness for further questions and to seek additional information necessary to make a decision.

**Deliberation**

After all of the information has been presented, all parties will be dismissed and the hearing will be formally concluded.

The Judicial Board members will conduct their deliberations in private. The Judicial Board will normally complete their deliberations within **three (3) business days**, but every attempt will be made to complete the deliberations promptly.

The Judicial Board will determine a respondent’s responsibility by a preponderance of the evidence. This means that the Judicial Board will decide whether it is “more likely than not,” based upon all of the relevant information, that the respondent is responsible for the alleged violation(s). The Judicial Board must reach a decision on responsibility by majority vote.
If the Judicial Board finds the respondent responsible, the Judicial Board will then recommend appropriate sanctions to the Senior Associate Dean of Students/Director of Student Conduct. The Senior Associate Dean of Students/Director of Student Conduct will review the recommendations and impose an appropriate sanction.

The findings of the Judicial Board will be submitted to the Senior Associate Dean of Students/Director of Student Conduct in writing. The findings will detail the findings of fact and the basis/rationale for the decision of the Judicial Board, making reference to the evidence that led to the finding.

**Sanctions and Impact Statements**

A Judicial Board that finds a respondent responsible for a violation of this Policy may consider the impact statements of the complainant and respondent, if submitted, and recommend appropriate sanctions that may include, but are not limited to, those set forth below. Sanctions may be issued individually, or a combination of sanctions may be imposed. The complainant and respondent will each have **one (1) business day** from being notified of a finding of a violation to present a written statement about impact and/or requested sanctions. The Judicial Board will review these statements only if the respondent has been found responsible for one or more violation.

- New York State law requires that any student determined to have committed sexual assault may receive a sanction ranging from suspension to expulsion. A student returning from suspension will return on probation, with 8 points.
- Any student who is determined to have committed non-consensual sexual contact or any other prohibited form of conduct may receive 2-9 points and a sanction ranging from conduct warning to expulsion.

The Senior Associate Dean of Students/Director of Student Conduct may deviate from the range of recommended sanctions, based upon a full consideration of the following factors:

- The respondent’s prior discipline history;
- How the College has sanctioned similar incidents in the past;
- The nature and violence of the conduct at issue;
- The impact of the conduct on the complainant;
- The impact of the conduct on the community, its members, or its property;
- Whether the respondent has accepted responsibility for his/her actions;
- Whether the respondent is reasonably likely to engage in the conduct in the future;
- The need to deter similar conduct by others; and
- Any other mitigating or aggravating circumstances, including the College’s values.
In appropriate cases, a Judicial Board may determine that the conduct was motivated by bias, insofar as a complainant was selected on the basis of his or her race, color, ethnicity, national origin, religion, age, disability or other protected class as defined in federal and/or state laws. Where the Judicial Board determines that student misconduct was motivated by bias, the panel may elect to recommend an increase in the sanction imposed as a result of this motivation.

The Judicial Board will make a recommendation about the appropriate sanction(s). The Senior Associate Dean of Students/Director of Student Conduct may affirm or modify the recommended sanction(s).

Upon a finding of proscribed conduct, points ranging from 0-10, accompanied by sanctions including but not limited to those listed below, may be imposed.

**Educational Programs**
Requirement that the respondent take part in a required educational program on or off campus. The Judicial Board may require respondent to participate in an online educational program that addresses particular issues.

**Expulsion**
Permanent separation from the College including loss of student status; reinstatement or readmission is not possible.

**Interim Restrictions**
Imposition on an interim basis of any sanction or sanctions listed in this section.

**Loss of Privileges**
Denial of specified privileges for a designated period of time. These may include loss or housing privileges or opportunity to participate in term abroad, or in sports.

**Physical Restrictions**
A directive given to the respondent that does not permit him/her/them to be in specified locations on College Premises.

**Probation**
The next violation is likely to result in Suspension or Expulsion.

**Residence Reassignment**
Relocation to another living space on campus.

**Residence Termination**
Removal from campus housing.
Suspension
Separation from the College community for a defined period of time, usually no fewer than two (2) Academic Terms. Additional stipulations or conditions for reinstatement may be assigned. Reinstatement is contingent upon a positive administrative review. A student under suspension is not allowed to transfer in credit for courses taken at other institutions during the defined period of time of the suspension.

Suspension with Academic Delay
The student will be suspended from the College, but the commencement of the suspension will be deferred and the student will be permitted to remain enrolled in classes until the end of the term. However, if the student fails to comply with any interim restriction which may be imposed during the deferral period (e.g., fails to comply with a “no contact” order), violates the Student Conduct Code while in the deferral period and is found responsible, or fails to complete the assigned sanctions by the given deadline(s), the student will be immediately suspended. During the deferral period, the student is not considered to be in good standing with the College and may not represent the College on any athletic team other than intramurals, hold an office in any student organization registered with the College, represent the College in any extracurricular activity or official function, or participate in any study abroad program.

Withholding the Granting of a Degree or Revocation of a Degree
Action by the College to revoke a student’s degree or to withhold it for a specified amount of time.

More than one of the sanctions listed above may be imposed for any single violation.

Outcome Letter
The outcome of the Judicial Board will be final and communicated to the complainant and respondent in writing, usually within seven (7) business days from the date the hearing is concluded. The notification of each party should occur at or near the same time.

Both parties have the right to be informed of the findings of fact, decision, rationale for the decision, and sanction (if any), in accordance with applicable law.

The imposition of sanctions will take effect immediately and will not be stayed pending the resolution of the appeal.

The College reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, change in student status or conduct situation, particularly alcohol and other drug violations. The College may also notify parents/guardians of non-dependent students who are under age 21 of alcohol and/or other drug policy violations. Where a student is not dependent, the College will contact parents/guardians to inform them of situations in which there
is a significant and articulable health and/or safety risk. The College will notify the Title IX Coordinator and Deputy Title IX Coordinators of the outcome and also reserves the right to designate which College officials have a need to know about individual conduct complaints pursuant to FERPA requirements.

Appeals
The point of an appeal is not to provide complainant and/or respondent with a new hearing nor is it intended to provide complainant and/or respondent with the opportunity to simply declare that the Judicial Hearing Board decision was wrong. The complainant and respondent may appeal the decision of the Judicial Hearing Board based only upon the grounds outlined below with respect to the each of the violation(s) found to have occurred. The party filing the appeal is the Appellant. Appeals of hearing decisions must be submitted to the Chief of Staff in writing within five (5) days of written notification of the hearing results. Appeals are heard by an Appeals Panel comprised of three (3) impartial, trained persons: the Chief of Staff, who acts as the chair of the Panel, and two (2) members of the Judicial Board, who were not part of the hearing, designated by the Title IX Coordinator. The imposition of sanctions remain in effect during the period of the appeal proceedings. The opposing party will be notified that an appeal been filed. In some situations, both the complainant and the respondent may file an appeal. In this situation, the Appeals Panel will consider and review both appeals together.

The Appeals Panel may review all materials presented at the hearing and may consult with the chair of the Judicial Board on questions of judicial procedure and with the Senior Associate Dean of Students/Director of Student Conduct on questions of appropriateness of the sanction(s).

Appeals shall be submitted based on the student’s ability to demonstrate that one or more of the grounds listed below for appeal are meritorious:

— **Procedural Error:** The Appellant alleges that there was a deviation or change from the procedures outlined in the Sexual Misconduct Policy which adversely impacted the outcome of the matter. If the Appeals Panel determines that there was a procedural error which could have altered the outcome of the case, the matter will be remanded to the Judicial Hearing Board for a determination regarding the impact of the procedural error on the outcome of the complaint. The Judicial Hearing Board’s determination on whether there was an impact on the outcome of the complaint is final.

— **New Evidence:** The Appellant alleges that, subsequent to the issuing of the Judicial Hearing Board’s decision, new evidence became available which would have impacted the outcome of the disciplinary complaint. The Appellant must: (i) present the new evidence; (ii) show why it was unavailable prior to the Judicial Hearing Board’s decision; and (iii) show that the new evidence could have altered the outcome of the complaint. The opposing party will be given an opportunity, within **two (2) days** of being notified of the appeal, to rebut these assertions by the Appellant. If the Appeals Panel determines that there is evidence that warrants a new hearing, it will remand the matter to the Judicial Hearing Board.

— **Severity of The Disciplinary Action:** The Appellant alleges that the disciplinary action issued by the Senior Associate Dean of Students/Director of Student Conduct is unduly
harsh or lenient. If the Appeals Panel determines that that disciplinary action was unduly harsh or lenient, it will remand the matter to the Senior Associate Dean of Students/Director of Student Conduct for reconsideration. The decision of the Senior Associate Dean of Students/Director of Student Conduct after reconsideration is final.

The foregoing are the only grounds for appeal.

The written appeal must specifically state the grounds under which the appeal has been filed and must be submitted within the ten (10) day time limit after the complainant and the respondent have met with the Senior Associate Dean of Students/Director of Student Conduct and the chair of the Judicial Hearing Board. The appeal must set forth the information and evidence to support the appeal.

A written decision will be rendered by the Chief of Staff and provided to each party by either being mailed to the parties at their local addresses (or another address if a student has no local address) or emailed to the parties at the email addresses that the College has provided the students (or another email address a student has provided the College), ordinarily within ten (10) business days of receipt of the appeal.

The outcome of the appeal is final.

Concerns about the Implementation of this Policy
The College has appointed a Title IX Coordinator, the Chief Diversity Officer at Union College, to oversee all aspects of the College’s Title IX compliance efforts. An individual who believes that any aspect of this policy has not been properly followed should contact the Title IX Coordinator at x8327 (518-388-8327) or pursue a complaint by contacting the Title IX Coordinator in accordance with the College’s Discrimination Grievance Procedures contained in the Student Handbook. Retaliation against any person who files a complaint of alleged discrimination is prohibited.

Integrity of Proceedings
These procedures are entirely administrative in nature and are not considered legal proceedings. As there will be an official recording of the hearing, neither party may make an audio or video recording of the proceedings. No computers, cell phones, or other electronic means of communication are allowed to be used by the complainant, respondent, advisors, or a witness.

At the discretion of the hearing panel chair, anyone disrupting the hearing may be removed.

Records
The Dean of Students Office will retain records of all reports and complaints, regardless of whether the matter is resolved by means of Title IX assessment, informal resolution or formal resolution. Complaints resolved by means of Title IX assessment or informal resolution are not part of a student’s conduct file or academic record.
Affirmative findings of responsibility in matters resolved through formal resolution are part of a student’s conduct record. Such records shall be used in reviewing any further conduct, or developing sanctions, and shall remain a part of a student’s conduct record.

For crimes of violence that the College is required by federal law to include in its annual security report, the transcripts of suspended or expelled students found responsible after a hearing or appeal, if any, shall include the notation “Suspended After a Finding of Responsibility For Code of Conduct Violation” or “Expelled After a Finding of Responsibility For Code of Conduct Violation.” Transcript notations for suspensions may be removed at the discretion of the Registrar in consultation with the Title IX Coordinator, but not earlier than one (1) year after the conclusion of the suspension. Transcript notations for an expulsion shall not be removed.

The conduct files of all students, including those who have been suspended or expelled from the College, are maintained in the Dean of Students Office for no fewer than seven (7) years from the date of the incident.

Further questions about record retention should be directed to the Dean of Students Office.

**TITLE IX STATEMENT, TITLE IX COORDINATOR AND DEPUTY COORDINATORS**

**Sex Discrimination, Relationship Violence, Harassment, and Assault: Union College Title IX Coordinators**

Title IX of the Education Amendments of 1972 is a federal law that prohibits sex discrimination in education. It reads:

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

--Legal Citation: Title IX of the Education Amendments of 1972, and its implementing regulation at 34 C.F.R. Part 106 (Title IX)

Sex discrimination includes sexual harassment and sexual assault.

While it is often thought of as a law that applies to athletics programs, Title IX is much broader than athletics and applies to many programs at Union College. While compliance with the law is everyone’s responsibility at Union, listed below are the staff members who have primary responsibility for Title IX compliance.

**Title IX Coordinator**

Dr. Melissa Kelley, x6865 (518-388-6865); kelleym2@union.edu; 403E Reamer Campus Center; Union College, 807 Union Street, Schenectady NY 12308-3103.
**Duties and Responsibilities**
Monitoring and oversight of overall implementation of Title IX compliance at Union College including coordination of training, education, communications, and administration of grievance procedures for faculty, administrative staff, and hourly staff.

Additionally, if you have a complaint against a Union College faculty member, administrator, staff member, or visitor for sexual harassment, sex discrimination, or sexual assault, you should contact the Title IX Coordinator.

**Title IX Deputy Coordinators**

**For Complaints Related to Athletics Against or By Union Students and Employees**
If you have a complaint against a Union College student, coach, athletics’ administrator, or visiting student athlete, coach, or athletics personnel, or visiting spectator for sexual discrimination, harassment, misconduct (including sexual assault), or retaliation, you may contact Senior Associate Director of the Athletic Department who will facilitate the handling of the complaint, the Title IX Coordinator, or one of the other Deputy Coordinators listed below.

**Gender Equity in Athletics**
If you have a complaint about gender equity in Union College athletics programs, you should contact the Senior Associate Director of the Athletic Department who is responsible for Title IX Compliance in matters related to gender equity in Union College athletics programs:

- Joanne Little, Senior Associate Director, x6433 (518-388-6433); littlej@union.edu; Voice Mail: 518-388-6433; Athletic Department, Alumni Gym, Union College, 807 Union Street, Schenectady NY 12308-3103.

**For Complaints Against Union Students**
If you have an inquiry or complaint against a Union College student for sexual discrimination, sexual harassment (including stalking), sexual misconduct (including sexual assault), or retaliation; you may contact any of the following officials listed:

- Jason F. Benitez, Director of Multicultural Affairs, x6030 (518-388-6030); benitezj@union.edu; Campus Diversity, Reamer Campus Center, Union College, 807 Union Street, Schenectady NY 12308-3103.

- AJ Place, Assistant Director, x6117 (518-388-6117); placea@union.edu; Residential Life, Reamer Campus Center, Union College, 807 Union Street, Schenectady NY 12308-3103.

- Callie Stacey, Director of Operations, x 6050 (518-388-6050); staceyc@union.edu; Voice Mail: x6487 (518-388-6487); Dining Services-Office, Reamer Campus Center 202, Union College, 807 Union Street, Schenectady NY 12308-3103.
ANTI-DISCRIMINATION STATEMENT

It is the policy of Union College that all our students should be able to enjoy an environment free of discrimination, harassment, or violence and shall have equal opportunity in the education, employment, and services of the College. This policy refers to, but is not limited to discrimination in the following areas: race, gender, age, color, religion, creed, ethnicity, national origin, ancestry, marital status, sexual orientation, gender identity and expression, disability/handicap, veteran status, or any other status protected under applicable federal, state, and local laws. Respect for the dignity and worth of others should be the guiding principle for our relations with each other. This discrimination policy also applied to all electronic communications protected under applicable federal, state, and local laws. Respect for the dignity and worth of others should be the guiding principle for our relations with each other. This discrimination policy also applies to all electronic communications. To file a grievance please see section on Students with Disabilities, Discrimination Grievance Procedures.

BIAS POLICY/ACTS OF INTOLERANCE

Introduction
Union College is proud to be a community comprised of diverse individuals from all backgrounds. Union College values the social and intellectual vibrancy that occurs when individuals with different life experiences, viewpoints, and belief systems come together. Our goal is to maintain a living and learning environment where all feel safe and respected.

Acts of bigotry and prejudice are inconsistent with our mission. To that end, this policy prohibits harassment on the basis of race, color, religion, gender expression/identity, ethnicity, ancestry, national origin, sexual orientation, marital status, military or veteran status, age, disability and any other characteristic protected by law. This policy prohibits hate crimes. Union College also prohibits sexual misconduct and sexual and gender-based harassment, but those issues are addressed in Union College’s Policy on Sexual Misconduct and Sexual Harassment.

This policy uses the term “bias-related conduct” to refer to harassment and hate crimes collectively. In this policy, the term “Union College community” is used to refer to faculty, staff, students, and others affiliated with the College by reason of employment or education. Although we have utilized pronouns referring to the male and female genders, we acknowledge that some individuals do not use these pronouns to describe themselves. Despite the gendered nature of its language, this policy is inclusive of all students of the Union College community.

The purpose of this policy is twofold: first, to establish clear procedures for the handling of bias-related allegations, and second, to educate the student community with respect to the limits of acceptable conduct. By educating students about Union College’s expectations, this policy aims to prevent bias-related conduct and harassment from occurring. Students are urged to read this.
policy and to develop an understanding of the line between acceptable and unacceptable behavior.

The use of alcohol or other drugs can impair judgment and self-control. However, being under the influence of alcohol or drugs is not a defense to an allegation of a violation of this policy.

Union College encourages intellectual inquiry and debate and the open discussion of differing viewpoints. This policy is not intended to stifle academic exchange even when it may be offensive to some. While vigorous intellectual exchange is consistent with Union College’s mission, acts of bigotry that are not part of legitimate academic inquiry or are targeted at an individual or group within the community undermine Union College’s educational purpose. An underlying premise of this distinction between acceptable and unacceptable conduct is the notion of respect for each individual as a unique member of the Union College community.

A student who believes that he or she has been the victim of harassment or a hate crime is encouraged to report it immediately. The College has designated the following individuals to receive complaints:

- Dean of Students Office (518-388-6116)
- Campus Safety (518-388-6911 or 518-388-6358).

Or go to www.union.edu/offices/dean/sart/support/index.php This policy explains Union College’s approach to investigating, adjudicating and disciplining bias-related conduct.

Some bias-related conduct rises to the level of criminal conduct, and Union College strongly encourages the reporting of criminal conduct to the local police by dialing 911. Campus Safety will assist a student in reporting an incident to the police if the student so requests. The criminal process is separate and distinct from this policy. The fact that a criminal complaint has been filed, prosecuted or dismissed will not prevent Union College from pursuing disciplinary action.

The College has established a Bias Incident Team whose members are: Director of Campus Safety, Chief Diversity Officer, and Director of Multicultural Affairs.

**When to Use this Policy**

**Complaints Against Students**

This policy applies only in those instances when a student is accused of having engaged in bias-related conduct against another student. This policy also applies where a prospective student or other visitor to the campus (e.g., a guest of another student, an alumnus or alumna, or a member of a visiting team) complains of a Union College student’s behavior. If a faculty or staff member wishes to bring a complaint against a student, they should do so according to the College’s Student Conduct Code. If a student is a victim of bias-related conduct by someone other than another student, then this policy does not apply, and the student should see the following.
Complaints Against Faculty or Staff
If a student wishes to bring forward a complaint against a faculty or staff member, the policy that applies in those situations is the College’s Policy Prohibiting Harassment (found in the Faculty Manual FMII XIX), or Policy Prohibiting Harassment (found in Staff Manual paragraph 11.2) or Sexual Harassment And Harassment (found in Administrative Manual paragraph 11.3). The student should follow the procedures outlined in that policy.

Complaints Against Visitors or Non-Community Members
If a student wishes to bring forward a complaint against a visitor or non-community member (e.g., an alumnus or alumna, a prospective student, a guest of a student, a member of another College’s team, or a local resident), the complaint should be made to Campus Safety (518-388-6911 or 518-388-6358) http://www.union.edu/offices/safety/ For more information, see: http://www.union.edu/offices/dean/handbook/discrimination/ Campus Safety will investigate complaints against visitors and the College will determine the appropriate action to be taken in accordance with the Rules of Public Order.

Timeframe for Making a Complaint
While there is no time limit for bringing forward a complaint, the passage of time may make an incident difficult or even impossible to investigate fairly or fully and to adjudicate. Therefore, students are encouraged to make a complaint as soon as possible after the incident has occurred. Although not an ideal situation given the passage of time, a former student may make a complaint against a current student. However, the reverse is not true: the complaint of a current student against a former student is not subject to adjudication pursuant to this policy. Nevertheless, Union College officials will help the complaining student to report the allegations to the appropriate off-campus authorities.

Definition of Harassment
Federal and state laws prohibit discrimination and harassment that are based on race, color, religion, creed, ethnicity, ancestry, national origin, sexual orientation, marital status, military or veteran status, age and disability among other personal characteristics. These laws include Title VI of the Civil Rights Act and the New York State Human Rights Law. New York State law also prohibits discrimination and harassment based on sexual orientation, which is defined as an individual’s actual or perceived heterosexuality, homosexuality, bisexuality, or asexuality.

This policy prohibits conduct that would violate these laws. However, as a supportive and collegial community, Union College also prohibits bias-related student behavior that demeans or humiliates other community members even if the conduct is not so egregious as to violate the law.

In assessing a disciplinary penalty, the seriousness of the incident will be evaluated. Although relatively minor incidents usually result in lesser forms of disciplinary action, Union College reserves the right to impose any level of discipline, up to and including suspension or expulsion, for any act of harassment, based on the facts and circumstances of the particular case.
Harassment
Harassment refers to unwelcome conduct based on race, color, religion, creed, ethnicity, ancestry, national origin, sexual orientation, marital status, military or veteran status, age and disability or any other characteristic protected by law that unreasonably interferes with an individual’s ability to work, learn or participate in the College’s programs or creates an environment that is hostile, offensive, or intimidating. Harassment of this type is usually referred to as “hostile environment” harassment. Harassing conduct can occur in various forms, including:

- **Verbal** - such as using ethnic, racial, religious or other slurs to refer to a person, or jokes or comments that demean a person on the basis of race, color, religion, ethnicity, national origin, sexual orientation, age or disability.

- **Physical** - such as physical threats toward or intimidation of another on the basis of race, color, religion, ethnicity, national origin, sexual orientation, age or disability.

- **Visual** - such as creating or displaying racially, ethnically, religiously offensive pictures, symbols, cartoons, or graffiti.

- **Communication-based** - such as phone calls, emails, text messages, chats or blogs that offend, demean, or intimidate another on the basis of race, color, religion, ethnicity, national origin, sexual orientation, age or disability.

A determination as to whether harassment occurred depends on the totality of the circumstances, such as the severity of a particular incident, the context in which it occurred, whether the conduct was repeated, whether the conduct was verbal or physical, and whether it was threatening or merely annoying. For purposes of federal and state law, harassment has occurred if a reasonable person would have found the behavior offensive and his or her living, learning, or working environment would be impaired as a result of the conduct. However, Union College reserves the right to discipline offensive conduct that is inconsistent with community standards even if it does not rise to the level of harassment as defined by federal or state law.

Stalking
Stalking refers to a person’s deliberate and repeated following, observing, contacting or communicating with another person when the other has not consented to the activity. Stalking can be a form of harassment when the person stalked is targeted because of his or her race, color, religion, creed, ethnicity, ancestry, national origin, sexual orientation, marital status, military or veteran status, age or disability. Stalking includes, but is not limited to, repeatedly engaging in contact, face-to-face communication, telephone calls or messages, text messages, emails, letters, the giving of unwanted gifts, threatening or obscene gestures, surveillance, following, trespassing or vandalism.

Identifying Harassment in our Community
Union College is a vibrant academic environment that encourages discussion of competing ideas both inside and outside the classroom and in both formal and informal settings. Some topics may make a person uncomfortable or take a student outside his or her comfort zone. This policy
is not intended to ban debate over socially controversial or potentially offensive ideas or issues. Rather it is intended to protect individuals from being targeted for offensive, humiliating or intimidating conduct based on race, color, religion, gender expression/identity, ethnicity, ancestry, national origin, sexual orientation, marital status, military or veteran status, age or disability.

As an example of this distinction, this policy would not prohibit civil and respectful debate in a social sciences class about whether same-sex marriage should be legalized even if a homosexual student in the class disagreed with others’ views and was offended by their statements. Similarly, this policy would not prohibit controversial figures from speaking on campus even if the individual’s viewpoint or speech were offensive to some, nor would this policy prohibit reasonable artistic expression. However, this policy would prohibit a student from yelling slurs, insults or threats deemed to constitute bias-related harassment at any other individual or group of individuals.

**Definition of Hate Crimes**
For the purpose of this policy, a “hate crime” is defined as violence to a person or damage to property (or a threat to do so) or any other criminal act that is motivated entirely or partly by hostility toward or intolerance of another’s race, color, religion, creed, ethnicity, ancestry, national origin, sexual orientation, marital status, military or veteran status, age, disability or any other personal characteristic protected by law.

The following example demonstrates the difference between a crime and a hate crime. A student who selects a car at random in a campus parking lot and smashes the windshield has committed criminal mischief. A student who is biased against Muslims and smashes a windshield because he or she knows that the car belongs to a Muslim student has likewise committed criminal mischief. However, this second incident is also a hate crime because the student was motivated by anti-Muslim bias.

Federal and state laws prohibit hate crimes, and hate crimes often result in enhanced criminal penalties. Students who commit hate crimes are subject to criminal prosecution in addition to discipline pursuant to this policy. The criminal process is separate and distinct from this policy. The fact that a criminal complaint has been filed, prosecuted or dismissed will not prevent Union College from pursuing disciplinary action.

**Definition of Retaliation**
Students have the right to report bias-related conduct without fear of retaliation. Retaliation includes threats, intimidation, or reprisals. For example, it would be retaliatory to intimidate a witness or to shun a person from a student organization in retribution for the person’s having made a complaint of bias-related conduct.

Union College strictly prohibits retaliation by any student against a person who makes a report of bias-related conduct, assists someone with a report, or participates in any aspect of the investigation or resolution of a report. Acts of retaliation by students are subject to the standard disciplinary forth in Student Conduct Code and, in certain cases, may result in suspension. Acts
of retaliation by other members of the community, such as faculty or staff, are subject to sanction as set forth in the College’s Faculty, Staff, or Administrative Manuals.

**Confidentiality**
Union College understands that a student who has been the victim of bias-related conduct may wish to talk about the incident with the assurance that the discussion will be confidential. There are several support resources that students may utilize on a confidential basis. These include:

- Counseling Center (388-6161) www.union.edu/counseling
- Religious & Spiritual Life (388-6618 or 388-6087)
- [http://www.union.edu/offices/religious-spiritual/groups/protestant/index.php](http://www.union.edu/offices/religious-spiritual/groups/protestant/index.php)
- Health Services (388-6120) [http://www.union.edu/offices/health-counseling/health/](http://www.union.edu/offices/health-counseling/health/)

Students are encouraged to consult these sources for confidential emotional support. Because these services are confidential, a discussion with any of these sources does not result in a complaint being filed with the College or result in action being taken by the College to respond to the incident. A student who wants emotional support only should contact the confidential counseling resources listed above. A student wishing to have an incident investigated, mediated or adjudicated must make a complaint in accordance with the procedures described below.

The College endeavors to respect and follow the wishes of an individual who brings forward a bias incident. However, students should understand that Union College may have ethical and legal obligations to investigate, attempt to resolve, or adjudicate bias incidents that come to its attention. Therefore, depending on the circumstances, it may not be possible for a conversation with Campus Safety personnel, the Bias Incident Team member, or other administrators to be kept in confidence always or, said another way, for these individuals simply to listen without taking action.

**Reporting Procedures and the Complaint Process**
Faculty, Staff, and students are encouraged to report bias-related activity including hate crimes either experienced directly or observed that occur on the Union College Campus or in the course of a College activity to the Bias Incident Team. Bias Incident Team members do not make a determination as to the nature of the incident but can present various options for pursuing a complaint (see below). Referral to the Bias Incident team is appropriate even when the person believed to have committed the act cannot be identified or if the reporting person does not wish to pursue campus disciplinary or criminal charges. The following procedures, to the extent reasonably practicable under the circumstances, are to be applied upon an incident occurring:

- Determine whether emergency medical treatment is necessary. If medical attention is necessary, immediately contact 911 and Campus Safety (388-6911 or 388-6178) for assistance.

- Contact a member of the Bias incident team report the incident if it has not already been reported.

- The Campus Safety Officer responding to the bias-related activity is to, if possible, photograph physical injuries, offensive graffiti, and evidence of vandalism. In addition,
he or she should record where and when the activity occurred and document names of
witnesses if applicable. Further, the Campus Safety Officer should document detailed
information about the perpetrator(s), if available. He or she should also retain any
physical evidence of the incident, if possible, or, in the case of a crime, turn same over to
public law enforcement officials. Any and all reports of this nature will be retained in the
Dean of Students Office.

- Campus Safety Officers should also, if they suspect that a bias-related crime has
occurred, report same to the appropriate law enforcement officials and cooperate with
same in its investigation of the incident(s).

- Parents and/or guardians of students who are victims of bias-related activity will only be
notified at the request of the student, if the student has been injured, or if otherwise
required under the law. Every effort should be made to facilitate the student in making
the decision to contact a parent and/or guardian to discuss the bias-related activity.

Filing a Complaint
A student who wishes to make a complaint alleging that he or she has been subjected to bias-
related conduct should contact either the Dean of Students Office (388-6116) or Campus Safety
(518-388-6911 or 518-388-6358). The complaining student will be presented with options
available to address the incident, and the Dean of Students will receive notice of the complaint.
At any time after receiving notice of the complaint, the College may direct an investigation into
the allegations.

The College offers both informal and formal resolution options. Generally, the College seeks to
follow the complaining party’s wishes as to which procedure to pursue. However, there may be
situations in which, due to the nature of the allegations, informal resolution is inappropriate.
This decision will be based on factors such as the egregiousness of the allegations (e.g., a
complaint alleging a bias-motivated assault that resulted in injury), whether the accused student
is a repeat offender, or whether there is otherwise reason to believe that the safety or interests of
the campus community demand adjudication. In those instances, the College will apply the
formal procedure only.

Informal Resolution Procedures
Informal procedures are designed to assist the parties to reach a mutually agreeable resolution.

Mediation
Mediation sessions will be held only if the complaining party and the accused party both agree to
mediate and if the Dean of Students determines that mediation is appropriate under the
circumstances. The Dean of Students will act as mediator or will designate another person to act
as mediator. The goal of mediation is to facilitate the parties’ discussions with each other such
that a mutually acceptable resolution can be reached. At any point in the process or if no mutual
resolution is reached, the complaining party may move the complaint to the formal adjudication
process described below.
**Contractual Agreement**

In certain situations, a formal understanding is reached between the parties. This agreement is formalized in writing and is subject to approval by the Disciplinary Officer or his or her designee. The terms may include a pledge that the parties will have no further contact with each other, known as a “No Contact Agreement.” Once a student has signed a contractual agreement, it may not be revoked, and the terms may not be appealed. A student’s failure to adhere to any term of the agreement may result in referral to the Disciplinary Officer for an Administrative or Conduct Board hearing as described in the System of College Standards and Student Conduct.

**Formal Conduct Code Procedures**

Formal procedures are designed to determine the merits of the allegations through adjudication and, where appropriate, to determine a disciplinary consequence for the accused student.

Administrative Review and the Student Conduct Board Hearings will be held in accordance with the College’s hearing procedures, which are outlined in the Student Conduct Code.

All sanctions defined in the College Student Conduct Code are available. In the most serious cases, if the student is found to be responsible, the usual sanction is suspension or expulsion.

**Appeal Process**

The appeal process is the same as that described in the Student Conduct Code.

At any point, the Dean of Students or any other official referred to in this policy may designate his or her authority to another, more appropriate person. Further, the Dean of Students may determine that a particular complaint or situation is best addressed pursuant to another of the College’s policies. In those cases, the matter will be handled pursuant to the policy the Dean of Students, determines is most appropriate.

**Statement of Student Rights**

**Reporting Student**

A Student Who Reports A Bias-Related Conduct is entitled:

- To be treated with respect by College officials.
- To take advantage of campus support resources (Counseling Center, Religious & Spiritual Life, and Health Services).
- To experience a safe living and educational environment. Students should consult with the Dean of Students Office.
- To have an advisor during a Student Conduct Code Board Hearing in accordance with the Student Conduct Code.
- To refuse to have an allegation resolved through informal resolution procedures.
● To be free from retaliation.

**Accused Student**
A Student Accused of Bias-Related Conduct is entitled:

● To be treated with respect by College officials.

● To take advantage of campus support resources (Counseling Center Religious & Spiritual Life and Health Services).

● To have an advisor during a Student Conduct Code Board Hearing in accordance with the Student Conduct Code.

● To refuse to have an allegation resolved through informal resolution procedures.

● To be heard in accordance with the System of College Standards and Student Conduct.

**POINT SYSTEM**

The points system was developed to make the disciplinary sanctioning process clearer, more consistent, and more predictable for students.

Under the points system, a student found responsible for violating College policy is assigned points according to the table of violations provided. Points and/or other sanctions are assigned at the conclusion of the administrative review or judicial hearing process. The points are cumulative over the course of a student’s time at Union College. Previous violations are always considered before points and/or sanctions are assigned for violations.

Evidence shows the irresponsible use of hard alcohol (liquor) by Union students greatly increases the risk of harm to themselves and others. Therefore, more severe sanctions will be imposed upon any student found to have distributed hard alcohol or consumed it in excess. Students age 21 and older may possess moderate amounts of hard alcohol.

Moderate=750 ml or 2 pints

The chart below shows examples of violations and the associated point values. Points are assigned within a given range based upon the circumstances of the specific incident. **This list is not inclusive of all possible violations.** All sanctions are subject to the discretion of the hearing officer.

**Point System Assessment**

<table>
<thead>
<tr>
<th>Violations</th>
<th>Point Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Involvement in any conduct code violation (listed or unlisted)</td>
<td>1-10</td>
</tr>
<tr>
<td>Alcohol / Drugs</td>
<td></td>
</tr>
<tr>
<td>Possession and/or consumption of wine or beer under 21</td>
<td>1-2</td>
</tr>
<tr>
<td>Conduct / Behavior</td>
<td>Sanctions Assigned</td>
</tr>
<tr>
<td>--------------------------------------------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>Possession or consumption of hard liquor</td>
<td>3-4</td>
</tr>
<tr>
<td>Possession of bulk alcohol/binge drinking device</td>
<td>2-4</td>
</tr>
<tr>
<td>Open container of wine, beer, or hard liquor</td>
<td>1-4</td>
</tr>
<tr>
<td>Public intoxication</td>
<td>2-4</td>
</tr>
<tr>
<td>Marijuana use and/or possession</td>
<td>3-4</td>
</tr>
<tr>
<td>Drug paraphernalia possession</td>
<td>3-4</td>
</tr>
<tr>
<td>Providing alcohol to students under 21</td>
<td>3-5</td>
</tr>
<tr>
<td>Unauthorized party with alcohol</td>
<td>4-6</td>
</tr>
<tr>
<td>Irresponsible use of alcohol/transport</td>
<td>4-6</td>
</tr>
<tr>
<td>Driving under the influence</td>
<td>6-8</td>
</tr>
<tr>
<td>Illega l drug use and/or possession (excluding marijuana)</td>
<td>6-10</td>
</tr>
<tr>
<td>Distribution of illegal/controlled substances</td>
<td>10</td>
</tr>
<tr>
<td>False identification (including possession or use of fake ID)</td>
<td>2</td>
</tr>
<tr>
<td>Failure to comply with a College official</td>
<td>2-4</td>
</tr>
<tr>
<td>Unauthorized access</td>
<td>2-4</td>
</tr>
<tr>
<td>Lewd behavior (urinating in public, streaking, flashing, etc.)</td>
<td>1-3</td>
</tr>
<tr>
<td>Disorderly conduct</td>
<td>2-4</td>
</tr>
<tr>
<td>Aggressive physical behavior (punching, fighting)</td>
<td>8-10</td>
</tr>
<tr>
<td>Theft</td>
<td>3-10</td>
</tr>
<tr>
<td>Harassment and sexual harassment</td>
<td>4-8</td>
</tr>
<tr>
<td>Acts of intolerance (Bias Policy)</td>
<td>6-10</td>
</tr>
<tr>
<td>Hazing</td>
<td>6-10</td>
</tr>
<tr>
<td>Vandalism</td>
<td>6-10</td>
</tr>
<tr>
<td>Sexual assault*</td>
<td>10</td>
</tr>
<tr>
<td>Sexual misconduct and exploitation</td>
<td>2-9</td>
</tr>
<tr>
<td>Weapons</td>
<td>8-10</td>
</tr>
<tr>
<td>Retaliation</td>
<td>6-10</td>
</tr>
<tr>
<td>Housing policy violations</td>
<td>0-2</td>
</tr>
<tr>
<td>Life safety violations</td>
<td>0-4</td>
</tr>
<tr>
<td>Smoking policy violations</td>
<td>1-2</td>
</tr>
<tr>
<td>Discharge of fire extinguisher</td>
<td>6</td>
</tr>
<tr>
<td>Fireworks</td>
<td>5-7</td>
</tr>
<tr>
<td>Setting off fire alarm</td>
<td>4-8</td>
</tr>
</tbody>
</table>

* Suspension or expulsion only

Vandalism: Students found responsible for intentional or reckless destruction of College or private property are assigned 6-10 points with the possibility of being suspended from the College. The only exception is for students who turn themselves in to Campus Safety or Residential Life within 48 hours following the incident. These students will receive a 3 point reduction. Any student found in violation of the Vandalism Policy will be required to pay the cost of the repair/replacement, with a $100 minimum charge, plus a $100 vandalism fine.

**Sanctions Assigned**
<table>
<thead>
<tr>
<th>Points</th>
<th>Sanctions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Written warning</td>
</tr>
<tr>
<td>2</td>
<td>Educational sanction</td>
</tr>
<tr>
<td>3</td>
<td>Educational sanction</td>
</tr>
<tr>
<td>4</td>
<td>Parent notification, Athletic Director and Coach notification for athletes, minimum of 5 hours Campus Service or Community Service, educational sanction</td>
</tr>
<tr>
<td>5</td>
<td>Loss of term abroad/study away privilege minimum of 10 hours Campus Service, Educational sanction</td>
</tr>
<tr>
<td>6</td>
<td>Loss of housing selection privileges (including theme, Minerva, Greek, and off campus release) minimum of 15 hours Campus/Community Service</td>
</tr>
<tr>
<td>7</td>
<td>Parent notification and Athletic Director notification for athletes</td>
</tr>
<tr>
<td>8</td>
<td>Probation Alcohol/Drug referral to Health Educator, housing relocation possible, meeting with a dean</td>
</tr>
<tr>
<td>9</td>
<td>Sanctions recommended by a conduct board</td>
</tr>
<tr>
<td>10</td>
<td>Suspension/expulsion, subject to conduct board review</td>
</tr>
</tbody>
</table>

- “Probation” means the next violation is likely to result in a suspension.
- If five points are accumulated in the time period between applying and departure, the student will not be allowed to participate. In some cases the nature of a violation, no matter how few points, may affect your eligibility to participate.
- If six points are accumulated prior to the start of spring term, the student will not be allowed to select his/her own housing for the following year.
- Situations in which the Good Samaritan Policy has been held to apply will have no points assigned.

**Definitions**

**Acts of Intolerance/Bias Related Incidents**
Offensive, humiliating or intimidating conduct based on race, color, religion, gender identity/expression, ethnicity, ancestry, national origin, sexual orientations, marital status, military state, age or ability.

**Aggressive Physical Behavior**
Behavior that threatens or endangers oneself or the well-being or safety of others, or results in personal injury to others. This behavior includes, but is not limited to pushing, shoving, punching, fighting, or the threat of any such behavior, and is prohibited by the College.

**Disorderly Conduct**
Intentionally causing, or recklessly creating a risk of, disruption to the College community or local community.
**Failure to Comply**
Failure to comply with the proper requests of College officials, including members of the Campus Safety Department, acting in performance of their duties, or to identify oneself or produce an identification card when asked, or to cooperate in an official investigation.

**False Identification**
Falsification or misuse of any document, record or instrument of identification is a violation of College policy. Similarly, the use or possession of a fake ID on campus for any reason is prohibited.

**Harassment**
Verbal abuse, intimidation, coercion, physical force or any other action, including abusive and offensive behavior.

**Lewd Behavior**
This behavior includes, but is not limited to, urinating outside of designated facilities, public nudity, and sexual acts in public.

**Retaliation**
Taking adverse actions against person participating in the disciplinary process; including but not limited to verbal/physical assault, threats, or other inappropriate behavior.

**Theft**
Actual or attempted theft of personal or College property or services by an individual on campus. In addition, the willful possession of stolen property is a violation of College policy.

**Unauthorized Access**
Attempting to enter, actually entering, or using College facilities or property without proper authorization. Intentional or reckless destruction and damage to College or private property.

**Weapons and Dangerous Materials**
Possession or use of any type of firearm or any other potentially dangerous weapon is prohibited. Weapons of any kind are dangerous and have no place in a college community. All instruments which can be construed as weapons including, but not limited to, Airsoft guns, BB guns, pellet guns, handguns, rifles, pistols, knives (blade length over 3”), bows and arrows, swords, brass knuckles, night sticks, and handcuffs may not be brought onto College property. Students wishing to bring any such property to campus for sporting purposes must register the weapon or firearm with Campus Safety and store it in the Campus Safety Office.

**ALCOHOL & DRUG POLICY**

**Introduction**
The Drug-Free Schools and Communities Act of 1989 requires Colleges who receive federal financial assistance to certify the United States Department of Education documentation of a prevention program on the illicit use of drugs and the abuse of alcohol by members of the College community.
**Union College Policy on Alcohol and Drug Abuse**

Union College prohibits the unlawful use, possession, or distribution of drugs and alcohol by students and employees on the Union College campus, or while engaged in Union College-sponsored activities or employment. This includes all paraphernalia associated with the use of drugs and/or alcohol abuse. Union College observes all laws governing the use of alcoholic beverages within the State of New York and prohibits any violations of these laws. Students will be held personally responsible for complying with all aspects of federal, state, and local laws as well as the College’s Code of Conduct and any other rules governing alcohol and drug use. In its enforcement of the College policy, Union will act neither as a police agency enforcing the law nor as a sanctuary protecting those who violate laws regarding alcohol or other drugs.

**Standards of Conduct**

Individuals whose ability to reason and control their actions are impaired by excessive consumption of alcohol or illicit use of controlled substances put their lives at risk. Ultimately, such students endanger the well-being and safety of others. The College maintains that inebriation and/or ignorance of applicable laws governing the use of alcohol and drugs are not acceptable or justifiable excuses for disruptive or dangerous behavior. Such excuses do not release the individual from responsibility to the residential community and the College at large. Behavior that endangers mental and/or physical health creates legal liability, or puts lives at risk, will not be tolerated.

Students and officers of fraternal organizations who assume the role of Responsible Persons in accordance with the Social Events with Alcohol Policy are expected to fully comply with the requirement for hosting an Event. Their failure to assume these duties and obligation in good faith may endanger the mental and/or physical health of others, create legal liability, and put lives at risk and will not be tolerated. Students who are members of fraternal organizations will be subject to the College’s Alcohol and Drug Policies in the same manner as students residing in residence halls.

Irresponsible distribution of alcohol is prohibited. Such distribution includes, but is not limited to, any occasion when the atmosphere or circumstances are such that the intended or likely outcome is either abuse of alcohol or to become intoxicated. Examples of irresponsible distribution of alcohol include, but are not limited to: funnels, shot parties, beer pong, chugging contests, or other organized drinking games. Empty alcohol containers represent a health hazard, and students may not possess empty alcohol containers in their rooms in the residence halls. If found, empty containers may be considered evidence of alcohol consumption.

**Alcohol in Residential Spaces**

Union is primarily a community of underage students, and experience teaches that the abuse of alcohol can often interfere with the productive pursuit of a College education. Students who are under the age of 21 may not possess or consume alcohol anywhere on campus including the residential spaces. Residential spaces are defined as all College-owned and administered living units. The following actions relating to alcohol are prohibited:
- Possessing, consuming or distributing alcoholic beverage by student under the age of 21 years.

- Furnishing or selling any alcohol beverages to any person under 21 years of age.

- Possessing or consuming alcohol in any public area outside the residence halls.

- Possessing or consuming alcohol outside individual bedroom or suites within the residence halls.

- Collecting, displaying or strong empty alcohol containers.

- Being incapacitated by alcohol or drugs whether under or over the age of 21 years.

- Possessing or consuming alcohol from common sources including, but not limited to kegs, beer balls, wine boxes, and punch bowls. Exceptions may apply during registered social events (see Alcohol with Social Events Policy).

- Possessing or using a tap system or “regulator.”

- Possessing any binge drinking device including, but not limited to, funnels or beer pong tables.

- Participating in shot parties, beer pong, or any other organized amount for personal consumption. Amount for person consumption are:
  - One 12-pack (twelve 12 oz. bottles/cans) of beer OR
  - Two 750 ml bottles of wine OR
  - One 750 ml bottle of hard alcohol

**Hard Alcohol**
Evidence shows the irresponsible use of hard alcohol (liquor) by Union students greatly increases the risk of harm to themselves and others. Therefore, more severe sanctions will be imposed upon any student found to have distributed hard alcohol or consumed it in excess. Students age 21 and older may possess moderate amounts of hard alcohol.

Moderate=750 ml or 2 pints

**Sanctions**
As a matter of personal safety and well-being, the College regards the use of illegal drugs and alcohol as a health concern, a hindrance to academic performance and a disciplinary matter. Union College encourages its students to comply with local, state and federal laws regarding alcohol and drugs. The College will hold individuals responsible for violation of the College Alcohol and Drug policy. Sanctions consist of disciplinary action up to and including expulsion from the College and referral to law enforcement officials for investigation and criminal prosecution where applicable.
Students found selling, manufacturing, or possessing drugs in amounts that indicate drug sales or distribution will face penalties ranging from suspension to expulsion. Students or organizations found illegally selling, manufacturing, or distributing alcohol will face disciplinary action up to and including expulsion. Possession of drug paraphernalia that has been used, whether at the time of confiscation or not, is against the law and students who violate the law are subject to College discipline.

*While each disciplinary case is evaluated individually, students who put themselves at risk or who violate the Alcohol and Drug Policy or the Conduct Code while under the influence of drugs or alcohol can expect to face disciplinary charges through the student judicial system and the criminal justice system where applicable. If found in violation of the Conduct Code, disciplinary sanctions may range from a formal warning with applicable points to expulsion. Students will be required to complete an educational experience. The educational experience may involve assessments, Campus service, parental notification, and meeting with The Health Educator to discuss personal alcohol and other drug use and abuse. Repeat violators of the Alcohol and Drug policy can expect an increased disciplinary sanction which may include progressive educational experiences, suspension, or expulsion.*

The Counseling Center and Student Health Services can provide confidential consultation and referral to students with problems or concerns related to alcohol and/or drug use. Information about substance abuse and treatment programs is also available in the Office of the Dean of Students.

This policy implements the Drug Free School and Communities Act (20 U.S.C. 1145g)

**The “ABC” Law (The Alcohol Beverage Control Law)**
The ABC Law addresses the issues pertaining to those under the age of twenty-one years who possess or attempt to purchase alcoholic beverages as well as those who assist them.

**Section 65.1 Prohibited Sale:**
No person shall sell, deliver or give away or cause or permit or procure to be sold, delivered or given away any alcoholic beverage to any person, actually or apparently, under the age of twenty-one years.
If you are working in a store/restaurant that sells alcoholic beverages, the only acceptable identifications are
- Valid Driver’s License or Non- Driver Identification Card issued by a governmental agency
- Valid Passport
- U.S. Military ID

**Section 65-a- Procuring Alcoholic Beverages for Persons Under the Age of Twenty-One-Years**
It is a criminal offense to misrepresent the age of a person under twenty-one years to induce the sale of any alcoholic beverage.
- Penalty - $200.00 fine and /or five days in jail
Section 65-b Offense for One Under the Age of Twenty-One Years to Purchase or Attempt to Purchase an Alcoholic Beverage Through Fraudulent Means

It is an offense for one under age of twenty-one years to purchase of attempt to purchase an alcoholic beverage through fraudulent means.

- Penalties:
  - First violation: Fine up to $100.00, and/or up to 30 hours of community service, and/or completion of an alcohol awareness program. In addition, if a New York State driver’s license was used as identification, the court may suspend your license for three months.
  - Second violation: Fine between $50.00 and $350.00 and/or up to 30 hours of community service, and/or completion of an alcohol awareness program. In addition, if a New York State driver’s license was used as identification, the court may suspend your license for six months.
  - Third and subsequent violations: Fine between $50.00 and $750.00 and/or up to 30 hours of community service, and/or evaluation by an appropriate agency to determine whether the person suffers from alcoholism or alcohol abuse. In addition, if a New York State driver’s license was used as identification, the court may suspend your license for one year or until you reach twenty-one.

Section 65-c Unlawful Possession of an Alcoholic Beverage with Intent to Consume by Persons Under the Age of Twenty-One Years

No person under the age of twenty-one years shall possess any alcoholic beverage with the intent to consume such beverage, with a few exceptions.

- Penalty – Fine up to $50.00 and/or five days in jail, and/or up to 30 hours of community service, and/or completion of an alcohol awareness program.

The Penalties of Drinking & Driving

Driving While Ability Impaired DWAI Violation

(More than .05 to .07 Blood Alcohol Content)

<table>
<thead>
<tr>
<th>Offense</th>
<th>Fine</th>
<th>Jail Sentence</th>
<th>License Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>Minimum $300</td>
<td>Up to 15 days</td>
<td>90 day suspension***</td>
</tr>
<tr>
<td></td>
<td>Maximum $500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2nd w/in 5 years</td>
<td>Minimum $500</td>
<td>Up to 30 days</td>
<td>Minimum 6 months *** revocation</td>
</tr>
<tr>
<td></td>
<td>Maximum $750</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Chemical Test

Implies Consent-Any person who operates a motor vehicle in New York State has given consent to a chemical test for the purpose of determining the alcoholic and/or drug content of the blood.

** 1 Year revocation for persons under 21 years of age
***1 Year or until person reaches the age of 21 years.

Driving While Intoxicated-DWI

Misdemeanor
Driving While Ability Impaired by Drugs
Misdemeanor

Driving While Ability Impaired by the Influence of Alcohol and any Drug

<table>
<thead>
<tr>
<th>Offense</th>
<th>Fine</th>
<th>Jail Sentence</th>
<th>License Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>Minimum $500</td>
<td>Up to 1 year</td>
<td>Minimum 6 months** revocation</td>
</tr>
<tr>
<td></td>
<td>Maximum $1,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2nd Felony</td>
<td>Minimum $1,000</td>
<td>Up to 4 years</td>
<td>Minimum 1 year *** revocation</td>
</tr>
<tr>
<td></td>
<td>Maximum $5,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Aggravated Driving While Intoxicated Enhanced (.18 and over Blood Alcohol Content)
Misdemeanor

<table>
<thead>
<tr>
<th>Offense</th>
<th>Fine</th>
<th>Jail Sentence</th>
<th>License Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum $1,000</td>
<td>Up to 1 year</td>
<td></td>
<td>Up to 18 months</td>
</tr>
<tr>
<td>Maximum $2,500</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Ignition interlock with Probation

<table>
<thead>
<tr>
<th>Refusal</th>
<th>Fine</th>
<th>License Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>$500</td>
<td>1 year revocation**</td>
</tr>
<tr>
<td>2nd</td>
<td>$750</td>
<td>18 month revocation (or until 21 years old)</td>
</tr>
</tbody>
</table>

Zero Tolerance Law
Applies to a person under 21 years of age. (More than .07 up to .20 BAC)
- First Offense includes a fine $125 and a 6 month Suspension
- Penalties: Fine up to $50.00 and/or up to 30 hours of community service, and/or completion of an alcohol awareness program.
- Conviction fine only. Does not include mandatory conviction surcharge or crime victims assistance fee.

**For license revocations, the Department of Motor Vehicles determines when your license can be returned. Its return or reinstatement, based on state law or regulation, is not automatic. You must reapply for your license and may have to take a test. Three or more alcohol or drug-related offenses within 10 years can result in a permanent revocation, which a waiver request permitted after at least five years.

Mandatory Screening:
If you are charged with or convicted of certain alcohol-related offense, the courts will order alcohol screening and/or alcohol evaluation, prior to sentencing.

Drug Abuse
The Union College campus is not a sanctuary from the law in matters of illicit drug use. The use of illicit drugs, synthetic drugs and marijuana can adversely affect the academic and personal life of the individual, and has the potential to disrupt the academic and residential community of the College. Thus, the possession, distribution, or the use of illegal drugs, synthetic drugs and
narcotics, including but not limited to amphetamines, marijuana, cocaine, heroin, and LSD, Synthetic drugs and any associated paraphernalia is strictly prohibited. Violations will result in disciplinary action which may include assigning of applicable points, campus/community services, referral to Health Educator, suspension, or expulsion.

**Medical Marijuana**
Union College prohibits the possession and use of marijuana on campus; the Union College Alcohol and Drug Policy in the Student Handbook can be found at:
http://www.union.edu/offices/dean/handbook/alcohol/
Growing and using marijuana remains a crime under federal law, and federal legislation also prohibits any institution of higher education that receives federal funding from allowing the possession and use of marijuana. The College receives monies in federal grants and contracts and in financial aid for students. The College continues to enforce its current policies regarding controlled substances and any students or employees who violate College policy prohibiting the use or possession of illegal drugs on campus will be subject to disciplinary and criminal action. The College’s statutory obligations under federal law, which prohibits the possession and use of marijuana, prevails over New York State law, rules, or regulations that allow the use of medical marijuana under limited circumstances. The College Health Services will not be distributing medical marijuana nor will representatives be writing prescriptions for it.

**New York State Law**
The present prohibitions of the New York law include but are not limited to the following:
The distribution of any type of illicit or controlled substance and most particularly, the possession of illicit drug substances with the intent to distribute, can result in severe criminal prosecution which ranges in severity from a minimum of 8-25 years imprisonment up to and including a maximum sentence of life imprisonment. The gradation of sanctions for the illegal use, distribution, or possession of illegal drugs and narcotics varies greatly. The Penal Code of New York State on illicit use of drugs, controlled substances and marijuana is extensive. However, students should be aware that legal sanctions related to the illicit use, possession or distribution of drugs will be severe in nature and are determined not only by the type and amount of drugs in question, but also whether or not the individual has any record of prior convictions.

**Loss of Eligibility for Federal Assistance**
A student who is convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance while enrolled in an institution of higher education and receiving any federal financial aid (e.g. grant, loan, or work assistance) will lose his/her eligibility for such federal assistance according to the following schedule:

- If convicted of an offense involving the possession of a controlled substance, the ineligibility period is:

<table>
<thead>
<tr>
<th>Offense</th>
<th>Ineligibility Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Offense</td>
<td>1 year</td>
</tr>
<tr>
<td>Second Offense</td>
<td>2 years</td>
</tr>
<tr>
<td>Third Offense</td>
<td>Indefinite</td>
</tr>
</tbody>
</table>
If convicted of an offense involving the sale of a controlled substance, the ineligibility period is:

<table>
<thead>
<tr>
<th>Offense</th>
<th>Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Offense</td>
<td>2 years</td>
</tr>
<tr>
<td>Second Offense</td>
<td>Indefinite</td>
</tr>
</tbody>
</table>

**Drug Laws**

Federal and New York State laws provide many legal sanctions for the unlawful possession or distribution of controlled substances. These sometimes include severe criminal penalties such as fines and/or imprisonment. The severity of the penalty depends upon the nature of the criminal act and the identity and amount of the illicit drug involved. Some examples are:

<table>
<thead>
<tr>
<th>Drug</th>
<th>Potential Sanctions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cocaine</td>
<td>Possession of even 500 mg. of cocaine can result in a maximum sentence of seven years in prison.</td>
</tr>
<tr>
<td>LSD</td>
<td>Possession of as little as 1 mg can result in up to 15 years in prison.</td>
</tr>
<tr>
<td>Marijuana</td>
<td>Possession of as little as 25 g. can result in a maximum of three months in jail or a $500 fine.</td>
</tr>
</tbody>
</table>

**Health Risks of Drug and Alcohol Use**

**Alcohol Effects**

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair judgment and coordination. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including, sexual assault, vandalism, physical and verbal fights and incidents of drinking and driving. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person’s ability to learn and remember information. **Very high doses cause respiratory depression and death.** If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effect just described. Alcohol combined with other drugs, even over-the-counter and prescribed medication, can cause a variety of effects including, but not limited to, respiratory depression, cardiac arrest, and death.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver.

**Drug and Alcohol Awareness and Education**

Union College provides educational programs and activities that are designed to provide information about the effects of alcohol and illicit drug use on the individual and on the life of the community. Personal responsibility and accountability as well as familiarity with New York State law on alcohol and drug abuse is emphasized. Every student who intends to serve as a designated server at Chet’s or any other event on campus is required to participate in a social host training program. Educational programming begins with New Student Orientation and is
further promoted by joint programming (lectures and speakers in a variety of venues) sponsored by the Office of the Dean of Students and various student organizations as well as the Office of Residential Life. Students found in violation of the Alcohol and Drug Policy may be required to meet with the Health Educator to discuss the student’s use and abuse of substances.

In addition to the information found in this publication, additional information on the potential hazards of illicit drug use and alcohol abuse can be obtained in Health Services and the Counseling Center.

**Available Resources, Services, and Referrals**
Information on local resources is printed for general information only and does not constitute endorsement of such services by the College. Students are encouraged to consult with their parents or guardians and/or their health care provider in making an informed decision on the appropriate type and location of an alcohol and/or drug assessment, counseling, or treatment facility.

**College Resources:**
- Counseling Center, Wicker Wellness Center (388-6161)
- Dean of Students Office, Reamer Campus Center (388-6061)
- Amanda Tommella, Health Educator
- Union College Counseling Center
- Wicker Wellness Center
- 807 Union Street
- Schenectady, NY 12308
- Phone: (518) 388-6161
- Fax: (518) 388-6147
- Email: tommella@union.edu

**Local Resources:**
- Alcoholics Anonymous Meetings in Schenectady County
- Alcoholism and Substance Abuse Council of Schenectady County, Inc.
  - 302 State Street
  - Schenectady, NY 12305
  - (518) 346-4436

- Conifer Park (Inpatient Treatment)
  - 79 Glenridge Road
  - Glenville, NY 12302
  - (518) 399-6446

- Conifer Park (Outpatient Treatment)
  - 600 Franklin Street
  - Schenectady, NY 12305
  - (518) 372-7031
## Illicit Drugs Effects

<table>
<thead>
<tr>
<th>Drugs</th>
<th>Physical Dependence</th>
<th>Psychological Dependence</th>
<th>Possible Effects</th>
<th>Effects of Overdose</th>
<th>Withdrawal Syndrome</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Stimulants</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hydromorphone</td>
<td>High</td>
<td>High</td>
<td>Respiratory depression</td>
<td>Convulsion</td>
<td>Panic Cramps</td>
</tr>
<tr>
<td>Oxycodone</td>
<td>High</td>
<td>High</td>
<td>Constricted Pupils</td>
<td>Coma</td>
<td>Nausea</td>
</tr>
<tr>
<td>Methadone and LAAM</td>
<td>High</td>
<td>High</td>
<td>Nausea</td>
<td>Possible death</td>
<td>Runny nose</td>
</tr>
<tr>
<td>Fentanyl and Analogs</td>
<td>High</td>
<td>High</td>
<td></td>
<td></td>
<td>Chills and sweating</td>
</tr>
<tr>
<td>Other Narcotics</td>
<td>High-Low</td>
<td>High-Low</td>
<td></td>
<td></td>
<td>Watery eyes</td>
</tr>
<tr>
<td><strong>Depressants</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chloral Hydrate</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Slurred speech</td>
<td>Shallow respiration</td>
<td>Anxiety</td>
</tr>
<tr>
<td>Barbiturates</td>
<td>High-Moderate</td>
<td>High-Moderate</td>
<td>Disorientation</td>
<td>Clammy skin</td>
<td>Insomnia</td>
</tr>
<tr>
<td>Benzodiazepines</td>
<td>Low</td>
<td>Low</td>
<td>Drunken behavior without odor of alcohol</td>
<td>Dilated pupils</td>
<td>Tremors Delirium</td>
</tr>
<tr>
<td>Glutethimide</td>
<td>High</td>
<td>Moderate</td>
<td>Coma</td>
<td>Convulsion</td>
<td></td>
</tr>
<tr>
<td>Other Depressants</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Possible death</td>
<td>Possible death</td>
<td></td>
</tr>
<tr>
<td><strong>Stimulants</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cocaine</td>
<td>Possible</td>
<td>High</td>
<td>Increased alertness</td>
<td>Agitation</td>
<td>Apathy</td>
</tr>
<tr>
<td>Amphetamine/ Methamphetamine</td>
<td>Possible</td>
<td>High</td>
<td>Euphoria</td>
<td>Increased body temperature</td>
<td>Long periods of sleep</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Increased pulse rate</td>
<td>Hallucinations</td>
<td>Irritability</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>and blood pressure</td>
<td>Convulsions</td>
<td>Depression</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Excitation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Methylphenidate</td>
<td>Possible</td>
<td>High</td>
<td>Insomnia</td>
<td>Possible death</td>
<td>Disorientation</td>
</tr>
<tr>
<td>Other Stimulants</td>
<td>Possible</td>
<td>High</td>
<td>Loss appetite</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Cannabis</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drugs</td>
<td>Physical Dependence</td>
<td>Psychological Dependence</td>
<td>Possible Effects</td>
<td>Effects of Overdose</td>
<td>Withdrawal Syndrome</td>
</tr>
<tr>
<td>--------------------------</td>
<td>---------------------</td>
<td>--------------------------</td>
<td>----------------------------------------------------------------------------------</td>
<td>-------------------------------------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>Marijuana</td>
<td>Unknown</td>
<td>Moderate</td>
<td>Euphoria, Relaxed inhibitions, Increased appetite, Disorientate behaviors</td>
<td>Fatigue, Paranoia</td>
<td>Occasional reports of insomnia</td>
</tr>
<tr>
<td>Tetrahydrocannabin</td>
<td>Unknown</td>
<td>Moderate</td>
<td>Increased appetite</td>
<td>Possible psychosis</td>
<td>Hyperactivity</td>
</tr>
<tr>
<td>Hashish and Hashish Oil</td>
<td>Unknown</td>
<td>Moderate</td>
<td>Disorientation</td>
<td></td>
<td>Decreased</td>
</tr>
</tbody>
</table>

**Hallucinogens**

<table>
<thead>
<tr>
<th>Drugs</th>
<th>Physical Dependence</th>
<th>Psychological Dependence</th>
<th>Possible Effects</th>
<th>Effects of Overdose</th>
<th>Withdrawal Syndrome</th>
</tr>
</thead>
<tbody>
<tr>
<td>LSD</td>
<td>None</td>
<td>Unknown</td>
<td>Illusions and hallucinations</td>
<td>Longer</td>
<td>Unknown</td>
</tr>
<tr>
<td>Amphetamine Variants</td>
<td>Unknown</td>
<td>Unknown</td>
<td></td>
<td></td>
<td>Psychosis</td>
</tr>
<tr>
<td>Phencyclidine (PCP) and Analogs</td>
<td>Unknown</td>
<td>High</td>
<td>Liver and kidney dysfunction, Testicular atrophy, Premature closure of bone growth, Hair loss, Acne, Heart failure</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Testosterone (Cypinoate, Enanthate)</td>
<td>Unknown</td>
<td>Unknown</td>
<td>Virilization, Acne</td>
<td>Unknown</td>
<td></td>
</tr>
<tr>
<td>Nandrolone (Decanoate, Phenpropiionate)</td>
<td>Unknown</td>
<td>Unknown</td>
<td>Testicular atrophy, Gynecomastia, Aggressive behavior</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oxymorphoneone</td>
<td>Unknown</td>
<td>Unknown</td>
<td>Edema</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inhalants</td>
<td>Unknown</td>
<td>High</td>
<td>Nausea, Nosebleeds</td>
<td>Loss of consciousness, Damage to organs and nervous systems</td>
<td></td>
</tr>
<tr>
<td>Caffeine</td>
<td>Unknown</td>
<td>High</td>
<td>Nausea, Diarrhea, Sleeplessness, Headaches, Trembling</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drugs</td>
<td>Physical Dependence</td>
<td>Psychological Dependence</td>
<td>Possible Effects</td>
<td>Effects of Overdose</td>
<td>Withdrawal Syndrome</td>
</tr>
<tr>
<td>-------</td>
<td>---------------------</td>
<td>-------------------------</td>
<td>-----------------</td>
<td>--------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>Nicotine</td>
<td>High</td>
<td>High</td>
<td>Cancer of lungs, larynx, mouth</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

HAZING POLICY

Introduction
New York State law and Union College policy prohibit hazing in all its forms. Individuals, organizations, and athletic teams engaging in hazing may be subject to criminal prosecution according to the laws of the State of New York. The College will pursue all allegations of hazing and may impose severe disciplinary action up to and including loss of recognition by the organization or club, suspension of the team’s season, and expulsion of individuals from the College.

Definition
Union College policy specifically prohibits any action taken or situation created as an explicit or implicit condition for initiation into, admission into, affiliation with, or continued membership in a group, organization, or team, that: (1) could be seen by a reasonable person as endangering the physical health of an individual or causing mental distress to an individual through, for example, humiliating, intimidating, or demeaning treatment; (2) destroys or removes public or private property; (3) involves the consumption of alcohol or drugs, or the consumption of other substances to excess; or (4) violates any College policies. Such activities may include, but are not limited to:

- Paddling in any form
- Physical and psychological shocks
- Illegally collecting souvenirs
- Wearing of public apparel which is conspicuous and not in good taste
- Engaging in public stunts and buffoonery
- Morally degrading or humiliating games or activities
- Keeping initiates up for an extended time period
- Kidnapping
- Branding
- Creation of excessive fatigue
● Building up initiate expectations and then letting them down abruptly

● Any other activities which are not consistent with the regulations and policies of Union College.

Alcohol is not permitted at any new member or pledge activity. It is extremely critical to understand that acceptance of an activity on the part of a new member or individual does not justify participation in the activity. The organization, club, or team leadership and membership maintain the responsibility to monitor appropriate behavior. Any violation should be reported to the Dean of Students.

**College’s Response and Sanctions**
The College’s response to hazing will vary according to the severity of the action. In assessing the severity of each case, the investigating officer will ask whether this activity was coercive, dangerous, or disruptive to the academic process. If the answer is yes to one or more of these questions, the College will initiate conduct charges. Sanctions may include:

● Notification to national office

● Notification to Alumni Advisor

● Notification to Athletic Director, Greek Advisor, or Student Activities Director

● Inability to complete new membership intake

● Inability to participate in team or club activities

● Inability to register and host social activities

● Loss of housing privileges for organization

● Loss of season for team

● Loss of recognition for club

● Individual sanctions for officers and captains up to and including suspension or expulsion

**Board of Trustee Statement on Membership in a Non-Recognized Fraternity or Sorority**

● No student may rush, pledge, perpetuate, engage in initiation activities, or be a member of a fraternal or social organization not recognized by the College. Anyone engaging in those activities, either as a member, recruiter, or potential pledge, will be suspended for a minimum of one year and may be subject to additional penalties that could include expulsion.
A fraternal or social organization shall be covered by this rule only if its leadership and/or a significant number of its members are Union College students. Any student who is uncertain about the legitimacy of any group is encouraged to inquire in either the Student Activities or the Dean of Students Office.

* 1999 Trustee Resolution

SOCIAL EVENTS WITH ALCOHOL POLICY

Introduction
Union College recognizes that a vibrant, diverse social life is an important feature of campus life and encourages students to plan events within a framework that promotes safe, legal, and responsible fun. When alcohol will be available at social events, it is the responsibility of the Event Sponsor and the Responsible Persons to comply with all requirements of New York State Law (as set forth above) and Union College Policy. Event Sponsors are required to schedule a meeting with the Dean of Students (or designee) to review Union College’s policies and procedures which the Host Organization will follow. These regulations apply to all College events (see “Definitions” section of this Policy) where alcoholic beverages will be served. College events include, but are not limited to:

- Any events held on campus, including events sponsored by groups that lease or use College property;
- Fraternity and Sorority events held in College-owned properties (group residential spaces);
- Campus organization events;
- Commencement events;
- Department or unit events;
- Events held by individuals, on behalf of the College, for members of the College community (whether on or off campus).

Definitions
These definitions apply to the following terms as they are used in this Policy.

Campus Facilities:
The Campus Facilities include: Old Chapel, the Rathskellar, Chet’s, Dining Halls, and other areas approved by the Dean of Students (or designee).

College Event:
An event that is sponsored by an individual or entity on behalf of the College or an event that takes place on College controlled property.
**Common Source:**
Common source is defined as but not limited to the following examples: kegs, pony kegs, punch bowls, commercial dispensers, or the amount of alcohol equivalent to a common source alcohol beverage container, whether empty or full.

**Event Sponsor:**
A Host Organization planning an event with responsibility for adherence to this Policy and New York State laws which prohibit dispensing of alcohol to anyone under the age of 21, or to any visibly intoxicated person, during all stages of the event.

Host Organization: A student organization recognized by the College or the Student Forum.

**Group Residences:**
Residence Halls designated by the Dean of Students (or designee) where Closed Social Events are permitted.

**Residential Spaces:**
All College owned facilities where students reside (on and off the main campus).

**Responsible Persons:**
The officers of the Host Organization and an individual of Junior standing or older designated by the Event Sponsor at the time of registration for an Event involving alcoholic beverages shall be the “Responsible Persons.” The Responsible Persons assume the responsibility for managing the Event in accordance with the requirements of this Policy. The names of the Responsible Persons shall be provided at the time of registration.

**Sale of Alcoholic Beverages:**
The act of dispensing alcohol through direct sale or at a function where alcohol is dispensed and any of the following occur:

- An admission is charged or tickets are sold;
- Donations are collected;
- Items or services are bartered or traded in exchange for alcoholic beverages or admission to the function;
- Food is sold (even if alcohol is free).

**Server:**
A person qualified to serve alcohol at an event because he or she is at least 21 years of age and has had training in the dispensing of alcoholic beverages.

**Social Event:**
Any function in an area where alcohol is present. Categories include:

*Academic/Social Event*
An Event held at group residences involving typically fewer than 40 participants and normally involving faculty and students with explicit approval of the Dean of Students or his/her designee, subject to the conditions imposed by the Dean of Students or his/her designee and the requirements established below under Academic/Social Events.

Registered Social Event
A function attended by invitation only that is registered with the Dean of Students (or designee) and takes place at a designated Campus Facility including designated Group Residences. The number of attendees at any given time at a Registered Social Event shall not exceed the number permitted by Building and Fire Code limitations established by officials for the designated Campus Facility or designated Group Residence.

Special Event
A Registered Social Event held on any day Sunday through Thursday where an individual or organization is serving alcohol. Size is typically limited to 40 people, or the number of active members of a recognized organization. To qualify, the registrant must justify the event as an occurrence of special importance and receive the explicit approval of the Dean of Students or his/her designee and be subject to the conditions imposed by the Dean of Student or his/her designee.

BYOB Event
A BYOB function is defined as a social gathering or event on or in college owned residential space, where the following criteria are met: the presence of non-residents; the presence of alcohol; no common source of alcohol. A BYOB Event is a Registered Social Event.

Underage:
Under 21 years of age.

Registered Social Event Requirements

- At all Registered Social Events (e.g., Academic/Social Event, Special Event, BYOB Event), unless otherwise noted, all of the conditions and requirements below must be satisfied, unless otherwise specified by the Dean of Students or his or her designee.

- For all Greek Social Events with Alcohol, in addition to the requirements set forth herein, the Greek organization is encouraged to comply with the Fraternal Information & Programming Group (FIPG) Risk Management Policy.

- Union College allows Social Events with Alcohol on Friday and Saturday nights only when classes are in session or as part of Senior Week activities. Special Events with Alcohol may also be registered, but only with proper justification. Such events are subject to the same registration requirements as weekend Social Events. The College does not permit Social Events with Alcohol at any time after the ninth week of any term or during new student orientation or during reading or exam periods, or during Fraternity and Sorority Life recruitment periods.
● All Social Events with Alcohol shall be held at an approved Campus Facility or Residential Space. When an Event with Alcohol is planned, the Responsible Persons shall notify the Dean of Students (or designee) at least two (2) days in advance by completing all necessary forms (i.e. Social Events Registration Form and the Use of College Property Form) and by obtaining the approval of the Dean of Students (or designee).

● Registration of the Event with Alcohol does not imply the College’s sponsorship of the Event.

● College funds and Student Forum funds may not be used to purchase alcohol.

● Registration of the Event with Alcohol does not imply the College’s sponsorship of the Event.

● The sale of alcoholic beverages (see Definitions section above), including, but not limited to, charging admission at the door of an Event with Alcohol by any individual or selling invitations or any item of exchange or charging any remuneration, is illegal and a violation of this Policy without an Alcoholic Beverage Control License from the New York State Liquor Authority.

● The Responsible Persons shall ensure that the total number of persons at the Event shall not exceed the number of persons as approved by the Dean of Students (or designee), and in no event shall the number exceed the Building and Fire Code limitations established by officials for the designated Campus Facility where the Event is held. It is incumbent upon the Responsible Persons to check with the Office of Environmental Safety for Building and Fire Code requirements.

**Additional Requirements:**

● The Responsible Persons must be present at all times while alcohol is available and/or served and must ensure that no one under the age of 21 possesses or consumes alcohol.

● A system of checking the age of guests must be used before alcohol is served. Union College identification cards do not list the age of a student and are not acceptable.

● Everyone attending an Event where Alcohol is served must carry valid identification that verifies their date of birth. Union College students must also carry College identification.

● Guests must not have direct access to alcohol; servers (see “Server” in Definitions section above) must be used (unless it is a BYOB Event as specified below).

● Hard liquor is prohibited at all events. The type of alcohol permitted is limited to wine and beer. No bulk alcohol/common source, as defined above, is allowed at the event.

● Irresponsible distribution of alcohol is prohibited. Such distribution includes, but is not limited to, any occasion when the atmosphere or circumstances are such that the intended
or likely outcome is either abuse of alcohol or to become intoxicated. Examples of irresponsible distribution of alcohol include, but are not limited to: funnels, shot parties, beer pong, chugging contests, or other drinking games.

- All alcoholic beverages must remain indoors. It is imperative that the activities of the Event not disturb the surrounding environs.

- The entrance to the Event must be staffed by individuals from the Event Sponsor or hired staff in proportion to the number of guests and as determined by the Dean of Students (or designee), at the time of registration.

- Intoxicated persons must not be served. Those arriving in an intoxicated condition, even if 21 or older, MUST be denied entrance.

- The amount of beer and wine and non-alcoholic beverages made available must be in proportion to the number of guests who will be above the age of 21. (See requirements under BYOB Events)

- The amount of non-alcoholic beverages made available must be in proportion to the total number of guests

- Food must be available and easily accessible.

- No alcohol may be served after 2:00 a.m., regardless of whether the Event extends past 2:00 a.m.

- The volume of all music must be lowered at 2:00 a.m. and should not be audible to the neighbors and surrounding residents.

- Any band, ensemble, or live musical act shall be promptly dismissed at 2:00 a.m.

- All Registered Social Events must abide by the Social Event protocols set up by the Dean of Students or his or her designee.

- Responsible Persons should refer to the “Social Event Policy Compliance Checklist” for further guidance.

- The social events with alcohol can only be scheduled for a Friday or Saturday.

- No college, chapter funds, or Student Forum money may be used for alcohol.

- The event needs to be contained to the inside of the event space/house.

- The number of attendees needs to be under the space’s fire capacity.
- Only those 19 years old and have completed social host training/ alcohol training program may serve alcohol.

- No one under the age of 21 may possess or consume alcohol.

- Wristbands must be used to identify those who are over 21; a wristband must not be placed on those who are under 21.

- Every social event with alcohol must have, at its start:
  - 5 (24) packs of bottled water
  - 100 individual chip bags

- During the event, the host must always have behind the bar/available to guests:
  - 2 (24 packs of bottled water (16.9)) oz. water bottles
  - 25 individual chip bags
  - The host must keep refilling the supply behind the bar. If you run out of water/chips, you must shutdown the event. If you do not have 2 (24) packs of bottled water and 25 individual chip bags behind the bar and available, your event can be shutdown.

- No pouring beer into cups:
  - Beer cans will be distributed at bar, instead of pouring into cups.
  - Cups may only be used for wine during mixers 9:00 pm-11:00 pm and the cup size must be 10 oz or smaller.

- If a keg/common source is found in the house or at the event, it is a violation of the social event with alcohol policy and event will be shut down.

- The event space and surrounding area needs to be cleaned by those who hosted: Monday 7:00 am following the event, at the latest – If not, the organization will be sanctioned.

- One should call Campus Safety @ 6911 if there are problems.

**Academic/Social Events**

- Academic/Social Events with alcohol must have a designated Responsible Person to sponsor the event.

- The Responsible Person must notify the Dean of Students or designee at least 24 hours before the event.

- The event must have specified beginning and end times.

- Academic/Social Events are typically limited to 40 or fewer people.
• Academic/Social Events typically involve faculty and/or guests of the College.

• No hard liquor is allowed at any Academic/Social Event.

• No Common Source alcohol is allowed at any Academic/Social Event.

• Notification of the Event with the Dean of Students Office does not imply the College’s Sponsorship of the Event.

• College funds or Student Forum funds may not be used to purchase alcohol.

• The sale of alcoholic beverages is prohibited (see the Definitions section above).

• The Responsible Persons shall ensure that the total number of persons at the Event shall not exceed the number of persons as approved by the Dean of Students (or designee), and in no event shall the number exceed the Building and Fire Code limitations established by officials for the designated Campus Facility where the Event is held. It is incumbent upon the Responsible Persons to check with Campus Safety for Building and Fire Code requirements.

• The Event must be confined to the space indicated indoors and all alcoholic beverages must remain indoors. It is imperative that the activities of the Event not disturb the surrounding environs.

• Intoxicated persons must not be served. Those arriving in an intoxicated condition, even if 21 or older, must be denied entrance.

• The amount of beer and wine and non-alcoholic beverages made available must be in proportion to the number of guests who will be above or below the age of 21.

• Food must be available and easily accessible.

BYOB Events

• There must be a visible system of verifying the amount of alcohol being brought to a BYOB function at the door/entry point of the BYOB Event.

• No glass bottles are allowed in any BYOB function.

• A person who is 21-years or older may bring six 12-oz. cans of beer OR 72-oz total.

• Each legal member or guest is responsible for their own beverages, and may not share the purchase/consumption of beer with other members or guests.

• Malt beverages or wine cannot exceed 72 ounces and must be in their original container(s)
● No Common Source of Alcohol is permitted.

● For additional requirements, please refer to the “Social Events Policy Compliance Checklist”, and the Registered Social Event Requirements section above.

**Campus Security and Dean of Students Office**
Responsible Persons may call Union College Campus Safety Department and/or the Dean of Students or his or her designee for assistance with any alcohol violations or difficult situations which may arise during an Event with Alcohol. Campus Safety may check in at approved Events to review whether a system for checking the age of student guests is in place. If a system is not in place, then the Event may be shut down. If Campus Safety and/or the Dean of Students or his or her designee are notified of a disturbance at an approved Event, they will promptly investigate.

● While Campus Safety and/or the Dean of Students Office will make every effort to work with Responsible Persons to address and remedy alcohol violations or other problems, Safety Officers and/or the Dean of Students or his or her designee are authorized to close Events if serious problems are evident. Absent a life safety emergency, the decision to close an event will be made in consultation with the Dean of Students or his or her designee.

○ All Events must be conducted in a safe and responsible manner that is not disruptive to the surrounding area.

○ Should Campus Safety or an official from the Dean of Students Office come across an unregistered event, such event will be closed immediately.

● Violations of alcohol regulations discovered by Campus Safety will be reported to the Office of the Dean of Students and appropriate disciplinary action will ensue. Host organizations are responsible and liable for the conduct of their guests at parties. They may face disciplinary action through the College judicial process for Alcohol Policy violations which occur at Events they sponsor and, under certain circumstances, may face criminal or civil proceedings under the jurisdiction of New York State law.

**Sanctions**

● Host Organization officers will be held accountable for violations of all College Alcohol Policies which occur at Events they sponsor and, under certain circumstances, may face criminal or civil proceedings under the jurisdiction of New York State law.

● Organizations and officers of an Organization responsible for hosting an unregistered event will likewise be held responsible and liable for all alcohol-related violations committed by their guests and face additional sanctions for failing to register the event in accordance with the Social Events with Alcohol Policy or for hosting an unregistered event. College policy holds safety to be the top priority, expecting individuals and organizations to contact Campus Safety over any health concern. The Good Samaritan
Policy (see Alcohol and Drug Policy) encourages individuals to consider safety before any other concerns about violating College rules.

- Host Organizations and Responsible Persons must comply with these policies and applicable New York State law. Host Organizations and Responsible Persons found to be in violation of the Social Events with Alcohol Policy in a manner that is considered by the Dean of Students or his/her designee to be significant may lose their privilege to register or face other sanctions as deemed appropriate by the Dean of Students Office. Violations include but are not limited to conduct involving one or more of the following, as applicable to the type of Event sponsored and the Host Organization:

  - Failure to register the Event;
  - Serving or allowing the consumption of hard liquor at the event;
  - Failure to comply with reasonable requests from of Campus Safety;
  - Failure to card and/or monitor the serving of alcohol to minors;
  - Permitting more alcohol at the Event than was approved.

Violators will be adjudicated and sanctioned accordingly.

**Exceptions and Clarifications**

- College sponsored events for Trustees, Alumni, Parents, Faculty, and Seniors are not required to be registered under this Policy. However, appropriate signs must be posted and a trained, professional, adult bartender (not an undergraduate) must control the dispensing of alcoholic beverages.

  - Wine and beer served with meals must be dispensed by an approved bartender.
  - Hard liquor may be dispensed by an approved bartender.
  - Alcoholic beverages must not be served to any intoxicated person or to anyone underage.

- Functions held in the President’s House are not required to be registered pursuant to this Policy. There are no restrictions regarding the dispensing of alcoholic beverages at such functions.

- Indoor and outdoor events, to which the whole College community is invited, such as building dedications, art exhibition openings, etc., must be alcohol free.

- Actions that take place in student residential spaces, including apartments, private rooms within residence halls, and cooperative or small living units, are governed by regulations as set forth in the Alcohol and Residence Hall Policy or as set promulgated by
Residential Life and the terms and conditions of the residential contract. The procedures contained in the “Social Events with Alcohol Policy” are applicable whenever the service of alcoholic beverages takes place in any College shared area (including, but not limited to, a residential hall lounge, cooperative living room, or a communally shared space within a small living unit). The terms and conditions of the residential contract, whether on or off campus, may be more restrictive than this Policy. For example, consumption of alcoholic beverages in the shared areas within undergraduate residential facilities in prohibited by the residential contract.

- Athletic-Tailgating Events – The reasonable and responsible consumption of alcoholic beverages during public athletic events on campus must be consistent with all laws of the State of New York and the aims and purposes of Union College as an educational institution. When members of the College community (other than students), and visitors choose to serve alcoholic beverages during open air picnics (Tailgating), the College expects that participants in such activities will be reasonable, responsible, and in compliance with the law. No open containers of alcoholic beverages will be allowed on the field or in the stadium. Consumption of alcoholic beverages is limited to parking lots. All other policy relating to alcohol use on College property remains in effect.

Alcoholic Beverages on College Property

- Only the Union College Dining Service is authorized to sell alcoholic beverages on College property unless a College approved third party vendor is secured by a Host Organization. The sale of alcoholic beverages by any other organization or by individuals, whether directly, or indirectly, through the purchase of a ticket, a cup, a tee shirt, wristband or any other item allowing admission, is prohibited on College property.

- Because a significant majority of Union students are under the legal age at which alcoholic beverages can be obtained, funds collected by the College for student government distribution to student activities and organizations may not be used to purchase alcoholic beverages.

- Alcoholic beverages in “open” containers (cans, bottles, or cups) are not permitted outdoors on the campus at any time, unless prior, written approval is obtained directly from the Dean of Students or his or her designee. If approved, the event sponsor must ensure that all those attending the event comply with any specifications outlined by the Dean of Students or his designee as conditions for approving the request to have “open” containers outdoors.

- No students or student groups are to have alcohol delivered by distributors to campus.

GOOD SAMARITAN POLICY

The College holds a fundamental commitment to the safety of its community. It is vital for students to call Campus Safety when an intoxicated student needs medical help. The “Good Samaritan Policy” offers a clear message to students that they should report any potentially
dangerous cases of alcohol or drug intoxication; they should not be concerned about disciplinary consequences at such a time.

The Good Samaritan Policy is as follows: Students or Organizations that seek emergency attention for dangerously intoxicated individuals may not be subject to formal disciplinary action, at the discretion of the Dean, based on the safety issues involved.

The policy applies both to the person requiring help and the person or organization reporting their concern. When students encounter another who may be dangerously intoxicated, they should call Campus Safety immediately at (518)-388-6911. The policy reflects the College’s priority on safety and does not rule out an educational response to the incident. The student’s permanent educational record will reflect no formal disciplinary action, but the College may contact the student’s parents as a health precaution and may require a professional alcohol/drug evaluation and referral to the Counseling Center. The policy refers to isolated incidents only and does not protect those who flagrantly and repeatedly violate the College’s alcohol policy.

**MEDICAL WITHDRAWALS**

**Introduction**
Union College cares deeply about the physical and mental health of its students and provides health and counseling services on campus to support students. However, a student who displays behavior that is disruptive to the educational process or prevents him/herself from fulfilling the purpose implied by his/her registration at the College may necessitate the College to take action. This policy describes: 1) the types of behaviors and emergencies that the College may need to address; 2) procedures which may be used, including medical interim suspension, involuntary and voluntary medical withdrawal and the related clearance procedures; and 3) additional considerations, including academic credit, tuition, housing, and financial hardships.

**Addressing Behaviors and Emergencies**

Examples of behaviors that the College may take action upon include, but are not limited to, the following:

- Acute decline in physical health;
- Habitual delinquency in class or habitual idleness;
- Destructive, threatening, or other disruptive behavior;
- Drug and alcohol abuse; including overdose or misuse of over-the-counter or prescription medications;
- Eating disorders which are not responding to treatment and/or posing safety concerns;
- Any physical or mental health problem that points to possible imminent or foreseeable danger to another member of the College community.
Requirements
The Dean of Students, in consultation with the other members of senior staff, will determine what role the College needs to take to assure the health and safety of a student or the College community. Depending on the emergency, the Dean of Students may appoint other advisors to the committee (e.g., Director of the College Counseling Center). In responding to these situations, the Dean of Students and/or his/her designee reserves the right to require all appropriate actions including, but not limited to, any or all of the following:

- Require a specific mental health or physical health evaluation, within a certain period of time (typically 10 days). The student may be referred to the Union College Counseling Center and/or off-campus options (e.g., licensed mental health or physical health care providers, eating disorder or substance abuse programs/hospitals).

- Based on the evaluation, the Dean of Students may require the student to commit to a treatment plan as a condition for continued enrollment. The student will be responsible for any cost incurred by the evaluation and/or treatment.

- Based on the interest of gaining an understanding of the student’s ability to function in the College community, require the student to sign appropriate release forms allowing designated staff at Union to consult with the evaluating clinician(s) serving the student.

- Invoke a medical interim suspension (see below).

- Notify the student’s parent(s) and appropriate College officials (e.g., the student’s professors, Registrar’s Office) about a mental or physical health or safety emergency. Note: College notifications will respect confidentiality, and share limited information on a need-to-know basis.

- All requirements and conditions determined will be outlined in writing in a letter from the Dean of Students, delivered or mailed to the student.

Procedures

Medical Interim Suspension
The Dean of Students may invoke a medical interim suspension upon a student’s medical or psychological hospitalization, emergency, or during a medical evaluation period. Students who are medically suspended for any health reason are temporarily not allowed to participate in any College activities, attend classes, reside in or visit on-campus student housing, and may not be on campus except to attend a meeting or hearing related to his/her case. This interim period allows time for a student to receive the needed medical and/or psychological care, and for all parties to consider an evaluation of readiness to return to the College. The student must follow the clearance procedures listed below before returning. Students who are medically suspended will be notified in writing and will have the opportunity to address the basis for the decision by contacting the Dean of Students.
Voluntary Medical Withdrawal

- Students are encouraged to request a voluntary medical withdrawal at any time that they believe that physical or mental health concerns are significantly interfering with the ability to be a successful student and/or that the demands of College life are interfering with recovery or safety. Students interested in pursuing a voluntary medical withdrawal may wish to discuss this option with providers at the Counseling Center. Once the voluntary withdrawal is approved, the person is no longer considered a student and must immediately leave campus and, if applicable, officially checkout of on-campus student housing.

- Students who make this choice independently or after a medical interim suspension must follow the clearance procedures listed below.

Involuntary Medical Withdrawals

- In rare circumstances, the Dean of Students may determine that a student must be involuntarily medically withdrawn. Those who are medically withdrawn for any health reason are not allowed to participate in any College activities, attend classes, reside in or visit on-campus student housing, and may not be on campus except to attend a meeting or hearing related to his/her case. Examples of situations in which this would be the result include the following:
  
  - Professional evaluations following a medical interim suspension do not support a student’s readiness to return;
  
  - A student fails to complete the required assessment during a medical interim suspension;
  
  - A known condition has deteriorated (e.g., a student with an eating disorder), rendering the student to be in possible imminent danger and/or incapable of functioning as a student.

- In most cases, these situations can be handled through voluntary medical withdrawals; however, if the student is unwilling to pursue a voluntary withdrawal, the Dean of Students may invoke their right to involuntarily withdraw a student. The Dean of Students will recommend assessment and/or treatment conditions needed to return to Union College. The student must follow the clearance procedures listed below.

Grievance

If a student believes that a decision for an involuntary medical withdrawal made by the Dean of Students is unreasonable or that the procedures used were unfair, the student may appeal. The appeal must be made in writing to the Vice President for Academic Affairs. Appeals should clarify what facts the student believes were unreasonable or unfair. Once notified of the involuntary medical withdrawal, the student has five business days to submit his/her appeal. The Vice President for Academic Affairs (or his/her designee) will respond, in writing, to the student’s written appeal within three days. The response will clarify whether all relevant facts were considered and led to fair and reasonable conclusions.
Clearance Procedures

- Any student who has been placed on a medical interim suspension, an involuntary or voluntary medical withdrawal will need to complete the following clearance procedures before being allowed to return to the College. The following steps are designed to ensure that a health emergency no longer exists and a treatment plan for continuing good health and safety is in place. Note: Depending on the situation, students may complete these procedures on different timelines. Some students may complete these steps within days of the medical interim suspension notice while others may wait several months before pursuing return to the College.

- The student must be assessed by an appropriate outside professional, whose opinions will be advisory to the College. The professional, who is selected by the student, must be a licensed psychologist or psychiatrist if evaluating mental health concern, and must be a licensed physician if the evaluation is regarding other medical concerns. Further, all providers must be unrelated to the student and must have specialty/credentials appropriate for the condition of concern (e.g., an eating disorder or substance abuse specialist). In order to be able to make an accurate assessment, the provider must be given information related to the precipitating events that led to the leave. This typically would involve the student signing a release allowing the College (e.g., the Health Center, Counseling Center, or Dean of Students) to share information regarding relevant incidents or concerns, and if applicable, recent hospital records. The student will be responsible for any cost incurred by the evaluation.

- The outside mental health or medical professional, with the student’s written permission, must provide written recommendations regarding: a) the student’s readiness to return to the academic and co-curricular demands of College life; b) the student’s readiness to live in the on-campus residential community; c) ongoing treatment or testing needs; d) any conditions or restrictions that the College should impose; and e) the student’s readiness to return to competitive sports, if the student is a collegiate athlete. Note: the College designated team physician, in consultation with the Director of the Health Center and/or Counseling Center, will ultimately make the decision regarding athletic involvement but will consider this outside evaluation in making such a determination.

- Once the evaluation results have been provided, the student must meet with the Dean of Students and the Director of the Counseling Center or the Health Center to discuss the evaluation and the student’s own perception regarding readiness to return and needs and plans for treatment and to consider how the outside evaluator’s recommendations fit with the realities of student life at Union College and services that are available on campus or in the community.

- The Dean of Students and Director of the Counseling Center or Health Center will meet and consider the outside evaluator’s recommendation prior to making their re-entry decision. There may be occasions in which the Dean of Students requires, and may pay for, an additional evaluation.
The Dean of Students and Director of the Counseling Center or Health Center reserves the right to require the student to comply with a treatment plan recommended by the outside and/or Union College healthcare/mental health professional as a condition of returning to the campus community. Review and monitoring of the student’s required treatment plan is to be done by a professional outside of the College.

If a student was living in on-campus housing prior to the emergency, approval for return to the College usually includes approval to return to housing. A student’s on-campus housing status may be restricted, however, if the student’s behavior poses a health or safety threat to himself, herself, or others.

Additional Considerations

Academic Credit, Tuition and Housing
For all approved medical withdrawals, the student receives “W”s (withdrawals) on the academic transcript. Thus, a medical withdrawal will not affect the student’s grade point average. College room and board charges are pro-rated from the date of checkout for residential students. All tuition actually paid by the student (total tuition less any grants, scholarships, refunds, and loan adjustments) for courses not completed during the term in which the approved withdrawal occurs is credited for the next semester in which a student re-enrolls at Union College.

Financial Hardship
Every effort will be made to consider a student’s financial situation and insurance coverage in making referrals for treatment or evaluation. Students who may need additional financial assistance or other consideration in meeting the requirements should contact the Dean of Students.

HEALTH CENTER IMMUNIZATION POLICY

Purpose:
- To comply with New York State Public Health Law §2165 which requires all students taking six (6) semester hours or more in a degree granting program to provide proof of immunization to measles, mumps, and rubella;
- To comply with New York State Public Health Law §2167 which requires the distribution of information to students regarding meningitis and all students taking six (6) credits or more in a degree granting program to provide a signed response regarding receipt of such information.

To Whom The Policy Applies:
This policy applies to all newly admitted students and transfer students.

Policy Statement:
New York State law and/or Union College requires that all newly admitted students and transfers:
● Provide the College with certification from a health care provider or other acceptable evidence that they have received immunization against measles, mumps, and rubella with vaccines that met the standards for such biological products that have been approved by the United States Public Health Service and the New York State Department of Health; or evidence of immunity by history of disease or serological evidence.

● Receive information from the College about meningococcal meningitis and meningitis immunization (see attached “What You Need to Know – Meningococcal Vaccine” from the New York State Department of State), and complete a meningococcal meningitis response form certifying that they have received the information and have been immunized with the Meningococcal conjugate vaccine, quadrivalent (MCV4). They will have received either 2 doses, the first at age 13-15 with a booster at age 16-18 or a single dose at age 16 or older. These recommendations are the most recent from the Center for Disease Control (CDC) and are approved by the American Academy of Pediatrics (AAP) and the American Academy of Family Physicians (AAFP). They went into effect December 21, 2010. The parent or guardian of students under the age of 18 must make the certification on behalf of the students. The Immunization Record Form (see attached) provides the information and requests certification outlined in Section C(1) and (2) of this Policy and must be completed by all newly admitted students.

● Union College further requires all newly admitted students and transfers must provide evidence of vaccination with two (2) doses of the combined measles, mumps, rubella (MMR) vaccine, if not immune by history of disease or laboratory titer.

● All newly admitted students and transfers must complete the health requirements listed at http://www.union.edu/offices/health-counseling/health/requirements/index.php

● All newly admitted students and transfers must provide evidence of vaccination for meningococcal meningitis.

**Compliance Deadlines**

● Any student entering the College who has failed to complete the Health Center forms listed on the Health Requirements checklist by August for the Fall Term, by week five of the Fall Term for Winter Semester, and by week five of the Winter Term for the Spring Term, will be notified of the necessity to comply with both the immunization laws and the College policy. Those students will be informed of how they can come into compliance with these requirements and, in particular, be advised that measles, mumps, rubella, and meningitis immunization may be administered without charge by the health officer of the county where the student resides or in which the College is located.

● Students attending classes more than thirty (30) days from the first day of scheduled classes for that semester without having complied with these requirements, will be subject to being de-enrolled from classes and/or prohibited from entering any campus buildings and facilities, including College residence halls until they have submitted the required documentation or can provide a valid reason (as set forth below in this Policy statement) for non-compliance.
• New students from outside New York State or outside the United States, who can show that they have made a good faith effort to comply with this Policy, will have forty-five (45) days from the start of the semester to fulfill the requirements. Any such students who fail to comply with the Policy will be de-enrolled from classes and prohibited from entering any campus buildings or facilities, including College residence halls, until compliance has been confirmed.

**Exception To Immunization Requirement**
The exceptions to Section C requirements concerning immunization against measles, mumps, and rubella are as follows:

• If a licensed physician or nurse practitioner certifies that such immunization is detrimental to the student’s health or otherwise medically contraindicated;

• If immunization is contrary to the student’s genuine and sincere religious beliefs; OR

• If a student is born prior to January 1, 1957; that student does not need to provide proof of immunization to measles, mumps, and rubella because they are considered to have developed immunity.

**Procedures**
The Health Center provides each new student who has paid a deposit to attend Union College and each returning student who is not in compliance with any aspect of this Policy all the information, and instructions necessary to come into compliance. This information can be found on our website at: [http://www.union.edu/offices/health-counseling/health/requirements](http://www.union.edu/offices/health-counseling/health/requirements)

Any questions about this policy or procedures should be addressed to:

Angela Stefanatos FNP-BC
Health Center Director
Wicker Wellness Center Union College
518-388-6120
stefanaa@union.edu

**EATING DISORDER PROTOCOL**
The Union College Wellness Center has coordinated services to provide a team approach when caring for students dealing with anorexia, bulimia, or other eating disorders. A multidisciplinary team approach is used as this is considered best practice for treatment of eating-related concerns on college and university campuses. The team consists of representatives from the fields of medicine, psychology, nutrition, and athletics who work collaboratively with the student toward stated goals.

**Team Membership**
- Mental Health Representative
- Health Center Representative
- Dietician
Athletic Trainer
When applicable: Eating Disorder Physician

The three core members meet on a regular basis during the term.

The Treatment Team’s Approach towards Recovery
The multidisciplinary team approach involve the student attending counseling sessions (individual and group appointments as available and appropriate), as well as nutritional and medical appointments. The student is responsible for scheduling and attending these appointments. It is also necessary for the student to sign consent forms allowing the Team to contact parents/guardians if: (i) the student’s health and well-being are in jeopardy; (ii) the student fails to attend appointments and/or follow the treatment plan; or (iii) The students is unresponsive when the Treatment team tries to contact him/her.

Elements of the Individual Assessment and Treatment Plan
A written treatment plan will be given to the student after visit with a treatment team member. Elements include:

- **Weight**: If underweight, a weekly weight gain will be prescribed.

- **Vital Signs/Labs**: Monitoring of vital signs (blood pressure, pulse, and body temperature) as well as drawing labs for electrolytes and other values will be performed on the recommendations of the team.

- **Exercise**: The student may be limitations or restrictions on physical activity/exercise. Participation on an athletic team may also be prohibited. The student understands the necessity of adhering to any limitations or restrictions places on his/her level of physical activity/exercise.

- **Nutritional Counseling**: Attendance at nutritional counseling sessions and adherence to the meal plan prescribed by the dietician is an essential component of treatment.

- **Psychological Care**: The student is expected to schedule and attend counseling sessions as recommended by his/her counselor.

Identification and Referral
Any student concerned about his/her own eating patterns, weight or related issues can consult with the Treatment Team by initiating contact with the Wellness Center.

If someone from the campus community notifies the Wellness Center of a legitimate concern for a student’s health and safety, the Director of Student Health or Counseling will notify the student. The student will then be asked to schedule an appointment for an evaluation by a member of the Treatment Team.
Administrative Consultation and Review
The first priority is the student’s well-being. The first priority for anyone at the College is the student’s well-being and keeping the student enrolled, if appropriate. In the instance where a student is: (i) disruptive to the community, (ii) continuing to evidence self-harming behaviors, and/or (ii) disruptive to the violations of the College Conduct Policy, the Dean of Students may make decisions about the student’s eligibility for continued enrollment and may pursue a medical leave of absence or interim suspension in accordance with policies contained in the Student Handbook. The Dean of Students or designee may also, (a) refer the student to the Treatment Team; (b) make a student’s enrollment contingent on following the recommendations of the Treatment Team, if the student continues to be at risk to self; (c) make decisions if the student has not scheduled an appointment, as described above, in a reasonable time period, or (d) pursue other appropriate remedies.

EQUITY IN ATHLETICS DISCLOSURE ACT REPORT
In accordance with the requirements of the Equity in Athletics Disclosure Act, Union College prepares an annual report on its intercollegiate men’s and women’s athletic program participation rates and financial support data. The report is on file with, and may be obtained by any student, prospective student, or member of the public from, the Office of the Athletic Director.

Please also see the Union Athletics Department Compliance Website (Compliance Resources-EADA Report):
http://www.unionathletics.com/sports/2006/6/19/Compliance.aspx

FAMILY EDUCATION RIGHTS & PRIVACY ACT (FERPA)
Union College complies fully with the provisions of the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g. Under FERPA, students have, with certain limited exceptions, the right to inspect and review their education records and to request the amendment of their records to ensure that they are not inaccurate, misleading, or otherwise in violation of the students' privacy or other rights.

Requests to inspect or review education records should be addressed to the Registrar, Dean of Students, or other record custodian and will be honored within 45 days. Any student questioning the accuracy of any records may state his or her objection in writing to the appropriate record custodian, who will notify the student of his or her decision within 45 days of receiving the objection. If the decision is in agreement with the student’s request, the appropriate records will be amended. If the decision is not in agreement with the student’s request, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing. Students alleging failure to comply with FERPA also have the right to file complaints with the U.S. Department of Education under its regulations (see 34 C.F. R. Part 99). The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue SW
FERPA further requires, again with certain limited exceptions, that the student’s consent must be obtained before disclosing any personally identifiable information in the student’s education records. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests, as determined by the administrator responsible for the file. A “school official” includes: anyone employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement, unit personnel, health staff and athletic coaches); any person, company, or service provider acting on behalf of the College (such as an attorney, auditor or collection agent); a member of the Board of Trustees or other governance or advisory body; and a student serving on an official committee (such as a disciplinary or grievance committee) or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official is: performing a task that is specified in his or her position description or contract agreement; or, performing a task related to a student’s education. Other exceptions which permit disclosure without consent are: to persons or organizations providing student financial aid, to accrediting agencies carrying out their accreditation function, to persons in compliance with a judicial order, and to persons in an emergency in order to protect the health or safety of students or other persons. Additionally, exceptions permit disclosure: (i) to comply with a judicial order or lawfully issued subpoena, (ii) upon request, to officials of another educational institution where the student seeks or intends to enroll, (iii) in connection with a health or safety emergency, (iv) of the results of an institutional disciplinary proceeding against the alleged perpetrator of a crime of violence to the victim of that crime with respect to that crime, (v) of the final results (name, violation committed, sanction imposed) of a disciplinary proceeding against a student who is an alleged perpetrator of any crime of violence or non-forcible sex offense if, as a result of the proceeding, it is determined that the student committed a violation of College rules or policies with respect to such crime or offense.

All students are required to declare their tax status at the commencement of each academic year by signing a statement. College administrators may, at their discretion, disclose to the parents of a student who is claimed as a dependent as defined by federal tax laws, without obtaining the student’s consent, information about the student. Another exception permits disclosure without consent to parents and guardians in cases of violation of institutional policies governing the use or possession of alcohol or a controlled substance if the student is under the age of 21 and if the College determines that there has been a violation with respect to such use or possession.

The College considers the following to be directory information: name, address (campus, home, e-mail), telephone numbers, date and place of birth, academic fields of study, dates of attendance, enrollment status, photographs, participation in recognized activities and sports, degrees and awards, weight and height of athletic team members, most previous educational agency or institution attended, or other similar information. The College may publicize or respond to requests for such information at its discretion. However, the use of these records for commercial or political purposes is prohibited unless approved by the Vice President for Academic Affairs.
As previously advised, all requests made on or before August 15th of this year, will make it possible to be excluded from the College’s campus directory. In addition, currently enrolled students may also request that directory information be withheld from disclosure by making a request, in writing, to the Dean of Students Office on or before the 5th day of the Fall Term. The College assumes that failure on the part of the student to specifically request the withholding of any directory information indicates approval of disclosure. Requests for non-disclosure will be honored by the institution for only one academic year; therefore, authorization to withhold directory information must be filed annually.

**FRATERNITY & SORORITY LIFE POLICIES**

**Introduction**
Fraternity and Sorority life at Union College is part of a long history dating back to 1825, and has proved to be an invaluable part of the campus community. As the home of six founding fraternities and the “Union Triad,” we are often recognized as the “Mother of Fraternities.” The fraternity and sorority life community at Union is comprised of the Interfraternity Council, the College Panhellenic Council, and the Multicultural Greek Council, together representing 18 chapters.

The rules and procedures outlined herein have been established by the College to promote a safe, healthy, and productive fraternity and sorority experience for all students involved. Fraternities and sororities must adhere to all rules and procedures that appear in this section, in addition to those outlined in the Student Conduct Code.

**Definitions (Fraternity & Sorority Life Terminology)**

**Active**
A fully initiated member of the chapter.

**Bid**
A formal invitation to join a fraternity or sorority. Although you may receive several bids, you may only accept a bid from one organization.

**Chapter**
The local group of a Greek organization on campus.

**College Panhellenic Council (CPC)**
College advised council representing the three traditional sororities currently present on the Union campus. Council is governed by the rules of both the National Panhellenic Conference (NPC) and Union College.

**Community Service**
Coordinated hands-on engagement volunteer work/labor in the community, often done in conjunction with an agency or special cause.
**Greek Event**
Any event or activity that is sponsored, endorsed, organized, or hosted by a fraternity and/or sorority or any of their members, or any event that a reasonable observer would associate with the fraternity and/or sorority. This also includes events or activities communicated by word of mouth or unofficial advertisement, whether they take place on College property, non-College owned off-campus properties, or at any other venue. The following bullets are meant to offer some examples and are not intended as the only way an event or activity can be considered a Greek Event:

- The Chapter pays for any part of the event or activity through the Chapter account or collection of funds from individual members.
- The event or activity is advertised by or associated with the Chapter in any way (flyers, handouts, announcement at Chapter meetings, email listserv distributions).
- Attendance of the members (regardless of how many there are) present at the event or activity is based upon their affiliation rather than their individual initiative (i.e., is it more likely they attended because of their affiliation?).

**Initiation**
The ritual or process which brings a new member into full membership.

**Interest Meeting or Informational Meeting**
Meeting held by Multicultural Greek Council fraternities and sororities to dispense information about the membership intake process (applications, fees, due dates etc.) and recruit new members

**Interfraternity Council (IFC)**
College advised council representing the 12 traditional fraternities currently present on the Union campus. Council is governed by both the rules of the North American Interfraternity Council (NIC) and Union College.

**Multicultural Greek Council (MGC)**
College advised council representing both culturally based fraternities and sororities, as well as local fraternities or sororities on the Union campus.

**New Member**
A currently enrolled student that meets all College requirements for membership in a Greek organization, has received (and accepted) a bid or invitation for membership, and is working towards initiation/full membership

**New Member Presentation (Probate/Surfacing)**
Traditional revealing of newly initiated members in Multicultural Greek Council fraternities and sororities.

**Philanthropy**
An event or project designed to raise funds for a community non-profit or charitable cause.
**Potential New Member (PNM)**
A currently enrolled student that is being recruited to join a fraternity or sorority but has not yet accepted a bid or invitation for membership.

**Recruitment**
A period during which fraternities and sororities seek out and engage interested students by demonstrating what each organization offers its members. This is also the period where the Interfraternity Council and College Panhellenic Council will offer bids to potential new members.

**Fraternity/Sorority Recognition**
Defined as the formal process by which Union College agrees that a fraternity or sorority may function on the campus, enroll members from the undergraduate body through recruitment/intake activities, and identifies its chapter with the College. For the purpose of this recognition policy, the terms “fraternity” and “sorority” are used to designate a collegiate Greek-letter organization. The organizations reviewed for recognition under this policy have all the following characteristics:

- They are entitled to single-sex membership under the provisions of Section 86.14 of regulations promulgated under Title IX of the U.S. Education Act Amendments of 1972.

- They are entitled to be subjectively selective in their membership within the limits stated under Section 86.14 of regulations promulgated under Title IX of the U.S. Education Act Amendments of 1972.

- They are legal corporations external to the College. In all cases, their chapter corporations, alumni corporations, and inter/national Greek organizations are incorporated separately from the College.*

*Note: The College is not legally responsible or liable for the acts of those organizations.*

**Rationale for Recognition Policy**
The Recognition Policy enables the College to maintain a record of Greek organizations. This record facilitates communication between the College and the Greek organizations and their members and permits the College to identify readily those Greek organizations which are entitled to the benefits of recognition. The Policy is further supported by the following assumptions:

- Fraternities and Sororities are an integral part of the educational environment at Union and are expected to support the mission and educational values of Union College.

- The College is concerned about student welfare outside the classroom and within the College residential units inhabited by fraternities and sororities.

- All national fraternities and sororities are required by their parent organizations to be recognized by the College.
• Mutual responsibility is needed between the College and the fraternities and sororities. Fraternities and sororities, by way of recognition, are accountable to the College.

Use of College Name
Recognized fraternities and sororities enjoy benefits and privileges associated with their affiliation with Union College. It is understood that fraternities and sororities shall not use the name of the College for any purpose other than chapter identification. Any further use of the College’s name shall require the prior approval of the Dean of Students or designee. In no event shall any fraternity or sorority use the College’s name or tax identification number or hold itself out in such manner as to suggest that it is synonymous with, or authorized to act on behalf of, Union College or that its action are in any way approved, sponsored, or endorsed by Union College without prior approval. Violations of this may result in withdrawal of recognition.

Insurance Requirements
All organizations, regardless of recognition level, must maintain comprehensive general liability insurance in the minimum amount of $1,000,000.00 (one million dollars) of primary liability coverage (each occurrence) with general aggregate coverage of at least $2,000,000.00 (total). Such liability insurance shall include Union College, its officers, employees and agents, as an additional named insured and shall be written with an insurance carrier acceptable to the College. A certificate of such insurance shall be forwarded to the College as evidence of such coverage, and the College must receive notice of any change, cancellation, or renewal of the policy. The insurance shall be considered primary over any and all collectable insurance that the College may have available.

Collective Responsibility
Each fraternity or sorority seeking to gain or maintain recognition must have a collective responsibility for the behavior of members when in their chapter house or when acting as a group outside the chapter house. If a group does not have housing, members have collective responsibility when involved in activities on and off campus.

Recognition Policy
This policy constitutes Union’s procedure for conferring said recognition of social fraternities and sororities. It is expected, as the fraternity and sorority system expands, that this policy will be reviewed and adapted accordingly. There are three levels of recognition available to fraternities and sororities at Union College—Provisional, Full, and Probationary (see Maintaining Recognition section). Listed below are descriptions and conditions of each level of recognition.

Provisional Recognition
Provisional recognition is given to new and/or returning organizations that seek to become fully recognized fraternities/sororities at Union College by the Vice President for Student Affairs/Dean of Students or designee and the respective governing council. Provisional recognition, once given, is good for a period of one (1) calendar year, defined as twelve (12) months from the date of recognition. If, at the end of that year, an organization has not met the criteria to become a fully recognized Greek organization, a decision will be made by the Vice

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President for Student Affairs/Dean of Students or designee, in consultation with the respective governing council, to extend provisional recognition or rescind recognition altogether. In order to request Provisional Recognition, an organization must fill out a Provisional Recognition Request application (including the information listed below) and file it with the Vice President for Student Affairs/Dean of Students or designee. A request for Provisional Recognition by a group submitting an incomplete application will not be considered until such time as the application is complete.

The following information must be supplied either within or attached to the Provisional Recognition Application:

- A petition for provisional recognition signed by at least three interested undergraduate students who have obtained sophomore academic standing at Union College.
- All membership must consist of undergraduate Union College students only.
- A demonstrated alumni base in the Capital District area from which active and involved advisors will be able to be drawn (who shall not be members of the College community).
- An Inter/National organization who has declared, in writing, an interest in affiliating with and supporting the group of students seeking membership.
- The Inter/National organization must be affiliated and in good standing with one of the umbrella organizations defined at the beginning of this document.
- Relevant information (as stated in application).
- A statement of purpose/principles.
- Organization goals/standards.
- Bylaws and constitution.
- An Inter/National Risk Management Policy.
- An acceptable set of rules of conduct by the national organization.
- A detailed chapter development plan. This plan will include:
  - Proposed new member education plans,
  - Organization advertisement and publicity plans,
  - Recruitment dates,
  - Recruitment methods,
  - Inter/National and local advisor involvement,
  - And any conferences, leadership opportunities, community service, or campus activities that are planned.
If applicable, documentation of support from the appropriate campus governing council (i.e. IFC, CPC or MGC) must also be submitted. If, at the current time, an appropriate governing council does not exist and all other conditions have been met, the Vice President for Student Affairs/Dean of Students or designee and the students interested in joining the group will meet to discuss alternatives.

Once granted provisional recognition, the following conditions must be met throughout the provisional period for a group to be considered for full recognition.

- Regular meetings with the appropriate fraternity/sorority advisor (i.e. Panhellenic Advisor, IFC Advisor).
- A demonstrated ability to recruit and sustain membership on campus.
- A minimum of five undergraduate Union College students who have reached sophomore status.
- Compliance with all College policies and procedures as outlined in the Student Handbook and with all Inter/National rules and regulations, along with all local, state, and federal laws.
- Campus/community involvement including, but not limited to, educational programming, community service, and philanthropy events.
- Active participation in, support from, and operation within the guidelines of the appropriate council, if applicable.
- Uninterrupted and on-going affiliation and involvement with the Inter/National Organization.

Please note that each student group seeking recognition at Union will be treated on an individual basis. The list above is not exhaustive and additional conditions may be added from time to time. Every effort will be made to provide advance notice of additional conditions.

While on provisional recognition, an organization may:
- Reserve rooms for meetings through the appropriate fraternity/sorority advisor (i.e. Panhellenic Advisor, IFC Advisor).
- Advertise the organization in accordance with policy.
- Recruit members within set guidelines.
- Co-sponsor campus events and programs with a fully recognized organization/club or campus department.
● Participate in the educational, social, and athletic program and activities of the College which are provided for fraternal organizations.

● Have voting rights on the appropriate governing council (but members cannot hold officer positions).

● Identify the chapter with Union and use the College’s name along with, but not in place of, identification of the sponsoring body.

**Full Recognition**

Full recognition is conferred upon a fraternity/sorority that: (i) meets the standards and criteria set forth by the Vice President for Student Affairs/Dean of Students or designee throughout its provisional recognition period; and (ii) files a completed application for such recognition with the Vice President for Student Affairs/Dean of Students or designee prior to the expiration of the provisional period. This application requires:

● An updated statement of purpose/principles.
● Organization goals/standards.
● Bylaws and constitution.
● A current membership roster.
● An officer listing.
● An activities report which includes all campus and community involvement through the provisional recognition period.
● A contact list of local advisors.

Final determination of whether or not full recognition is given to the organization will be made by the Vice President for Student Affairs/Dean of Students or designee based on the above required information and whether the provisional recognition requirements were met.

**Benefits of Full Recognition**

● Chapters are granted the ability to apply for on-campus housing through the SAC (Student Affairs Committee) process.

● Access to and use of College facilities for official functions.

● Co-sponsor campus events and programs with organizations with Provisional Recognition.

● Hold an officer position within the appropriate governing body.

● Ability for inclusion as a Recognized Organization in all published materials (i.e. college website, “All About U”, Garnet Yearbook, etc.)

● Advertise the organization in accordance with College policy.

● Recruit members within set guidelines.
Maintaining Recognition
Full Recognition will be maintained by chapters remaining in “good standing” as evaluated by being in compliance with the Student Conduct Code and the additional criteria and standards established by the Vice President for Student Affairs/Dean of Students or designee in this section. Should it be determined that a chapter is not in good standing, their recognition can be revoked or they can be put on Probationary Recognition for a period of time not to exceed one calendar year.

Full recognition may be revoked by the Vice President for Student Affairs and Dean of Students at any time for a chapter’s failure to comply with College and/or Inter/National rules, regulations, and policies. If a group is accused of violating the Student Conduct Code, the Vice President for Student Affairs/Dean of Students or designee may halt all activities of the group until the conduct process is complete. It is possible that a chapter will lose all recognition as a result of the conduct process, at which point it will cease to exist at Union College either permanently or for a determined period of time.

Loss of Recognition/Probationary Recognition
A chapter’s recognition can be revoked or the chapter can be put on Probationary Recognition for various reasons including, but not limited to, the following:

- If the chapter receives a one year SAC (Student Affairs Committee) review, if applicable.
- If the membership numbers fall below the minimum of three undergraduate students.
- If a chapter is found to be recruiting from a population other than Union College undergraduate students of at least sophomore academic status.
- Not complying with College rules, regulations, and policies.
- Not complying with the terms of all contractual agreement with the College.
- Failure to update and maintain required documentation with the Vice President for Student Affairs/Dean of Students or designee, including officer contact information.
- Failure to maintain membership rosters.
- Failure to submit lists of potential new members and have their qualifications verified prior to offering bids/invitations for membership.
- Failure to maintain insurance/submit an up to date certificate of insurance.
- Not maintaining constitution and bylaws.
- Not maintaining detailed chapter development plans.
● Not active in appropriate governing council.

● Failure to maintain positive and proactive campus/community involvement including, but not limited to, educational programming, community service, and philanthropy events.

● Failure to comply with the Rules of Public Order, adopted by the Union College Board of Trustees, and, in particular, the provision prohibiting any action which recklessly or intentionally endangers anyone’s mental or physical health or involves the forced consumption of alcohol or other drugs for the purpose of initiation into or affiliation with the Chapter. This provision shall be deemed to be part of the Chapter’s bylaws.

● Failure to comply with generally accepted standards of neighborliness, including exterior neatness of the premises, the avoidance of unreasonable noise levels, and compliance with related local laws.

● For fraternities and sororities occupying College owned facilities, failure to maintain premises in conditions satisfactory to the College and in compliance with SAC (Student Affairs Council) regulations.

● For fraternities and sororities occupying facilities not owned by the College, failure to have certification to the College that there exists a house association (which shall sign such certification) which as assumed full responsibility for the physical condition of the facility and compliance with all applicable local codes, regulations, and standards for issuance of a Certificate of Occupancy. Additionally, failure of an officer of the house association and the chapter president to certify that an annual safety inspection has been performed by an organization or person satisfactory to the College and that all violations have been corrected or are in the process of being corrected. Local authorities having jurisdiction include, but are not limited to, the Schenectady Fire Department and Building Inspector.

Probationary Recognition will last for a period of time not to exceed one calendar year. At the end of the prescribed Probationary Recognition Period, the decision will either be made to extend probation, to revoke all recognition, or to grant the chapter Full Recognition status. A chapter that has been placed on Probationary Recognition will have to meet all the criteria listed above for chapters seeking Full Recognition in addition to any sanctions in order to be considered for Full Recognition.

1999 Trustee Resolution on Membership in Unrecognized Fraternal and Social Organizations

No student may rush, pledge, perpetuate, engage in initiation activities, or become a member of a fraternal or social organization not recognized by the College. Anyone engaging in those activities, either as a member, recruiter, or potential pledge, will be suspended for a minimum of one year or may be subject to additional penalties that could include expulsion from the College. A fraternal or social organization shall be covered by this rule if: (a) its leadership and/or a significant number of its members are Union College students, or (b) the members being
recruited and offered membership are current Union College students. Any student who is uncertain about the legitimacy of any group is encouraged to inquire in either the Fraternity & Sorority Life Office or the Dean of Students Office.

Chapter Management Guidelines

Conflicts between Union and Organizational Policies
Those students who also happen to be members of fraternities and sororities are accountable at several levels: Union College, the local chapter, the governing council and the national organization. However, Union is not responsible for deciding matters of pure organizational policy, which means any concerns members have regarding decisions made by their chapter or inter/national headquarters must be resolved through organizational channels. Union College will intervene only when there is a breach of Union College policy.

Basic Chapter Operational Requirements:
To be considered an active chapter at Union College, an organization must:
- Have at least four fully initiated members currently enrolled at the College.
- Belong to, and actively participate in a governing council.

If the chapter currently occupies a College owned facility and wishes to keep this space, they must also:
- Maintain 95% occupancy rate for the house (determined by the College, will vary based on location).
- Abstain from vandalism or misuse of the building.

Membership Policy
Beginning with the Class of 2005, the College instituted a “Sophomore Recruitment” process for all Greek letter organizations. Simply stated, students may not apply for membership in Fraternities and Sororities until they have obtained sophomore academic standing. First-year students (freshmen) are prohibited from participating in any fraternity/sorority Recruitment or Membership Intake activities organized or sponsored by any College recognized Greek Organizations as defined above, and/or by the respective governing councils’ guidelines. Fraternities and Sororities are also prohibited from extending bids and/or membership invitations to any student who has not obtained sophomore academic status. Failure to abide by this policy may result in sanctions on the chapter, up to and including Loss of Recognition.

Extension for NPC Women’s Sororities (in addition to College policies)
When all NPC chapters are over or close to total, or a need arises as determined by the Panhellenic Advisor and the Panhellenic Council, consideration will be given to adding another chapter. Such a chapter shall be organized through colonization by an NPC fraternity. NPC guidelines should be followed as closely as possible when establishing a new chapter. The College reserves the right to override an NPC rule, which is in conflict with a decision made by Union College officials. All new chapters seeking recognition must provide proof of insurance to the Vice President for Student Affairs/Dean of Students or designee prior to colonization.
All expansion activities, including colonization and subsequent conferral of recognition, must be approved by the Director of Fraternity and Sorority Life.

**Risk Management Guidelines (also see FIPG Risk management Policy)**

**Prohibited Activities**
The following activities and behaviors are banned. They are considered extremely high risk activities and can result in significant personal injury, danger to oneself or others, or property damage. Failure to abide by these guidelines will result in the sanctioning of the chapter, up to and including loss of recognition/suspension.

- The use of materials that will damage College facilities or create a need for unusual/excessive cleaning, such as paint, sand, water, foam etc.

- Any use of human performers/dancers (exotic dancers, strippers, go-go dancers) and/or props (cages and poles) that encourage or promote this activity in fraternity and sorority houses.

- The use of “kiddie pools” and slip’n-slide devices in any form at a chapter function, gathering or event.

**Dry Recruitment and New Member Education/Intake Process**
Recruitment occurs during the second week of each term. In order to participate, students must have achieved sophomore academic standing (9 or more credit hours) and have a minimum 2.50 cumulative GPA. Dry Recruitment is defined as any period of time organized by the organization for the recruitment of potential new members, and must be completely alcohol free. Alcohol may not be present in any form during recruitment events, even if it is not being served to potential new members. This is in effect for the entire recruitment period. It is also the expectation that the laws of the State of New York will be followed regarding the legal drinking age at any event outside of recruitment and/or education activities.

The New Member Education process at Union College is also 100% dry (alcohol free). All chapters must submit a calendar of events outlining the date, time and location of each new member education activity by the end of the recruitment week. In the case of MGC, the calendar must be submitted before invitations for membership are extended. All new member education events must end by midnight. No more than three hours per night may be used for new member events. Sleep-overs and lock-ins are prohibited. All new member education events must occur on campus unless approved. Initiation must be completed by week 9.

**First Year Five Initiative (Implemented Fall 2012)**
In order to help facilitate a healthy and safe introduction to college life for all Union College first year students, the Fraternity and Sorority community has adopted the “First Year Five” initiative as a standard social events practice for the start of the Fall term of each academic year. Specifically:
• First 2 Weeks: Fraternities and Sororities will not host social events with alcohol, on or off campus. All houses will be dry. This period coincides with the College-established recruitment window and guidelines (See “Dry Recruitment”)

• Weeks 3-5: Fraternities and Sororities may host registered Social Events with Alcohol, but they must be by invite only. This means that a “guest list” must be submitted along with the registration. In addition, fraternities and sororities may not invite first year students to parties during this period.

• After Week 5: First year students are permitted to attend all Social Events with Alcohol hosted after Week 5 of the Fall term, but they must be invited. This means that their name must appear on the guest list that is submitted at the time the event is being registered.

During this period, fraternity and sorority chapters are strongly encouraged to (a) host alternative events that do not include alcohol, AND (b) attend campus sponsored social activities or events.

**Fraternity/Sorority Social Events with Alcohol**

In addition to the requirements set forth under the Social Events with Alcohol Policy, for all Greek Social Events with Alcohol, the Greek organization is encouraged to comply with the Fraternal Information & Programming Group (FIPG) Risk Management Policy. If the FIPG requirements are more stringent than the College requirements, the FIPG requirements shall be followed.


**TUITION REFUND/DEFERMENT POLICY IN THE EVENT OF A WITHDRAWAL**

**Voluntary Withdrawal | Tuition Refund**

Any student who withdraws voluntarily or takes a leave of absence will be eligible for a refund of the comprehensive fee based on the following schedule which is calculated as of the last day of attendance.

- Withdrawal during 1st and 2nd week: 75%
- Withdrawal during 3rd week: 50%
- Withdrawal during 4th week: 25%
- Withdrawal after end of 4th week: No refund

**Medical Withdrawals**

The tuition policy is the same with involuntary and voluntary medical withdrawals. Students are encouraged to request a voluntary medical withdrawal at any time that they believe that physical or mental health concerns are significantly interfering with the ability to be a successful student and/or that the demands of College life are interfering with recovery or safety. A medical withdrawal must be approved by the Dean of Students in consultation with campus health care professionals in accordance with College policy.
Students medically withdrawn during the term or withdrawn from a course will not receive a tuition refund; however, they may receive a tuition waiver in the future for 4th courses or an additional term to make up for the incomplete course(s) taken during the term of the withdrawal. Charges for room and board will be pro-rated based on the percentage of the term elapsed. Credits for room and board will be applied to the student account at the time of withdrawal.

Should a student be unable to return following a medical leave (involuntary and/or voluntary), the student may be eligible for a tuition refund at the discretion of the Dean of Students. Refunds will be calculated as tuition less scholarships and grants.

**Suspensions**

Suspensions from the College include withdrawals for poor academic performance, for academic dishonesty, or for disciplinary reasons. Students required to leave during the term will not receive a tuition refund for the current term, but will receive a credit based on Union's medical withdrawal policy (see above).

The current term will be counted towards the student’s residency requirement; thus, the student is not required to enroll for an additional term but rather can make up lost courses by enrolling in 4th courses or by transferring credits from other institutions, subject to the 4th course enrollment and transfer credit fees and policies outlined in the Academic Register. Students enrolling for an additional term will be charged regular tuition.

Any student who has been suspended may not transfer in credits from another institution during their suspension. However, students may be eligible to transfer credits taken later, at another institution, to make up for the incomplete course(s) with pre-approval from the Dean of Studies. The College is not responsible for any costs related to transfer credits. Charges for room and board will be pro-rated based on the percentage of the term elapsed. Credits for room and board will be applied to the student account at the time of withdrawal.

**Loans**

If a student has loans and withdraws from the College and does not return within six (6) months, they may be contacted to begin repayment. Contact Financial Aid at (518)-388-6123 for more information.

**RESIDENTIAL LIFE**

Students living in College-owned facilities are expected to comply with the Terms and Conditions of the Union College Residence Hall Contract, on the Union College Residential Life website, the Student Handbook, and the Academic Register. The Residence Hall Contract is binding for one academic year (Fall, Winter, and Spring Terms), excluding vacation periods. All students are required to live on campus during the course of their undergraduate years, if space is available. Failure to check into halls, reside in the assigned room, or pay room charges will not release students from their financial liability to the College. Exceptions may be made for students graduating at the end of a term or entering residence for the winter and/or spring terms. Students who have signed a contract and participate in a Union College International Program or
study away are still bound to the stipulations of the residence contract when they return from their program, but are not financially responsible for the housing portion of their bill during the term away.

All students, except those assigned to rooms previously designated for single occupancy, should expect a roommate. The Office of Residential Life reserves the right to re-assign and consolidate students when deemed necessary. In such cases, students without roommates will be contacted by the Office of Residential Life and will be required to relocate within one week.

The College takes no responsibility for losses due to fire, theft, water damage, or any other causes. Students are advised to obtain renter’s insurance to supplement family insurance coverage. The risk of having personal property in a Union College residence hall is borne entirely by the student. Students are advised to keep their rooms locked at all times.

When a student violates any of the housing policies, a Housing Policy Violation may be levied with a fine and/or disciplinary sanctions. Students will be notified of these charges in writing via email from the administrator who met with the student. All students have the opportunity to address the situation with a Residential Life professional staff member.

**HOUSING POLICIES**

**Abandoned Personal Property**
Any personal property left in the residence halls 24 hours after checkout will become property of the College. Students will be held responsible for the labor costs to remove abandoned property from the residence halls, as well as any fines or fees for improper checkout. The fine for an improper checkout is $50.

**Access ID Cards/Keys/Locks**
Residents are issued a picture identification card that also serves as their meal card, food debit card, and access card to the front door of their residence hall. Residents are also issued one or two keys (depending on where they live), which opens their room door. Giving or loaning a key or ID card to another person is not permitted because it jeopardizes the safety of the entire residence hall or house. Students who loan their key or card, or students who are found in possession of keys or cards other than their own are subject to fines or disciplinary action. The duplication of room keys is not permitted. Students receive their first lock-out at no charge. **For each subsequent lock out, students will be charged $5. The cost of a lock change for lost keys is $50. A lost ID card may be replaced at the Campus Safety Desk in College Park Hall at a cost of $25.**

**Alcohol in Residential Spaces**
Union is primarily a community of underage students, and experience teaches that the abuse of alcohol can often interfere with the productive pursuit of a College education. Students who are under the age of 21 may not possess or consume alcohol anywhere on campus including the residential spaces. Residential spaces are defined as all College-owned and administered living units. The following actions relating to alcohol are prohibited:
● Possessing, consuming or distributing alcoholic beverage by student under the age of 21 years.

● Furnishing or selling any alcohol beverages to any person under 21 years of age.

● Possessing or consuming alcohol in any public area outside the residence halls.

● Possessing or consuming alcohol outside individual bedroom or suites within the residence halls.

● Collecting, displaying or strong empty alcohol containers.

● Being incapacitated by alcohol or drugs whether under or over the age of 21 years.

● Possessing or consuming alcohol from common sources including, but not limited to kegs, beer balls, wine boxes, and punch bowls. Exceptions may apply during registered social events (see Alcohol with Social Events Policy).

● Possessing or using a tap system or “regulator.”

● Possessing any binge drinking device including, but not limited to, funnels or beer pong tables.

● Participating in shot parties, beer pong, or any other organized amount for personal consumption. Amount for person consumption are:
  ○ One 12-pack (twelve 12 oz. bottles/cans) of beer; OR
  ○ Two 750 ml bottles of wine; OR
  ○ One 750 ml bottle of hard alcohol

**Bicycles**
Bicycles must be stored in designated areas or in the student’s room. Bicycle racks are available outside many of the residence halls. Hallways, stairwells, and lounges, or other common spaces are not designated storage areas for bikes. Motorbikes and motor scooters are not permitted inside the residence halls.

**Bottle and Can**
Cans and/or bottles that contain or formerly contained alcohol may not be stored, collected, or used as decorations in student rooms, suites, or apartments. The first violation of this housing policy will result in a warning and subsequent violations will result in conduct charges.

**Cooking**
Cooking is permitted ONLY in those areas equipped with kitchenettes or microwaves. Students must be mindful of fire safety concerns while using the facilities. In apartments with kitchens, residents must clean the kitchen thoroughly before the end of each term. If the kitchen is not cleaned to acceptable standards, Facilities Services will clean the kitchen at the residents’ expense.
**Damages/Vandalism**
As part of community living at Union College, students must respect the safety and security of all College property, including property found in individual rooms and public areas. Students must also encourage their fellow residents to be respectful in ensuring that property is not damaged or stolen, and must report any knowledge they have of someone responsible for damages to College property. Students aware of any person responsible for specific damages are expected to contact a member of Residential Life or Campus Safety.

**Individual Charges**
Students will be held responsible for any damage, misuse, or misappropriation of any College-owned property in their rooms. Occupants are required to pay any costs associated with replacement or repair of the furnishings (including labor, materials, and overhead costs). Where two or more students occupy the same room or suite, and where determination of specific responsibility for the damage or losses cannot be determined, an assessment will be made against both or all equally.

**Individuals responsible for damages within the common area of the residence halls will be assessed a bill to repair the damage and will also receive an additional fine of $100 for vandalism along with facing possible conduct charges for violating the Student Conduct Code.**

**Group Charges**
When damage, misuse, or theft of College-owned property occurs within common areas of buildings and the responsible person(s) cannot be determined or the property is not returned, appropriate costs and/or fines will be assessed to a group of students. In such cases a minimum of $5 will be charged to each student within the group.

**Early Arrivals**
Students are not permitted to arrive to campus prior to the date set for either first year or upperclass student move-in unless participating in an administratively sanctioned event (fall sports, orientation leaders, RAs, etc.) All students moving in early must obtain permission from the Office of Residential Life. Students with extenuation circumstances who must arrive early who do not have a sanctioned reason to be on campus must submit an early arrival application (available through Residential Life) and pay fee of $100 per day for each day prior to the actual move-in date.

**Furniture**
All College-owned furniture assigned to a room or suite must remain in that room or suite. Exit paths from the room or suite must remain clear and unobstructed at all times. Occupants will be billed for the replacement of any missing furniture. Furniture assigned to lounges or common area spaces is not allowed in individual student rooms.

**Students who violate this policy may receive a fine and possible conduct charges for possession of common area furniture.**
Guests
Students may have no more than two overnight guests in their rooms for no more than two consecutive nights and only if they obtain approval of all roommates. Guests may not sleep in lounges or hallways and are expected to follow all the rules and regulations of the College. The host assumes all responsibility for the guest’s conduct, both in the halls and on campus. Any conduct violation for which the guest is documented will result in the identical conduct change being brought against the host.

Hall Sports
Sports are not permitted in common areas or hallways of the residence halls due to the potential for injury and damage. This includes, but is not limited to, activities such as rollerblading, throwing/hitting/bouncing balls or pucks, throwing Frisbees, wrestling, etc.

Laundry
Washers and dryers are located in each residence hall and are free to operate to students living on-campus. A $20 laundry fee will be assessed to a student’s term bill each term they are on campus. Any problems with washers or dryers should be reported to the Facilities Services office. They can be reached at 518-388-6181 or http://www.union.edu/offices/facilities/index

Lofts
Lofts can be rented or purchased through LoftConcepts:
https://www.collegiateconcepts.net/Union
Only lofts rented or purchased through this company may be used in the residence halls.

Maintenance/Repairs
Students are responsible for cleaning their rooms and for cleaning floors and lounges after programs. Any maintenance emergency should be directed immediately to Facilities (or to Campus Safety Monday-Friday after 5:00 p.m. and on weekends). If these areas are found unkempt, students will be charged for excessive cleaning. Students requiring repairs in their room can notify their Resident Advisor, Residence Director, House Coordinator, House manager or contact Facilities Services directly at 518-388-6181 or via the internet at http://www.union.edu/offices/facilities/index
Any maintenance emergency should be directed immediately to Facilities (or to Campus Safety Monday - Friday after 5:00 p.m. and on weekends).

Off Campus Releases
All students are required to live on campus for their entire time at Union College, if space is available. When space is unavailable, a lottery will occur in the winter term for rising senior students wishing to be released from campus. Only a limited number of students will be released from campus and that number will change each year based on class size and on-campus beds available. If the number of rising seniors wishing to be released is not high enough, the process will be opened up to members of the rising junior class. Students are discouraged from signing a lease with a landlord off campus until they are giving explicit permission to be released.

In particular instances, non-traditional aged students may petition to live off campus at the discretion of the Director of Residential Life.
Painting
Painting is not permitted in any residential, common area or hallway without permission to do so.

Any residents found to have painted a residential area without permission will be subject to costs for repair and possible disciplinary action.

Pets
All animals, including those used as lab specimens, are strictly prohibited inside or outside residential facilities, except as allowed under the Service Animal Policy. Visitors may not bring pets inside the residential facilities. Fish are permitted; however, tank size may not exceed 10 gallons. Further pet regulations are listed under Campus Safety Regulations and Policies.

If an unauthorized pet is found in a residence hall, the student(s) will be charged a fine of $50 plus $10 per day until the pet is removed.

Porches and Yard Space
Some apartments, theme, and Greek houses on campus have front and back porch space, in addition to lawn space, that residents can utilize. All of these spaces are considered open spaces on campus property and all college policies must be abided by. Open container policies will be enforced and residents may face judicial action for excess and/or dangerous occupancy of porch spaces. Residents are not allowed to install fire pits, swimming pools, or any other open element hazard. Residents are allowed to have and use grills, as long as the grills are 25 feet away from the property while in use.

Quiet Hours
Quiet hours are established to ensure the rights of students to study and sleep in the residence halls. Quiet hours are defined as those hours when noise, including music, must be contained within the room or suite with the door closed. Quiet hours are 10:00 p.m. - 8:00 a.m. Sunday through Thursday and 1:00 a.m. - 10:00 a.m. Friday and Saturday. Residents may extend the hours on their floor or building, but may not reduce the hours. Even though quiet hours begin in the late evening, courtesy is always expected by all students to maintain a living environment conducive to academic success.

Room Assignments/ Changes
All students are required to live on campus during the course of their undergraduate years, provided housing is available. All students must reside in their assigned rooms, and are prohibited from switching rooms, taking a roommate, or permitting any part of the room to be shared by persons not assigned by the Director of Residential Life or his/her designee. Students experiencing problems with a living situation should first consult with their Resident Advisor. Room changes are not permitted during the first or last two (2) weeks of any term, unless it is an emergency situation. All room changes (including those within a suite) must be authorized through the Office of Residential Life before any moves take place. The Director of Residential Life may relocate a student for disruptive behavior whether or not disciplinary action has been taken or completed.

The fine for an unauthorized room change is $100 and the student may be required to return to their assigned room and may be subject to disciplinary action.
**Room Check-Out**

Students are responsible for checking out of their rooms when they leave campus for a term away, summer break, academic dismissal, leave of absence, room change, etc. Students need to be checked out of their rooms by a Residential Life staff member, or complete an “Express Checkout” form at the Office of Residential Life. Failure to check out via one of these two methods will result in a $50 charge for improper checkout. A student who uses the express check-out method waives their right to appeal any room damages. Rooms must be left clean with all the furniture intact, and the room key returned. The Residential Life staff will inspect rooms and assess appropriate charges and fines based on the comparison of the check-in and check-out Room Condition Report.

**Residents must vacate their room and check-out properly within 24 hours after their last final exam or withdrawing from the College.**

**Room Search**

The College reserves the right to inspect and/or search rooms for the purpose of furthering the educational mission of Union College or for safety, health, security and maintenance purposes. In all cases where the health, safety, or welfare of a person may be in danger or in cases where College property is in jeopardy, a College official may enter a suite or room immediately and without notice to, or consent from, the student. A room search can be conducted by a College Official at any time regardless of whether or not the student is present.

**Roofs**

The roofs of all residence halls, theme houses, apartments, and Greek houses are unprotected areas and are not designed for recreational use. Students must not climb onto a roof or congregate on any roof for any purpose.

**Students found to be in violation of this may be subject to disciplinary action.**

**Storage**

The College does not provide storage for students’ personal belongings at any point throughout the year, including break periods. Students wishing to store belongings some place other than their room may wish to contact a local storage company to make arrangements. All College provided furnishings must remain in the room. Students interested in storage for the summer may contact the Office of Residential Life for information about storage companies in the area.

**Solicitation**

Soliciting in the residence halls is prohibited. Students are advised to contact Campus Safety or notify a Resident Advisor if there are solicitors in the building.

**Summer Housing**

Summer Housing space is very limited, and is not guaranteed. In order to be considered for summer housing, students must be affiliated with the College for the summer. Preference will be given to students involved in research with professors and those attending summer session classes offered at the College. All requests for summer housing must be made to the Office of Residential Life by the posted deadline during spring term. Students are billed a designated rate per week during the summer for the number of weeks they reside in the halls.
**Voice, Data and TV**
Each residential area is provided with phone, internet, and cable connections. If you have questions regarding your phone line, please contact Telecommunications at 518-388-6411. If you have questions regarding your internet connection, please contact Information Technology Services at 518-388-6293. If you have questions regarding cable, please contact Time Warner at 518-640-8621 or www.twalbany.com.

**Waterbeds**
Waterbeds are not permitted in residence halls because of excessive weight and potential for water damage.

**Windows**
Windows must remain unobstructed. Furniture, bedding, fans, lights, etc. must not block windows. Items may not be hung from or in residence hall windows. It is strictly prohibited to hang, drop or throw items out of residence hall/house windows. Students must not remove the screens in the windows at any time.

**Withdrawal from Housing**
Students who are granted on-campus housing and then decide to withdraw from the College must notify the Dean of Students Office to process an official withdrawal. The student will be held responsible for payment of their room charges in accordance with the refund schedule published in the Academic Register.

Students who withdraw from the College, are dismissed by the College, or are officially released from their residence contract, must vacate their residential area within 24 hours.

**LIFE SAFETY POLICIES**
When a student violates any of the life safety policies below, a Life Safety Violation charge may be levied. Students will be notified of these charges in writing. This notice may be delivered by an RA, placed under a student’s door if they are not home, deposited in their room during health and safety inspections, or delivered via their campus mailbox or email. All students have the opportunity to address the situation with a Residential Life professional staff member. If a student does not contact the Office of Residential Life within ten days of delivery of the notification, the charges will be final. Depending upon the situation (severity, repeated offense, etc.), conduct charges may also be brought against a student in violation of these policies.

**Life Safety Violations**
- **Level One Offense** - (inappropriate appliance/furniture/loft, smoking, halogen/lava lamps, octopus cords, multi-plug adapters, excessive electrical cords, candles/incense, decorative string lighting)
  - First Offense - Warning
  - Further Offenses - **$100 fine** and possible judicial action

- **Level Two Offense** - (possession of flammable materials or fireworks, removal of life safety devices, tampering with life safety devices, discharging a fire extinguisher)
inappropriately, failure to evacuate during fire alarm, negligent actions which cause activation of the fire alarm system)
  o Any Offense - **$200 fine** and possible judicial action

● Level Three Offense - Malicious activation of fire alarm system, arson, false reporting of a fire or other life safety condition
  o Any Offense - **$750 fine** and possible judicial action and/or arrest by police

**Appliances**
The following appliances ARE NOT allowed in residence hall rooms: non-approved microwaves, non-approved air conditioners, electric heaters, toaster ovens, toasters, “George Foreman”-style grills, waffle irons, sandwich makers, or any other heat-producing electrical devices or appliances. Students may use coffee pots, hot pots, and popcorn makers in their rooms as long as there are no exposed heating elements or coils and they are used responsibly. Students found in possession of unauthorized appliances will be charged a Life Safety fine in addition to the confiscation of the item. For information about renting a Microfridge, please see the Refrigerators section.

**Air Conditioners**
Air conditioners are not permitted in the residence hall due to excessive energy demand caused by large numbers of such appliances. Students with severe medical conditions that may require an air conditioner may request a Special Accommodations Form from the Residential Life Office. If approved, it must be installed by Facilities Services. Arrangements for installation must be made by the students. Contacting Facilities at X6181 or [http://www.union.edu/offices/facilities/index.php](http://www.union.edu/offices/facilities/index.php).

**Bed in Common Rooms**
In compliance with the building and fire codes, all beds and lofts must remain in designated bedrooms only and not in the common rooms of residence hall suites.

**Candles and Incense**
Candles, incense, and any other open-flame items (burned or unburned) are prohibited in student residences. Only one type of incense is allowed on campus in the residence halls. These incense are electric slow fragrance warmers that do not result in heat emission. This type of incense can be found in the College Bookstore. Be advised that in accordance with New York State Law, all candles, lit or unlit, will be confiscated and destroyed.

**Decorations and Tapestries**
Tapestries and posters may not be hung over the smoke detectors, heat detectors, overhead lights, or above the bed. Tapestries may not be draped from lofts or used as room partitions. Decorations must not cover more than 50% of the ceiling or wall space.

**Entry Doors**
All residence hall entry doors must be locked and secure at all times. Propping doors for any reason is not permitted.
**Excessive Cleaning**
It is the responsibility of all residents to maintain a healthy living space for both themselves and fellow students. Additionally, it is the expectation that all residential students practice proper hygiene. Students with excessive trash or garbage in their living space are creating both health and fire hazards and may be subject to student conduct violations as well as life safety fines.

**Fire Alarms**
Evacuation compliance is mandatory for all students whenever fire alarms are activated, regardless of cause. Campus Safety and residence hall staff may check every room to ensure that all residents evacuate the building.

**Fire Equipment**
Tampering with fire safety equipment, including fire doors, exit signs, fire extinguishers, smoke detectors, heat detectors, or fire alarms is prohibited. Fire safety equipment that is malfunctioning should be reported to Campus Safety immediately. Do not dismantle, remove, or attempt to repair any fire equipment.

**Fireworks**
Fireworks and other explosives (in their many and varied forms) are prohibited in and around all College-owned housing.

**Lights and Lamps**
Halogen lamps, paper lanterns, string lighting, and lava lamps are not permitted in the residence halls due to their proven fire hazard potential.

**Octopus Cord/Multiple Outlet Plugs**
The use of extension cords beyond their recommended use and the use of multiple outlet plug adapters, “octopus cords,” are prohibited. Power strips with surge protectors must be used to protect electrical equipment.

**Noxious Odors**
Activities producing odors considered offensive to members of the residence hall community must be curtailed upon request. In the event of such odors, a Residential Life or Campus Safety staff member may check common areas and individual rooms for the source.

**Refrigerators**
Each room is only allowed one refrigerator or Microfridge unit, and each suite is allowed only a total of two units. Small refrigerators measuring five cubic feet or less and drawing three amps or less to start, or one and one half amps or less to run, may be used. Students may rent the Microfridge unit, a combination refrigerator/freezer/ microwave unit, from a vendor who will contract directly with the student. The Refrigerator Leasing Company, Inc. can be reached at 607.431.9525 or www.refrigeratorleasing.com.
**Security Screens**
First floor windows have been provided with a security screen designed to prevent theft and inappropriate access to first floor rooms and common areas. The security screens must remain closed at all times. Tampering with the security screens is prohibited.

**Smoking**
In accordance with New York State Law, smoking is prohibited in all indoor areas. Smoking within twenty-five (25) feet of any residential building exit, entrance, or operable window is also prohibited in an effort to provide a safe and healthy environment for those members of the community who do not wish to smoke. This policy includes e-cigarettes of any kind.

**Fine Appeals Process**
The Director of Residential Life is available to listen if a student wishes to challenge a housing or life safety violation. If the decision by the professional staff member appears inaccurate based upon evidence and College policy, you may appeal the decision in writing to the Director of Residential Life within 10 days of notification of the violation. The director will determine whether or not to reverse the charge.

**FIRE ALARM AND SPRINKLER SYSTEMS**
Unless otherwise noted below, all Union College fire alarm systems within residential buildings contain smoke detection in each sleeping area, hallway, and common area. These devices are tied into a central fire alarm panel within the building and transmitted to a central monitoring station that is manned 24 hours a day by Union College Campus Safety.

As per New York State Fire Code, Union College notifies the local Fire Department upon receiving a general building fire alarm. In addition to our 911 link, Union College has direct radio communication abilities with the Schenectady Fire Department.

Link to Campus Fire Safety Act reporting data as required by Federal law: [http://www.union.edu/offices/safety/reports/clery/](http://www.union.edu/offices/safety/reports/clery/)

This data complies with New York State Law A.5715-A/S.4180-B; Kerry Rose Fire Sprinkler Notification Act 2013

**Fire Alarm Coverage**
All buildings listed below contain fire alarm systems. Fire alarm inspection date: June/July 2013

**Chart of Sprinkler Coverage**
Sprinkler system inspection date: November 20, 2012

<table>
<thead>
<tr>
<th>Building</th>
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<tr>
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<tr>
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<tr>
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<table>
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<tr>
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<th>Sprinkler</th>
<th>Coverage</th>
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<tr>
<td>Fero</td>
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<tr>
<td>Hickok</td>
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</tbody>
</table>
### Sprinkler System Definitions

**Full**
Coverage includes all egress areas as well as common and sleeping areas.

**Partial**
Coverage is limited to stairwell protection and means of egress.

**Exposure**
Coverage provides exposure protection to window areas in stairwells.

### CAMPUS SAFETY REGULATIONS

#### MISSING PERSON POLICY
The following policies and procedures are to be followed in the event that a student or other individual is reported missing from campus.

Upon receipt of a report of a missing person, the Campus Safety Department will conduct a thorough and timely investigation to determine the safety and current location of the person. If the missing person is a student, the investigating officer will contact and help coordinate the investigation with the Schenectady Police Department no later than 24 hours after the student is determined missing. Once it is determined that the student has been missing for a period of more
than 24 hours, the Campus Safety department will notify the student's emergency contact no later than 24 hours after the student is determined to be missing.

In addition to registering an emergency contact, students have the option to identify a confidential contact to be contacted by Union College Campus Safety in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Union College Campus Safety will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential contact may do so by coming to the Campus Safety Office and fill out a missing student contact form. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement as appropriate. The custodial parent or guardian will be notified within 24 hours of the determination the student is missing.

An individual will be considered missing if a roommate, classmate, faculty member, family member, or other campus person has not seen the person in a reasonable amount of time. A reasonable amount of time may vary with the time of day and information available regarding the missing person's daily schedule, habits, punctuality, and reliability. Individuals will also be considered missing immediately, if their absence has occurred under circumstances that are suspicious or cause concerns for their safety. If the initial report that a person is missing is made to a department other than the Campus Safety Department, the staff member receiving the report will ensure that the Campus Safety Department is contacted immediately.

Detailed procedures for the implementation of these policies by the College through the Campus Safety Department are available for review upon request.

Not later than 24 hours after determining a student is missing, the Campus Safety Dept. will notify the following college officials:

- Dean of Students
- Director of Residence Life
- Director of Campus Safety

Sample card to be kept on file at Campus Safety
STUDENT Emergency Notification Card Information
Please print legibly
Student Name_______________________
Cell Phone Number_____________________
Emergency Contact Person______________
Contact Means option #1______________
Contact Means option #2______________

EMERGENCY NOTIFICATION

The Campus Crime Alert (“Alert”) is provided to give students, faculty, and staff timely notification of crimes that may represent a serious, on-going threat to the campus community and to heighten safety awareness. The Alert also seeks information that may lead to arrest and
conviction of the offender when violent crimes against persons or substantial crimes against property have been reported.

Campus Safety is responsible for issuing a Campus Crime Alert when a crime is reported to or brought to the attention of the Campus Safety or other campus security authorities and that crime represents a serious, on-going threat to the safety of members of the campus community. Information for Alerts also comes from other law enforcement agencies. Every attempt will be made to distribute the Alert promptly; however, the release is subject to the availability of accurate facts concerning the incident. Alerts are created and distributed by Campus Safety and/or the Vice President for Student Affairs and Dean of Students or his/her designee with the assistance of Telecommunications and/or Communications.

**Timely Warning Procedure**
Campus Safety will prepare a Campus Crime Alert whenever a report is received of a violent crime against a person or a substantial crime against property on campus that represents a serious, on-going threat to the safety of students, faculty, and staff. Alerts are assigned the same number as the corresponding Campus Safety report and provide details of the crime, a description of the suspect (if known), information on whom to contact with information, and safety tips.

Campus Crime Alerts will be emailed as quickly as possible to faculty, staff, and students, and may also be distributed throughout the campus, provided to campus media, posted on the Union College website, texted and, if appropriate, posted in off-campus areas frequented by students.

Whenever the Schenectady Police issue a news release about an off-campus crime that represents a serious, on-going threat to the safety of students, faculty, and staff, the College will assist in publicizing the crime on campus.

Campus Crime Alerts typically include the following information:
- A succinct statement of the incident.
- Any connection to previous incidents.
- Physical description and/or composite drawing of the suspect, if appropriate.
- Date and time the Alert was released.
- Other relevant and important information.
- Appropriate safety tips.

**Emergency Text Messaging System**
Union College provides emergency notification services to the college community via cell phone text messages and email. The Emergency Text Messaging System is available to students, faculty, and staff.
To participate in this service, individuals must register through the College's Emergency Response website. http://waterfall.union.edu/emergency/login.php

Messages may be used for situations that pose immediate danger or the closing of an entire campus. Messages about Campus Crime Alerts generally will not be sent unless it is decided there is an imminent threat of danger. This notification service is provided in addition to existing emergency reporting procedures and does not replace or eliminate any emergency notification system.

**Emergency Evacuation Procedures/Persons with Special Needs**
The mission of the Union College Office of Campus Safety and Emergency Management is to enable, promote, and support the preparedness, responsiveness, and sustainability of all the elements of Union College.
Union College is committed to providing an environment where all students, faculty, staff or visitor has equal access to safe egress and to effectively alert, evacuate and/or shelter them during an emergency.
Please refer to the following link for complete information on Emergency Evacuation and Preparedness.
http://www.union.edu/emergency/policy.php

**STUDENT RIGHT-TO-KNOW INFORMATION (CRIME STATISTICS)**
The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is the federal law, originally known as the Campus Security Act, that requires colleges and universities across the United States to disclose information about crime on and around their campuses.

The Union College Campus Safety Department has been a contributor to the Uniform Crime Reporting System since 1991. A copy of Union College's Annual Security Report includes statistics for the previous three years concerning reported crimes that occurred on-campus; in certain off-campus buildings or property owned or controlled by Union College; and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, and other matters. You can obtain a print copy of this report by contacting the Department of Campus Safety. Three year statistics found at:
http://www.union.edu/offices/safety/reports/clery/

**LIFE SAFETY OFFICE – ENVIRONMENTAL HEALTH & SAFETY HEOA – FIRE SAFETY REPORTING INFORMATION**
The Union College Office of Life Safety is responsible for programs related to fire safety. Life Safety works closely with the Department of Campus Safety in obtaining its data with respect to fire alarms and actual fire conditions reported. Since Union College maintains and provides student housing, we are providing this data as required under the Higher Education Opportunity Act.
http://www.union.edu/offices/safety/reports/clery/
ID CARDS
ID cards are issued to all members of the Union College community. This is done, among other reasons, to identify you as a member of the community and as proof of your authorization to be on campus, and to allow you access to dining services and to your residence hall.

_You must carry your ID card with you and you are required to produce it upon request of a member of the Campus Safety Department or other authorized agents of the College. Refusal or failure to produce your ID card may result in conduct charges._

The Access Control office located in the Campus Safety Office issues all Union College identification cards.

_Lost cards must be reported to the Campus Safety Department in person. Dining Services must also be notified. A fee of $25.00 is assessed for each occasion a card is reported as lost or stolen. Any malfunctioning ID card can be returned to the Campus Safety office for a replacement at no cost to you._

The Union College ID card is the property of Union College and is to be used for purposes of identification and transaction of college business only. Any ID card which has been replaced is no longer valid and therefore must be destroyed.

OPERATION ID
This program is part of the department’s overall crime prevention program. To prevent thefts and help in the recovery of stolen property, the Campus Safety Department urges that you engrave all your valuables and keep an inventory of your property; stickers can be removed but it is much more difficult to obliterate engraved marks that have been located on an obscure place. Note the serial, model, and engraved numbers on the security inventory sheet.

BICYCLES
It is recommended that all bicycles that are brought on campus be registered with the Campus Safety Department. There is no fee required. The Department has bicycle safety and lock information available that can be picked up at the office during business hours. (See Housing Policies and General Information)

CAMPUS PARKING AND TRAFFIC REGULATIONS
Union College requires that all motor vehicles (including motorbikes and/or motorcycles) using the campus be registered with the Campus Safety Department. First-year students are not permitted to have any vehicle on without permission from the Dean of Students office. If permitted, First-year students will be restricted to parking in the Nott / Seward and Roger Hull parking lots only. All other areas on campus will be off limits at all times of the day and night. Traffic enforcement will apply to those who violate this rule.

Union College assumes no responsibility or risk for any vehicle, its occupants or property contained therein or thereon, while parked or driven on Union College property. Parking on Union College property is a privilege, not a right, and parking space is not guaranteed for each vehicle in any parking area.
The Campus Safety Department will issue tickets to illegally parked vehicles, and if necessary, will tow vehicles at the owner's expense. No one is exempt from campus traffic enforcement. Parking is allowed in approved lots within approved mark spaces.

For a complete list of regulations governing parking and driving on campus. Including possible sanctions for violations, you may consult the Campus Safety Website or go to the Campus Safety Office for a hard copy, which you will receive when you register your vehicle.  
http://www.union.edu/offices/safety/parking/index.php  
*Compliance issues may also be addressed through the Student Conduct Code.

**VIOLENT FELONY OFFENSE INVESTIGATIONS**
As required by New York State law, upon receipt of a complaint or report that a violent felony has occurred on campus, the Campus Safety Department will immediately respond, thoroughly investigate, and document a report of their findings. The responding officers will verify the nature of the incident and determine if the incident occurred on the Union College campus or during an off-campus event sponsored by the College. The Campus Safety Department will notify and coordinate further investigation of the criminal incident with the Schenectady Police Department. Victims of crimes, especially violent felony crimes, will be assisted, if requested, in making a report of the incident to the Schenectady Police Department.

**WEAPONS ON CAMPUS**
Possession or use of any type of firearm or any other potentially dangerous weapon is prohibited. Weapons of any kind are dangerous and have no place in a college community. All instruments which can be construed as weapons including, but not limited to, Airsoft guns, BB guns, pellet guns, handguns, rifles, pistols, knives (blade length over 3”), bows and arrows, swords, brass knuckles, night sticks, and handcuffs may not be brought onto College property. Students wishing to bring any such property to campus for sporting purposes must register the weapon or firearm with Campus Safety and store it in the Campus Safety Office.

**STANDARDS FOR STUDENT ORGANIZATIONS**

**CLUB AND ORGANIZATION POLICY**
Any organized student group, club, or organization on campus must be recognized by the Student Forum. Any club receiving funding must be open to all members of the student body. This includes participation in activities, meetings, and all functions of said club. No student group will received funding if they are exclusive in nature. While groups that are exclusive may be recognized by the Student Forum they will not be eligible for funding as long as they are exclusive or selective in nature. All policies regarding the expenditure of activity fee dollars can be found in the presidents and treasures handbook which is available in the Office of Student Activities.

**STUDENT FORUM**
The Student Forum is advised by the Director of Student Activities and serves as the governing body for students. Members of this group are involved in many College decisions. Elections are
held in the spring for the majority of the student body and in the fall for the First-year students. Elections are competitive and create a natural sense of excitement on campus. The Student Forum oversees the operations of all student clubs and organizations. This governing body also oversees the student activity fee, which each student pays along with tuition. This money is allocated to 80 of the 100+ student clubs and organizations. Student Forum meetings are held on a weekly basis when classes are in session, and are open to the student body. For more information: [http://www.union.edu/offices/student-activities/](http://www.union.edu/offices/student-activities/)

**U-PROGRAM**
The program board is responsible for the majority of programs on campus. It is made up of several committees including traditional programs, innovative ideas, cultural events, publicity and promotions, and intellectual programs. All of these committees are led by a student president and treasurer. The program board is advised by the Assistant Director of Student Activities.

**EQUIPMENT MANAGERS**
The Office of Student Activities employs 10 students who are responsible for providing technical support for events held on campus. The equipment managers learn to operate multiple sound systems including a 16-channel band mixer. These students receive specific training, due to the extensive technical knowledge needed for this job. They help to ensure that events are completely student-run. [http://www.union.edu/offices/student-activities/](http://www.union.edu/offices/student-activities/)

**ACADEMIC SERVICES AND POLICIES**

**ACADEMIC AFFAIRS**
Academic Affairs is responsible for the formulation of educational policy, matters involving the faculty, and all academic related processes. The Academic Affairs Office includes the Vice President for Academic Affairs & Dean of the Faculty, the Dean of Academic Departments and Programs, the Dean of Studies, and the Dean of Academic Planning and Resources.

The Vice President for Academic Affairs & Dean of the Faculty has the responsibility for all academic matters related to faculty and students, the curriculum, and academic budgeting. Supervisory responsibilities include Information Technology Services, Intercollegiate Athletics, International Programs, Registrar's Office, Schaffer Library, the Union College Academy for Lifelong Learning (UCALL), the Common Curriculum (General Education), the Director of Engineering, and the Director of Assessment.

The Dean of Academic Departments and Programs oversees all academic departments and interdisciplinary programs, plays a key role in faculty recruiting, faculty development, curriculum development, and advising the Vice President for Academic Affairs & Dean of the Faculty on matters associated with the review and promotion of faculty. Supervisory duties include the Director of Interdisciplinary Programs and the Director of Faculty Development and all academic department chairs and program directors.
The Dean of Studies has responsibility for implementation of academic policies and has supervisory responsibilities that include Academic Achievement Office mentoring programs, Advising, the Academic Opportunity Program, the Health Professions Program, the Law and Public Policy Program, National Fellowships & Scholarships, the Scholars Program, Undergraduate Research, and the Writing Center.

The Dean of Academic Planning and Resources manages the academic finances and facilities, supervises the Engineering Machine Lab and supports the Vice President of Academic Affairs, other Academic Affairs Deans, faculty, administrators, and staff within Academic Affairs on various resource matters.

**ACADEMIC POLICIES**
Please refer to the Academic Register (Course Catalogue) for updated academic policies.
http://catalog.union.edu

**ACADEMIC HONOR CODE**
Please go to the following website for more information:
http://honorcode.union.edu

**STUDENTS WITH DISABILITIES**

**Introduction**
Union College is an educational community that values diversity and seeks to promote meaningful access to educational opportunities for all its students. Union College is committed to full compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

As an educational institution, Union College believes that students should understand their disabilities and learn ways to compensate for them. Professional documentation should include strategies for coping, when possible, so that students can find reliable ways to be successful. While Union College is committed to making reasonable accommodations, it is the students’ responsibility to learn about themselves and how they can negotiate in the world successfully. A part of that process is self-advocacy.

**What is a Disability?**
Union College is required by Section 504 of the Rehabilitation Act and the Americans with Disabilities Act to provide effective auxiliary aids and accommodations for qualified students with documented disabilities if: such aids and accommodations are necessary to provide equitable access to Union College’s programs activities, and services, and, if the accommodation is reasonable (e.g., the accommodation does not fundamentally alter the nature of Union College’s academic or other programs, activities, and services). Federal law defines a disability as a physical or mental impairment that substantially limits the average person in the population from performing a major life activity such as walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, performing manual tasks, sitting, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating or the operation of a major bodily function. An impairment or diagnosis in itself does not necessarily constitute a
disability. It must “substantially limit” one or more of these activities. In order to receive accommodations, specific documentation is required. If an impairment is in remission or intermittent, Union College will consider the impairment’s condition in its active state.

In making the disability determination, Union College will not consider the ameliorative effects of mitigating measures the student has been using, such as medication, reasonable accommodations, assistive technology, etc., except for typical eyeglasses or contact lenses. However, the College will consider mitigating measures when determining what accommodations, if any, are necessary in order for the student to enjoy equal access.

After reviewing relevant information and using its professional expertise, Union College will determine whether or not a diagnosis of an impairment does in fact constitute a disability under the ADA and whether or not the requested accommodations are necessary and reasonable or appropriate at Union.

**Eligibility and Documentation Guidelines**
The Director will conduct the following analysis in determining whether a student is considered disabled, and if so, what accommodations to recommend to the faculty or administrators of the campus community.

- **Does the student have a disability?**
  The College defines “disability” as a mental or physical impairment which substantially limits one or more major life activity(ies) including learning;

  If NO, the student is ineligible and the office will not support the requested accommodation. If YES, then proceed.

- **Did the student submit supporting documentation?**
  - Supporting documentation of a Learning Disability (LD) typically consists of data that:
    » measures student aptitude, achievement, and information processing;
    » has been conducted by an appropriate professional who is unrelated by birth or marriage; AND
    » is current (typically defined as no more than 3 years old).

  - Supporting documentation of physical disabilities typically consists of information that:
    » is from a clinician qualified to make such a diagnosis who is unrelated by birth or marriage; AND
    » gives detailed information about the diagnosis, treatment, functional limitations posed by the conditions as expected to impact adult learning and living and expected duration of conditions.

  If NO, the student is ineligible until he or she supplements the documentation and the office will not support the requested accommodation. If YES, then proceed.
• Is the student qualified (which can only be determined in discussions with the faculty/department chair)?
  ○ Can the student meet the prerequisite academic and technical standards of a course or program?
  ○ Can the student perform the essential tasks of the course or program with accommodation? The effects (both positive and negative) of any mitigating measures the student has or is using, including assistive technology devices, learned adaptive behaviors, reasonable accommodations, medications, etc., will be considered in the accommodation process. If NO, the accommodation need not be provided. If YES, then proceed.

• Is the accommodation reasonable? Reasonable accommodations:
  ○ are based on documented individual needs;
  ○ allow the most integrated experience appropriate;
  ○ do not compromise the essential requirements of a course or program;
  ○ do not pose a significant risk of substantial harm to the health or safety of the student or others;
  ○ do not impose undue financial or administrative burden;
  ○ are not of a personal nature;
  ○ do not give the student an unfair advantage.

    If NO, the accommodation need not be provided.

If the four questions can be answered YES, then accommodation should be provided. This analysis in some cases will require interaction between the faculty or department and the Director of Accommodative Services (and possibly the Dean of Studies) to determine whether a requested accommodation is reasonable.

Verification of Physical Disabilities
• A student with a physical disability must provide professional verification certified by a licensed physician, psychologist, audiologist, speech pathologist, rehabilitation counselor, physical therapist, occupational therapist, or other professional health care provider who is qualified in the diagnosis of the disability. The verification must reflect the student’s present level of functioning of the major life activity affected by the disability. The student shall provide the verification documentation to the Director of Accommodative Services. The cost of obtaining the professional verification shall be borne by the student.
Union College reserves the right to require the documentation to be submitted directly from the evaluator to the College.

- If the initial verification is incomplete or inadequate to determine the present extent of the disability and appropriate accommodations, the College shall have the discretion to require supplemental assessment of a physical disability. The cost of the supplemental assessment shall be borne by the student. If the College requires an additional assessment for purposes of obtaining a second professional opinion then the College shall bear any cost not covered by any third party paying.

**Verification of Blind/Low Vision Disability**
- A student with vision impairment must provide professional verification certified by an Optometrist, Ophthalmologists, and or Vision Specialists whom are eligible to make the diagnosis.

**Documentation**
- A specific designation as Blind or low vision
- Functional limitations on major life activities resulting from being blind or having low vision. These may include but are not limited to:
  - Impact on ability to utilize standard educational materials
  - Orientation or mobility
  - Academic achievement
- Evidence to support the functional limitations statements made in #3.2. This may include but is not limited to:
  - Result of vision testing
  - Age of onset
  - Academic Achievement: Tests of reading, writing and math skills measured by standardized and comprehensive individual achievement tests such as the Woodcock-Johnson Revised, or Wechsler Individual Achievement Test-II. Specific achievement tests may also be used such as the Test of Written Language-3 or the Stanford Diagnostic Mathematics Test.
  - Clinical Observation/interview
  - Teacher Observation
- Recommended Accommodations. All accommodations should be directly related to functional limitations listed in #3.2. The rationale for each recommendation should be contained in #3 above.
- Recommendations for other supports, strategies or services that may benefit the individual in higher education environment including suggestions about how specific effects of the disability may be accommodated through the use of assistive technology
- Other pertinent diagnoses or recommendations for other evaluations that may be needed.
**Verification of Deaf/Hard of Hearing Disability**

- A student with hearing impairment must be evaluated by a licensed Audiologist and/or similarly trained medical professional that can determine the diagnosis.

- **Documentation:**
  - A specific designation as deaf or hard of hearing.
  - Functional limitations on major life activities resulting from being deaf or hard of hearing. These may include but are not limited to:
    - Communication
    - Receptive and/or expressive language skills
    - Academic skill development
  - Evidence to support the functional limitations statements made in #4.2. This may include but is not limited to:
    - Audiological results
    - Age of onset
    - Academic Achievement: Tests of reading, writing and math skills measured by standardized and comprehensive individual achievement tests such as the Woodcock-Johnson Revised, or Wechsler Individual Achievement Test-II. Specific achievement tests may also be used such as the Test of Written Language-3 or the Stanford Diagnostic Mathematics Test.
    - Clinical Observation/interview
    - Teacher Observation
  - Recommended Accommodations. All accommodations should be directly related to functional limitations listed in #4.2. The rationale for each recommendation should be clearly explained.
  - Recommendations for other supports, strategies or services that may benefit the individual in higher education environment including suggestions about how specific effects of the disability may be accommodated through the use of assistive technology.
  - Other pertinent diagnoses or recommendations for other evaluations that may be needed.

**Verification of Traumatic Brain Injury**

- Practitioners that can provide a diagnosis include a Neuropsychologist or medical doctor with expertise in the area of Traumatic Brain Injury.

- **Documentation:**
  - A specific diagnosis of Traumatic Brain Injury.
  - Functional limitation of major life activities as result of brain injury. These may include, but are not limited to:
    - Cognitive ability
    - Memory
» Attention
» Emotional/behavioral functioning
» Motor ability
» Sensory impairments

- Evidence to support the functional limitations statements made in #5.2b. This may include but is not limited to:
  - Academic Achievement: Tests of reading, writing and math skills measured by standardized and comprehensive individual achievement tests such as the Woodcock-Johnson Revised, or Wechsler Individual Achievement Test-II. Specific achievement tests may also be used such as the Test of Written Language-3 or the Stanford Diagnostic Mathematics Test.
  - Test of Information Processing including attention, memory, and executive functioning.
  - Receptive and Expressive Language: Assessed using standardized measures of receptive and expressive language ability.
  - Teacher observation
  - Clinical observation/interview
  - Standardized checklists or scales of emotional functioning

- Recommended Accommodations. All accommodations should be directly related to functional limitations listed in #5.2. The rationale for each recommendation should be contained in #3 above.

- Recommendations for other supports, strategies or services that may benefit the individual in a higher education environment including suggestions about how specific effects of the disability may be accommodated through the use of assistive technology. Other pertinent diagnoses or recommendations for other evaluations that may be needed.

**Verification of Asperger’s /Pervasive Developmental Disorders**

- **Documentation.**
  
  Documentation verifying the disorder must be prepared by a neuropsychologist or psychologist with experience in the field of Autism Spectrum Disorders. Documentation must include:

  - History of impaired communication, social and academic functioning. Historical information regarding the individual’s communication, social and academic history in elementary, secondary education should be documented and provided.

  - Relevant academic data including past evaluations, academic history, approved academic accommodations, etc.

  - Detailed description of student’s current a) communication/language skills, b) ability to interact socially c) restricted, repetitive and or stereotyped patterns of behavior, activities and sensory functioning, d) sensitivity to environmental conditions, e) motor planning, etc. Evidence to support these statements might include results of aptitude and
achievement testing, standardized tests of language skills and standardized scales of symptoms related to autism as well as clinical observations including level of severity.

- **Relevant information regarding current treatment and prognosis such as**
  - Relevant medical information relating to the student’s Asperger’s disorder including a description of the impact any prescribed medications or medication side effects have on the student’s ability to meet the demands of the postsecondary environment.
  
  - A specific diagnosis based on the DSM IV-TR diagnostic criteria. The evaluator should use definitive language in the diagnosis of an Asperger’s Disorder or Other Pervasive Developmental Disorders.

  - The evaluator must describe the current degree of impact the diagnosed AS or PDD has on the specific major life activity as well as its impact in a postsecondary setting.

  - Suggestions of reasonable accommodation(s) which might be appropriate at the postsecondary level are encouraged. These recommendations should be supported by the diagnosis.

### Verification of Learning Disability

- A student with a learning disability must provide professional testing and evaluation results which reflect the student’s present level of processing information. The following are required to establish a claim of a learning disability. Hereafter reference to learning disabled students shall refer to those students who have so established the claim.

- Documentation verifying the learning disability must:
  - be prepared by a professional qualified to diagnose a learning disability, including, but not limited to, a licensed physician or psychologist. The cost of obtaining the professional verification shall be borne by the student. Union College reserves the right to require the documentation to be submitted directly from the evaluator to the College.

  - be presented as a written statement signed by the attending professional attesting to the diagnosis of the specific learning disability as well as recommendations for academic interventions based on that diagnosis;
    - the written statement concerning the diagnosis and recommendations must be dated after the student’s sixteenth birthday, and
    - in the case of an entering First-year student, a student must present the signed statement to the Director of Accommodative Services as soon as possible after reserving a place in the First-year class; for returning students, the statement should be presented to the Director of Accommodative Services in accordance with the Students with Learning Disabilities Policy.

  - include the testing procedures followed, the instruments used to assess the disability, the test results, and a written interpretation of the test results by the professional;
reflect the student’s present level of functioning in the achievement areas of reading comprehension, reading rate, written expression, and writing mechanics and vocabulary, grammar, and spelling;

reflect the student’s present level of functioning in the areas of intelligence and processing skills.

● **Criteria to Establish a Claim of a Learning Disability:**
  The following criteria, along with the professional judgment of the Director of Accommodative Services, will be used to determine whether a student qualifies as having a learning disability:

  o average or above average intelligence as measured by a standardized intelligence test which includes assessment of verbal and non-verbal abilities;

  o the presence of a cognitive-achievement discrepancy or an intra-cognitive discrepancy indicated by a score on a standardized test of achievement which is 2.0 standard deviations or more below the level corresponding to a student’s sub-scale or full-scale IQ;

  o the presence of disorders in cognitive or sensory processing such as those related to memory, language, or attention;

  o an absence of other primary causal factors leading to achievement below expectations such as visual or auditory disabilities, emotional or behavioral disorders, a lack of opportunity to learn due to cultural or socio-economic circumstances, or deficiencies in intellectual ability; and

  o the assessment must provide data that support the requests for any academic adjustment. In the event that a student requests an academic adjustment or accommodation that is not supported by the data in the assessment or if the initial verification is incomplete or inadequate to determine the extent of the disability, then it is incumbent on the student to obtain supplemental testing or assessment at the student’s expense.

**Verification of ADD/ADHD**

● In order to file a claim of disability based on a diagnosis of ADD/ADHD, the student must submit complete documentation in support of that diagnosis to the Director of Accommodative Services. The documentation must be submitted by a qualified professional specializing in the assessment of psychological disorders and ADD/ADHD. The name and credentials of the professional must appear in the documentation as well as the date the student was assessed and the date of the last contact between the professional and the student. The evaluator may not be related to the student by blood or marriage. Union College reserves the right to require the documentation to be submitted directly from the evaluator to the College.
Recent documentation better informs the student and the College of appropriate accommodations. For that reason, submit documentation from assessments performed after the student’s sixteenth birthday or within the past three years.

**Documentation Criteria to Establish a Claim of ADD/ADHD as a Disability:**
- interview with parents and student
- behavior ratings from parents, teachers, and the student
- psychological evaluations
- description of symptoms
- a list of assessment instruments and procedures in diagnosing ADD/ADHD and its impact on educational activity
- date of initial diagnosis
- identification of one or more major life activities affected by ADD/ADHD. Assessment of the severity of the student’s condition and its impact on the identified major life activity(ies) in comparison to the average person in the general population with and without the use of prescribed medication
- evidence that the condition interferes with the performance of a major life activity, including the professional’s observations as well as any reports from school officials or medical reports
- a list of any medications prescribed, patient’s use of same and effect on the impairment
- an identification of what accommodations have been received and when
- recommendations for accommodation.

**Verification of Psychiatric Disabilities**
In order to file a claim of disability based on a diagnosis of a psychiatric disorder, the student must submit complete documentation in support of that diagnosis to the Director of Accommodative Services. The documentation must be submitted by a qualified professional specializing in the assessment of psychiatric disorders. The name and credentials of the professional must appear in the documentation, as well as the date the student was assessed and the date of the last contact between the professional and the student. The evaluator may not be related to the student by blood or marriage. Union College reserves the right to require the documentation to be submitted directly from the evaluator to the College. The document should list the current status of the disability and show how it affects the student in a postsecondary setting. Information regarding medication and specifically its impact on the student’s ability to study is required. The documentation should include a statement indicating the current status of the disorder and its impact in an institutional setting. Documentation should be no more than six
months old. Documentation should include and support recommendations for academic accommodations.

**Verification of Temporary Impairment**

- It is not uncommon for a student to experience a temporary or short-term illness or injury while attending college. Union College naturally wants to provide reasonable supports to the student to help avoid unnecessary absenteeism or breaks in the student’s education. Some supports may be made available through the Disability Services Office on a temporary basis.

- Students seeking support on the basis of a temporary impairment (illness or injury) must provide documentation verifying the nature of the condition, stating the expected duration of the condition, and describing the supports that may be necessary. Such verification must be provided by a professional health care provider who is qualified in the diagnosis of such conditions. The evaluator may not be related to the student by blood or marriage. Union College reserves the right to require the documentation to be submitted directly from the evaluator to the College. The assessment or verification of the illness must reflect the student’s current condition and shall be no older than sixty (60) days. The cost of obtaining the professional verification shall be borne by the student.

- If the initial verification is incomplete or inadequate to determine the extent of the impairment and appropriate interventions, the College shall have the discretion to require supplemental assessment of a temporary impairment. The cost of the supplemental assessment shall be borne by the student. If the College requires an additional assessment for purposes of obtaining a second professional opinion, then the College shall bear the cost not covered by any third party paying.

- The College recognizes that students’ needs may change as they move through the College’s programs. Reasonable accommodations may be made to help them as they continue to develop. It may be necessary for the student to provide appropriate documentation to support the need for new or additional accommodation(s).

- Documentation can be sent to the address below. If you have any questions, please feel free to contact the Director of Accommodative Services.

Shelly Shinesbarger  
Director of Accommodative Services  
Reamer Campus Center – Room 303  
Union College  
Schenectady NY 12308  
Phone: 518-388-8785  
Fax: 518-388-7175  
shinebas@union.edu
**Other Conditions**
If a student has some other type of condition, such as a health condition, please contact the Director who will review your existing documentation with you and determine what, if anything, may be further required.

**Self-Advocacy**
- In pursuit of self-advocacy, neither the use of similar services in high school nor the unreasoned recommendation for an accommodation guarantees provision of such services at Union College. Rather, documentation must be complete and support the suggested accommodation of the student who is otherwise qualified to attend Union. Please refer to the sections on Documentation Guidelines for specific documentation criteria.

- A student with disabilities on a college campus is encouraged to take an active role in developing strategies for reasonable accommodation. (For example, students with documented learning disabilities are encouraged to talk with relevant faculty and staff about the disability in order to determine how a given accommodation will be provided). Students who understand the disability, through reviewing coping strategies with the evaluator who provided the original assessment documentation, have an easier time self-advocating.

- Should any issues arise during the term, it is the student’s responsibility to make faculty and administration aware of them in a timely fashion in order to receive help. Students should meet with the Director of Student Support Services who can assist in determining whether the problem can be addressed and what resources might be available. There are limitations on the accommodations that can be provided. The student can work with the Director of Student Support Services and the administration to determine what is appropriate for the situation. The accommodation will allow equal access without altering the core requirements of the academic program.

**Students’ Responsibilities**
Students seeking reasonable accommodations should be aware that it is their responsibility to:

- Supply supporting clinical documentation (see Documentation Guidelines) to the Director in advance of the term to determine ADA eligibility and appropriate services and accommodations. Submission of documentation after the Term begins may result in a delay in the receipt of accommodations.

- Request accommodations from the Director in person with at least two (2) weeks’ notice of the accommodation needed. If less than two (2) weeks’ notice is given, reasonable efforts will be made to provide reasonable accommodations, but accommodations are not guaranteed.

- Confirm the adequacy of accommodations as soon as possible and notify the Director whenever they encounter unsatisfactory conditions.
Within one week of obtaining the ID card verifying a testing accommodation from the Director, approach faculty and staff in a confidential setting to discuss accommodations provided and deliver, in person, the letter from the Director to the faculty or staff. Reasonable accommodation for testing may include, but is not limited to, extended testing time, reduced distraction area, or a reader.

- Obtain syllabi and lists of course materials for reproduction in alternate formats.

- Adhere to deadlines established by the Director, Residential Life, faculty, Registrar, etc., for submission of documentation and requests for accommodations.

- Notify the Director of pre-registered classes for the following Term so accessible space can be arranged if necessary.

- Students are encouraged to also pursue financial aid and/or state vocational rehabilitation support for accommodations and personal equipment needs.

**Discrimination Grievance Procedures**

Union College has adopted an internal grievance procedure providing for the prompt and equitable resolution of complaints alleging discrimination. The bases for such complaints is outlined in Federal anti-discrimination statutes, State and Local laws under discrimination and the College anti-discrimination policy upon the exhaustion of internal appeals (as applicable) available to the complainant. Complaints alleging discrimination must be addressed to the §504 Coordinator, also known as the Chief Diversity Officer.

A complaint must be submitted in writing, contain the name and address of the complainant, and a description of the allegations of discrimination. The complaint must set forth specific facts in support of the allegations and any appeal decision.

A complaint must be filed within fifteen (15) days of the later of the two following dates: (a) date of the alleged discrimination; or (b) the date of the rendition of any decision of an internal appeal. An investigation, as may be appropriate, shall be conducted by the Office of the Chief Diversity Officer following receipt of a discrimination complaint. This procedure affords the complainant and the person(s) against whom the allegation(s) of discrimination have been made, and their respective representatives, if any, an opportunity to submit information and documentation regarding the complaint allegations. The investigation will be completed with written results of the investigation issued and a copy forwarded to the complainant within forty-five (45) workdays of the receipt of the complaint.

Although Union College will make a good faith effort to comply with these timelines, circumstances (such as school breaks), may justify an extension of time. Retaliation against any person who files a complaint of alleged discrimination, participates in an investigation, or opposes a discriminatory employment or education practice or policy is prohibited under Union College policy and prohibited by state and federal law.
Claims of harassment will be resolved through the Harassment Policy or conduct procedures outlined in the Union College Student Handbook.

**Reduced Course Load Accommodation**

A student may be granted a reduced course load (two courses) as a reasonable accommodation, along with a reduced tuition charge, upon providing evidence that such an adjustment is necessary in order for the student to access his/her education. Requests for reduced course load, and the accompanying reduction in tuition, must be received no later than the third day of the term. Other requests for reduced course load will be entertained but will not result in a reduced tuition. The College is not obligated to offer a reduced tuition as an accommodation. Accordingly, if a student wishes the benefit of this type of support, his/her request for reduced tuition must be submitted by the third day of the term.

Students seeking a reduced course load must formally petition the Director of Accommodative Services and submit appropriate documentation to establish that such an accommodation is necessary based on the student’s current medical/disability related limitations. The Director may also consult with the Director of the Counseling or Health Center, as appropriate. The College will also consider the student’s history of success at the College while taking a full course load.

The Director, in consultation with the Dean of Studies and other staff members, as appropriate, will determine the duration of the accommodation. The Dean of Studies will advise the Registrar and Finance Office of the final decision and will work with the Director of Accommodative Services to determine appropriate course selections each term. Students with an approved reduced course load will be treated as full-time students in all appropriate respects by the College. Students who have already completed 12 terms of study as a full-time student at Union will be charged based on the number of courses in which they are enrolled.

A student who disagrees with the College’s resolution of the student’s reduced course load petition may grieve that decision as provided in the Student Handbook, except for the decision regarding a reduced tuition, which is not grievable.

Students are cautioned that there may be a financial and or educational consequence to taking a reduced load and are encouraged to:

- Consult with Financial Aid Office with regard to any aid they are receiving and how that aid may be impacted by a reduced course load.

- Consult with Vocational Rehabilitation Counselor, if applicable, in so far as how a reduced load might affect that agency’s support of the student.

- Consult with their academic advisor or the Dean of Studies with regard to the effect a reduced course load may have on their academic progress in their course of study, their general education requirements, and prospective graduation date.
Policy on Service Animals
It is the user/handler’s responsibility to ensure the safety of a service animal. A service animal is defined as a dog or small horse that is individually trained to do work or perform tasks for the benefit of a person with a disability. While legal access rights are afforded to users of service animals, the access comes with the responsibility of ensuring that the animal behaves and responds appropriately at all times, in public and that the user/handler, as a team must adhere to the same socially accepted standards as any individual in the college community.

Types Of Service Animals
- Guide Dog: A dog that is trained that serves as a travel tool for individuals who are blind or have low vision.
- Hearing Dog: A that has been trained to alert a person with a significant hearing loss or who is deaf when a sound occurs (e.g. a knock on the door, a fire alarm, the phone ringing).
- Service Dog (Assistance Dog): A dog that has been trained to assist a person who has a mobility or health impairment. Types of duties may include carrying, fetching, ringing doorbells. Activating elevator buttons, steadying a person while walking, assisting a person to get up after a fall, etc.
- Sig (Signal) Dog: A dog trained to assist a person with autism. The dog alerts the partner to distracting repetitive movements, such as hand flapping, which are common among those with autism. This intervention allows the person to stop the movement. A person with autism may also have deficits in sensory input, and may need the same support services from that one might provide for a person who is blind or deaf.
- Seizure Response Dog: A dog trained to assist a person with a seizure disorder. The methods by which the dog serves the person depends on the individual's needs. Some dogs have learned to predict a seizure and warn the person in advance.
- Miniature Horse: The college shall make reasonable accommodations, taking into consideration: (1) the type, size and weight of the miniature horse and whether the facility can accommodate its features; (2) whether the handler has sufficient control of the miniature horse; (3) whether the miniature horse is housebroken; and (4) whether the miniature horse's presence in the facility compromises legitimate safety requirements necessary for operation.

Control Requirements
- The animal must be on a leash at all times. It should never be permitted to wander around off leash except if the animal is working.
- The handler/partner must be in full control of the animal at all times.
- The animal must be as unobtrusive as possible.
● The animal must be well groomed and measures should be at all times to maintain flea and odor control.

● Consideration of others must be taken into account when providing maintenance and hygiene of assistance animals.

A service animal must be well-behaved and its partner must ensure that the animal does not engage in behaviors that would be a direct threat to the health and safety of others. Service animals shall be permitted to accompany that student at all school functions, whether in or outside the classroom. Consider the service animal as a necessary accessory such as a wheelchair would be considered and allowed at all times. When a service animal is determined to be out of control, the infraction will be treated on an individual basis through Accommodative Services and the Dean of Students. If the animal poses a threat to the safety of others, Campus Safety will be part of the collaborative team to determine the outcome of the behavior. Consequences may include, but are not limited to, muzzling a barking dog, refresher training for the animal and its partner or exclusion from college facilities.

Should the animal be excluded due to being out of control, the College will give the individual who uses the service animal the option of continuing to attend the College without having that service animal on the premises.

Public Etiquette by Students/Staff/Faculty/Administrators on Campus

Individuals should not:

● Pet a service animal while it working. Service animals are trained to be protective of their partners and petting distracts them from their responsibilities.

● Feed a working service animal.

● Deliberately tease or taunt a service animal.

● Separate or attempt to separate a partner from his/her handler.

● Hesitate to ask a student if he/she would like assistance if the team seems confused about a direction in which to turn, an accessible entrance, the location of an elevator, etc.

● Feed a service animal alcohol on or off campus. To do such will result in disciplinary action.

Relief Areas

Relief areas will be designated on an individual basis with the collaboration of the Accommodative Services Office and the facilities ground personnel. It is the user/handler's responsibility to be aware of the dog's need to relieve itself and act accordingly.
Areas of Safety
There are certain instances when it may be considered unsafe for animals in such places as medical facilities, laboratories, mechanical rooms or any other place where the safety of the animal or its partner may be threatened. Each place will be considered as to its safety potential by a team of individuals, including Accommodative Services, the laboratory director or professor, and the College risk management team. When it is determined unsafe for the team to be in one of these areas, reasonable accommodations will be provided to assure the individual equal access to the activity.

Conflicting Disabilities
It is common for persons to have a disability that precipitates an allergic reaction to animals. Persons who have asthma/allergy/medical issues with the animal are to be directed to make the complaint to the Accommodative Services. The person making the complaint must provide verifiable medical documentation to support their claim. Action will be taken to consider the needs of both persons to resolve the problem as efficiently and effectively as possible.

Residence Halls
The guidelines for conflicting disabilities apply in the residence halls, as well. If there is an allergy/animal conflict within residence hall that cannot be resolved agreeably, then the Department of Residential Life and the Accommodative Services will collaborate on a solution. It should be noted that if the first person that has been permitted into the residence hall uses a service animal and another person with severe allergies then arrives, the first person cannot be removed to accommodate the second person (Disability Compliance for Higher Education, July 1996. Vol. 1, No. 12, p 4 and 5).

Procedures
Students in need of a service animal are asked to complete a brief Registration Form at Accommodative Services located in Reamer Campus Center 303. Union College wants to make sure appropriate departments are notified such as Residential Life, Academics, and Campus Safety.

The animal’s waste must be removed into a proper receptacle. Individuals unable to clean up after their animals or who need assistance should notify Accommodative Services so that alternative arrangements may be agreed upon. If an animal urinates or defecates inside of a building, or in another area that requires cleaning or maintenance, the owner must notify the Facilities Services and will be responsible for the cost of such cleaning.

Policy On Therapy Animals
Definition of a Therapy Animal
A Therapy Animal is defined as an animal that is necessary for the individual to have an equal opportunity to use and enjoy a dwelling. There must be a relationship, or nexus, between the individual’s disability and the assistance the animal provides.

A healthcare or mental health professional prescribes a therapy animal to an individual with a disability. Therapy Animals are an integral part of a person’s treatment process to assist in alleviating the symptoms of an individual’s disability. They are not service animals and do not
accompany the individual at all times. Therapy animals are only permitted in the assigned residential room and outdoor spaces and under the proper handling. Therapy animals are not permitted in other campus buildings. When transported outside the private residence the animal must be on a leash or harness or in a carrier.

**Procedures**
- Register with Accommodative Services which includes submitting adequate and current documentation (within six months) of the disability and the need for a Therapy Animal.
- Documentation should include verification of disability from medical specialist or mental health professional.
- Information on how the animal serves as an accommodation and how it relates to the ability of the student to use and enjoy the living arrangements provided through College housing. Connecting the need for a Therapy Animal to a diagnosis and how it relates to treatment.

**Review and Approval**
The Accommodative Housing Committee will review the documentation and the student will be notified of the decision. Should approval be granted, the student should meet with the Office of Residential Life and Accommodative Services to review the Owner/Handlers’ Responsibilities. At this time the student will need to provide a Veterinarian’s verification that the animal has all the recommended vaccinations to maintain the animal’s health and prevent contagious disease, as well as, a copy of the animal’s registration from the town/state in which it was registered. The student must also provide contact information of an individual who will be responsible for the animal in the event that the student is absent or unavailable. This cannot be another student residing on-campus.

A Therapy animal should not be brought to campus until approved and the student has had the meeting with Residential Life and Accommodative Services.

Please note the student must petition for this approval each academic year.

Upon approval, the roommate(s) will be notified and an acknowledgement of their acceptance will be requested. Residential Life will notify residents of the house where the approved animal will be residing.

**Conflicting Disabilities**
Students with medical conditions that are affected by animals are asked to contact the Accommodative Services Office if they have a health or safety concern about exposure to the animal. The College will make arrangements to accommodate individuals with such medical conditions.

*(UCONN Disabilities Policy --2013)*
Owner/Handler's Responsibilities and Guidelines for Having a Service or Therapy Animal on Campus

- The owner/handler, not the College or another student, is responsible for the care and conduct of their animal.

- The owner/handler must abide by all state and local laws regarding animals.

- Animals must be kept clean, healthy and under control of the owner/handler at all times.

- Animals and their accoutrements (e.g. heat lamp) must not pose a direct threat to the safety of others.

- The owner/handler is responsible for removal and proper disposal of the animal’s waste. Removal must be immediate. The animal’s waste must be removed into a proper receptacle. Individuals unable to clean up after their animals or who need assistance should notify Accommodative Services so that alternative arrangements may be agreed upon. If an animal urinates or defecates inside of a building, or in another area that requires cleaning or maintenance, the owner must notify Facilities Office and will be responsible for the cost of such cleaning.

- Animals must sleep in the owner/handler's room.

- Animals must not make excessive noise or display behavior that will disrupt other community members.

- The College is not responsible for an animal during a fire alarm, fire drill, or natural disaster.

- An animal cannot be left alone for more than 24 hours.

- The owner/handler is subject to charge for damage caused by the animal in the same manner as community members are charged for damage that is caused by an individual.

- The owner/handler is responsible for any financial charges for bodily injury caused by the animal to any individual, including the owner/handler.

- The owner/handler must notify Accommodative Services in writing if the animal is no longer needed in residence. To replace a Service Animal the student must file a new Registration form. To replace a Therapy Animal the student must file a new petition to the Committee on Special Housing.

- An approval for a Therapy Animal is good only for the academic year in which it has been approved. A petition for a Therapy Animal must be submitted for each academic year.
- Service Animals, not Therapy Animals, are generally allowed on campus anywhere it is safe for them to be. After consultation with the owner/handler, the College may determine if there are any parameters necessary regarding where a service animal is allowed on campus. Service animals must be harnessed, leashed or tethered.

**Policy On Special Housing Accommodation or Meal Plan Waiver**

Special housing requests are subject to recommendation by the Special Accommodations Committee (SAC) based on medical documentation and availability of the accommodation. In order to be considered for a special accommodation you must complete the Special Housing Accommodation Request Form and submit it to Residential Life.

Students with special requests due to a medical condition are strongly encouraged to make the College aware of these needs as early as possible in the housing assignment process. Union College’s SAC will review all requests for special accommodation as outlined below.

Students should provide all required documentation by the following deadlines:

<table>
<thead>
<tr>
<th>Category</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Incoming Students for Fall</td>
<td>June 20</td>
</tr>
<tr>
<td>Returning Students for Fall</td>
<td>February 20</td>
</tr>
<tr>
<td>Summer Term</td>
<td>May 1</td>
</tr>
</tbody>
</table>

Please be aware that after these dates, certain types of accommodations may no longer be available for the coming trimester.

**Documentation**

The College requires medical documentation from a licensed physician that describes the student’s medical condition and supports the request for a special housing accommodation. This documentation will be reviewed by the SAC to determine if the request necessitates a special accommodation. The specific criteria and forms required can be found at: [http://www.union.edu/offices/accommodative-services/documents/](http://www.union.edu/offices/accommodative-services/documents/).

**Frequently Asked Policies**

Below are descriptions of our most frequently asked policies. This is not an exclusive list of accommodation requests.

**Single Rooms / Reduced Occupancy**

Single rooms (private sleeping area with a shared suite) comprise less than 20% of Union’s residential space. A request for a single room or reduced occupancy must clearly demonstrate how sharing a sleeping area would adversely impact your ability to perform academically. The request should include an explanation of how typical roommate adjustments (such as using headphones, using a sleeping mask, or negotiating shared use of space) would not resolve the concern. Students who are recommended to reside in reduced occupancy rooms will not be assigned to designated triples. Once a student who needs a special accommodation vacates a room, that room will return to its original designated occupancy.

**Meal Plans**

In accordance with College policy all First Year residents are enrolled in the mandatory 15 meal plan for the entire Fall Term. Thereafter, all residents are required to select a minimum of a 7 Meals per Week plan. Students can be released from the meal plan only if they reside off
campus. However, Dining Services is able to accommodate most diets and will work with the student to meet their dietary needs. Further information about Union’s dining policies and other contact information can be found at www.uniondining.com.

Air Conditioning
Only College Park Hall offers air conditioning based on climate control systems that maintain a temperature range. Additional air conditioning in these areas and in all other residence halls is prohibited. If a student has an extreme medical condition requiring them to live in an air conditioned environment, room air conditioners may be permitted with a medical exemption. To apply for an exemption, students must have a physician complete the Air Conditioner Request Form found at http://www.union.edu/offices/accommodative-services/documents/

This form should be submitted to the SAC for review. A determination will be made by the SAC in consultation with appropriate medical staff and other college offices. If approved, Facilities will install a window unit during the heating season and remove it during the cooling season.

(Material Taken from Siena College)

Food Allergies/Meal Plan Accommodations
Food allergies may constitute a disability under the ADA, 42 U.S.C.~12102. Individuals with food allergies may have an autoimmune response to certain foods, the symptoms of which may include difficulty swallowing and breathing, asthma, and anaphylaxis. The College has set up a procedure to ensure that all requests are appropriately considered.

To request a dining accommodation, the student must begin by completing the Meal Plan/Dinning Accommodation Form describing their documented disability. The student must also supply current and appropriate medical documentation which has been completed by the appropriate medical professional. The medical professional cannot be related to the student applying. Students will often be required to meet with the Director of Dining Services to discuss their needs and learn of the options available to them. Dining Services is very understanding of the challenges with today’s diverse dining needs and has many options for students www.uniondining.com. The College also employs a Registered Dietitian and appointments can be scheduled.

Requests for dining accommodations are handled by the Special Needs Committee. The committee will notify students of it decision in writing. The decision will be based on the medical necessity of the accommodation. If the accommodation is not granted, students may appeal the decision to the ADA/504 Coordinator. Students may also reapply for the following trimester.

Procedure for Requesting Dining/Meal Plan Accommodations
Union College recognizes that some students have dietary needs related to medical and or psychological conditions. The following procedure was developed to ensure that all requests are appropriately considered. Requests for meal plan accommodations are handled by the Union College Accommodation Requests Committee. It should be noted that Dining Services already has in place many services for students needing special diets. Before taking the time to apply for accommodations, we encourage you to view the Union College Dining website:
Steps for requesting an accommodation:

- Students should begin by completing the appropriate FORM and by contacting:
  Accommodative Services
  Reamer Campus Center 303
  Schenectady, NY 12308
  518-388-8785
  shinebas@union.edu

- If appropriate and current medical documentation is not on file, then students may be asked to submit a letter from the treating/medical professional. The professional must be currently treating the student for the condition for which the accommodation is requested and cannot be related to the student requesting the accommodation. The letter should have the diagnosis, how it impacts the student’s ability to eat in the dining hall and what is recommended. The date of diagnosis, severity and types of medication needed should also be included in the letter.

- The Meal Plan Request Form and medical letter must be returned to Accommodative Services in order for the committee to consider the request. The committee will try to meet within a week of the request although this cannot be guaranteed. Accommodations are not retroactive.

- The committee will notify the student of the decision in writing. This decision will be based on the medical necessity of the accommodation. If an accommodation is not granted, students may appeal the decision to the ADA/504 Coordinator. Students may also be able to reapply for the following trimester.

END-OF-TERM GRADE CHANGES
The end-of-term grade change policy can be found in the Faculty Manual, under Teaching Regulations and Procedures (Section III)
http://www.union.edu/facultymanual

INTERCOLLEGIATE ATHLETICS
Student athletic policies, including the guidelines for participation, can be found in the Student-Athlete Handbook
http://www.unionathletics.com/sports/2006/6/19/Compliance.aspx
INTERNATIONAL PROGRAMS

Lara Atkins, Director (518) 388-6002
Ginny Casper, Program Coordinator
Donna Sichak, Administrative Assistant
Old Chapel, Third Floor

Union College considers its commitment to international programs to be a central part of its identity. In addition to broadening a student’s perspective and deepening their knowledge of other cultures, international programs often energize and challenge a student to a higher level of commitment to the enterprise of learning. Students wishing to study away from Union College may do so through the International Programs Office. Updated information is available on the International program website at: http://www.union.edu/offices/international/index.php

UNION COLLEGE INTELLECTUAL PROPERTY POLICY

Union College’s Intellectual Property Policy applies to any member of the faculty, administration, staff, student body, postdoctoral fellow or visiting researcher, whether or not they receive all or any part of their salary or other compensation from the College.

This policy applies to patents and copyrights, and it is intended to:

- provide an incentive to creative intellectual effort and the advancement of knowledge.
- ensure that the respective interests of the College, and supporting sponsor (if any) are considered and protected through the development of fair contracts and procedures;
- assist the Staff and the College to realize tangible benefits from Intellectual Property, and advance and encourage further research within the College with whatever funds accrue to the College from Intellectual Property resulting from College research.

Students involved in research with faculty can consult with them about the terms of this policy and its application to student research. The entire policy can be found in the Union College Faculty Manual at Section VI-VII.A. http://www.union.edu/Academics/AcademicAffairs/GovernanceCommittees/FacultyManual/

POLICY ON ACCEPTABLE USE OF INFORMATION TECHNOLOGY RESOURCES

(Revised August 9, 2013)

General Statement

In general, all computers, the data stored on them, e-mail messages, facsimiles, voicemail and other communications created by and/or stored on the College’s IT Resources are the property of the College, which allows the College to access its IT Resources to locate business information, maintain the system and network, comply with legal requirements, and administer this and other College policies. Accordingly, your use of the College’s IT Resources is subject to the privacy limitations set forth below http://its.union.edu/policies-forms/policies
**UNION COLLEGE WEB SITE**

The user guidelines and policies for College-administered Web sites differ, but given the public nature of the Internet, exercise good judgment regarding what you publish online (most especially to a union.edu domain).

**Guidelines for All Web Sites**
All Union College Web sites are subject to copyright laws and fair use guidelines (available from Schaffer Library).

The College reserves the right to immediately remove any Web site content that violates the College’s codes of conduct, which are available in the Student Handbook, Faculty Manual, and Staff Manual. All sites must also adhere to all local, state, and federal laws, and all College policies.

Complaints about the content of Web pages should be directed to the Office of Marketing and Communications or Office of Information Technology Services. In cases where there is a violation of applicable policies, laws, or established codes of conduct, the Chief Information Officer or Sr. Director of Marketing and Communications may remove the site from the network and suspend individual access privileges. The matter will then be referred to the appropriate campus judicial body.

Union College supports the World Wide Web Consortium’s Web Accessibility Initiative and encourages Web developers to follow the consortium’s Web Content Accessibility Guidelines, which are available at [http://www.w3.org/TR/WCAG/](http://www.w3.org/TR/WCAG/). The Guidelines help make web pages accessible to people with disabilities.

**Types of Web Sites**

*The Official College Web Site*
The official College Web site, www.union.edu, is administered out of the Office of Communications and Marketing and includes the homepage, secondary pages, office sites and most academic departments.


Though a valuable student resource, www.union.edu is not a Web publishing platform for students.

Contact: ucco@union.edu or (518) 388-6131
Course Web Sites
The College encourages faculty to create Web sites for as many of their courses as possible. Union College’s Learning Management System (LMS) is called Nexus (nexus.union.edu) and is the ideal platform for creating, managing, and maintaining such sites for your students. If a public-facing course Web site is needed, the College’s Muse (muse.union.edu) platform is available to help faculty create a beautiful and well-organized site that helps faculty showcase Union College’s high level of scholarship and rigor to an external audience. Faculty may request assistance from ITS in setting up their course sites in Nexus and/or Muse.

Contact: helpdesk@union.edu or (518) 388-6400

Student Club and Organization Web Sites
Student organizations and clubs are encouraged to create Web sites to promote and document their activities through Union College’s Muse platform. As with departmental Web sites, student organization/club Web sites represent the College, and require regular updates with current and valid information. Given that Web sites maintained by students necessarily change hands at least once every few years, it is important that each student site has at least one faculty or staff sponsor enrolled as a site administrator. This requirement reduces the risk of a Muse site becoming orphaned and inaccessible due to a student site administrator graduating and leaving the College. Orphaned sites, or sites with invalid or outdated information may be unlinked from the Union web site or taken down altogether.

Student club Web sites residing on Union College owned systems or served through the Union College network are permitted but shall include the disclaimer that: “Union College does not monitor or endorse student club web sites residing in the Union College domain. The College is not responsible for the contents of student club web sites or electronic mail communications. Views and opinions expressed on student club web sites or in e-mails are strictly those of the authors.”

Student clubs and organizations may use the Muse platform, with a faculty or staff sponsor. The faculty or staff sponsor should contact ITS directly and request a Muse website be setup for a student organization or club. The requesting faculty or staff sponsor will be added to the Muse site as a site administrator, as will the requested student(s).

Contact: helpdesk@union.edu or (518) 388-6400

Personal Web Sites
All members of the campus community are encouraged to express themselves on the Web creatively and responsibly. Muse site administrators and web developers of other public-facing websites (e.g., Minerva, Virtual Union, etc.) are encouraged to remember that their sites are available worldwide, and are interpreted as representative of the College. Remember that potential visitors include prospective students, parents, professional colleagues, potential employers, and the general public.

Personal Web sites residing on Union College owned systems or served through the Union College network are permitted but shall include the disclaimer that: “Union College does not
monitor or endorse the personal Web sites residing in the Union College domain. The College is
not responsible for the contents of personal Web sites or electronic mail communications. Views
and opinions expressed on personal Web sites or in e-mails are strictly those of the authors.”

The contents of personal Web sites are the sole responsibility of the individual; Union College
accepts no liability for personal web sites. Union College notes that, while faculty, staff, and
students must assume responsibility for their personal web sites being accurate and up-to-date,
the College reserves the right to remove a site from the web site if that site is egregiously out of
date or out of use (until compliance is agreed upon and achieved).

Faculty or staff may simply contact ITS for assistance setting up his/her own personal website
through Muse. Students may use a Muse Web site for a personal project, research, etc., with a
faculty or staff sponsor. The faculty or staff sponsor should contact ITS directly and request a
personal Muse website be setup for a student project, research, etc. The requesting faculty or
staff sponsor will be added to the Muse site as a site administrator, as will the requested student.

Contact: helpdesk@union.edu or (518) 388-6400

**Social Media Sites**
Union College supports the engagement of its students, faculty and staff in the social media
space, both individually and as part of their work for the college. To make that experience most
beneficial to all involved, the Office of Communications & Marketing has posted social media
best practices at: http://www.union.edu/communications/

Contact: ucco@union.edu or (518) 388-6131

**Amendments**
The College reserves the right to amend these policies and procedures.

**PEER TO PEER FILES SHARING POLICY**

The Higher Education Opportunity Act 2008 (Public Law 110-315) requires institutions to take
steps to combat the unauthorized distribution of copyrighted materials through illegal
downloading or peer-to-peer distribution of intellectual property. The Union College Policy on
the Use of Peer-to-Peer (P2P) File Sharing Programs can be found here:
http://its.union.edu/policies-forms/policies