

2022 - 2023 Student Handbook





2022-23 Student Handbook

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The Student Handbook is published annually by the
 Division of Student Affairs
 Questions or suggestions may be directed to:
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Message from the Office of the President

Dear Students,

Welcome to SUNY Oswego and the university community. We are thrilled you are here!

SUNY Oswego is a learner-centered community. We offer a holistic approach to student development. Your intellectual development, health and well-being and growth as a citizen contributing to the common good are key to this approach. There are many opportunities to engage in our community and with fellow Lakers as you create connections, explore and engage in your interests and consider what it means to you to be a Laker.

As a SUNY Oswego student, you join a learning environment that respects, embraces, and promotes cultural humility, civil discourse and active engagement as we work together in developing an inclusive and vibrant community of transformational agents committed to positive change in the world. With the recent formation of the *James A. Triandiflou '88 Institute for Equity, Diversity, Inclusion and Transformative Practice*, students will join faculty and staff who are instrumental in creating and maintaining an inclusive, equitable community of students and scholars where all stakeholders thrive and experience belonging.

As responsible citizens, it is vital to familiarize yourself with the university's policies and procedures. This student handbook will serve as a resource throughout your time at SUNY Oswego. It addresses expectations, responsibilities, policies and procedures meant to protect and support all members of the institution. It is incumbent upon all of us to engage in the community in meaningful and respectful ways as we continue to be a place that allows each of us to thrive, grow and develop greater and deeper understanding of one another.

Again, welcome to the SUNY Oswego community. We are excited you are here and look forward to your contributions as a member of the Oswego family.

Sincerely,

Mary C. Toale, Ed.D.
Officer in Charge

SUNY Oswego

Alma Mater

Voices fill the air singing reverently
Pledging our school fair truth and loyalty
This our song we raise in her name and praise
Oswego, Alma Mater, Hail to Thee
Ever in our heart you will cherished be
All that you impart makes us bound to thee
And our college days we'll recall always
Oswego, Alma Mater, gloriously
Wisdom pure and bright, light our way to see
All the good and right where e're we may be
So that all we do will pay tribute to
Oswego, Alma Mater, endlessly.

Division of Student Affairs (DSA)

The Division of Student Affairs is a student-centered division whose staff members support the growth and development of students inside and outside of the classroom. The DSA offers programs and opportunities that support student success. Through initiatives that connect students to campus resources and to one another; compliment and supplement classroom learning; and actively engage students in our campus community. Students have opportunities to develop a sense of belonging and accomplish both their academic and personal goals.

We are committed to our students and to the student experience at Oswego. We seek out opportunities to hear and amplify students' voices and to serve as role models and student advocates. We believe in a holistic approach to student success and strive to create an environment where all students will flourish.

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Auxiliary Services oswego.edu/auxiliary-services	507 Culkin Hall	315-312-2106
Campus Events and Conference Services oswego.edu/campus-life/event-management	135 Marano Campus Center	315-312-2301
Campus Recreation oswego.edu/campus-recreation	109 Lee Hall	315-312-3963
Counseling Services oswego.edu/counseling-services	150 Mary Walker	315-312-4416
Office of the Dean of Students oswego.edu/student-affairs/dean-students	501 Culkin Hall	315-312-5483
Health Services oswego.edu/walker-health-center	119 Mary Walker	315-312-4100
Student Orientation and Family Engagement oswego.edu/orientation	145 Marano Campus Center	315-312-5522
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Office of Student Conduct oswego.edu/student-conduct	501 Culkin Hall	315-312-3378
Student Engagement and Leadership oswego.edu/point	131 Marano Campus Center	315-312-5420

Regulations and Procedures for Maintaining Public Order on Campuses of the State University of New York

The State University of New York Board of Trustees' Regulations for Public Order are uniformly applicable to all State-operated campuses. In the case of student misconduct which allegedly violates both the Regulations and the Code, the judicial process incorporated in the Code will normally be used in determining alleged violations. These two codes are complementary documents, but only one enforcement procedure can be used.

Members of the College community, including student organizations, are responsible to ensure that their guests who visit the campus are made aware of expectations for their conduct. Members of the College, their guests, alumni, and other visitors are subject to the *Regulations and Procedures for Maintaining Public Order on Campuses* of the State University of New York (hereafter referred to as the Regulations for Public Order.) Both guests (visitors through specific invitation by a member of the College community) and visitors (who are not here through specific invitation by a member of the College community), faculty or staff of the College, are expected to comply with the *Regulations and Procedures for Maintaining Public Order on Campuses* of the State University of New York in this handbook and College policies and procedures in this handbook.

The Dean of Students, in consultation with the Chief of University Police, may revoke, on behalf of the President of the College, privileges extended to guests and visitors, to enter the campus grounds or facilities as a result of conduct by a guest or visitor that violates the *Regulations and Procedures for Maintaining Public Order on Campuses*, local, state or federal laws, and college policies on the campus grounds, adjacent roadways, or in campus facilities.

Visitors who desire to use the facilities to address a student audience should register with the Department of Campus Events and Conference Services and follow all procedures pertaining thereto

535.1. Statement of Purpose

The following rules are adopted in compliance with Section 6450 of the Education Law and shall be filed with the Commissioner of Education and the Board of Regents on or before April 9, 1970, as required by that section. Said rules shall be subject to amendment or revisions, and any amendments or revisions thereof shall be filed with the Commissioner of Education and the Board of Regents within ten days after adoption. Nothing herein is intended, nor shall it be construed, to limit or restrict the freedom of speech nor peaceful assembly. Free inquiry and free expression are indispensable to the objectives of a higher educational institution. Similarly, experience has demonstrated that the traditional autonomy of the educational institution (and the accompanying institutional responsibility for the maintenance of order) is best suited to achieve these objectives. These rules shall not be construed to prevent or limit communication between and among faculty, students, and administration, or to relieve the institution of its special responsibility for self-regulation in the preservation of public order. Their purpose is not to prevent or restrain controversy and dissent, but to prevent abuse of the rights of others 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.

535.2. Application of Rules

These rules shall apply to all State-operated institutions of the State University. These rules may be supplemented by additional rules for the maintenance of public order heretofore or hereafter adopted for any individual institution, approved and adopted by the State University Trustees and filed with the Commissioner of Education and the Board of Regents, but only to the extent that such additional rules are not inconsistent herewith. 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 campus of any institution to which such rules are applicable and also upon or with respect to any other premises or property, under the control of such institution, used in its teaching, research, administrative, service, cultural, recreational, athletic and other programs and activities, provided, however, that the charges against any student for violation of these rules upon the premises of any such institution other than the one at which they attend shall be heard and determined at the institution in which they are enrolled as a student.

535.3. Prohibited Conduct

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

- (a) Willfully cause physical injury to any person, nor threaten to do so for the purpose of compelling or inducing such other person to refrain from any act which they have a lawful right to do or to do any act which they have a lawful right not to do.
- (b) Physically restrain or detain any other person, nor remove such person from any place where they are authorized to remain.
- (c) Willfully damage or destroy property of the institution or under its jurisdiction, nor remove or use such property without authorization.
- (d) Without permission, expressed or implied, enter into any private office of an administrative officer, member of the faculty or staff member.
- (e) 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.
- (f) Without authorization, remain in any building or facility after it is normally closed.
- (g) Refuse to leave any building or facility after being requested to do so by an authorized administrative officer.
- (h) Obstruct the free movement of persons and vehicles in any place to which these rules apply.
- (i) Deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures and meetings or deliberately interfere with the freedom of any person to express their views, including invited speakers.
- (j) Knowingly have in their possession upon any premises to which these rules apply any rifle, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the chief administrative officer, whether or not a license to possess the same has been issued to such person.
- (k) Willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so.
- (l) Take any action, create, or participate in the creation of any situation which recklessly or intentionally endangers mental or physical health or which involves the forced consumption of liquor or drugs for the purposes of initiation into or affiliation with any organization.

535.4. Freedom of Speech and Assembly; Picketing and Demonstrations

- (a) No student, faculty or other staff member or authorized visitor shall be subject to any limitation or penalty solely for the expression of their views nor for having assembled with others for such purpose. Peaceful picketing and other orderly demonstrations in public areas of grounds and buildings will not be interfered with. Those involved in picketing and demonstrations may not, however, engage in specific conduct in violation of the provisions of the preceding section.
- (b) In order to afford maximum protection to the participants and to the institutional community, each State-operated institution of the State University shall promptly adopt and promulgate, and thereafter continue in effect as revised from time to time, procedures appropriate to such institution for the giving of reasonable advance notice to such institution of any planned assembly, picketing or demonstration upon the grounds of such institution, its proposed locale and intended purpose, provided, however, that the giving of such notice shall not be made a condition precedent to any such assembly, picketing or demonstration and provided, further, that this provision shall not supersede nor preclude the procedures in effect at such institution for obtaining permission to use the facilities thereof.

535.5. Penalties

A person who shall violate any of the provisions of these rules (or of any individual institution supplementing or implementing these rules) shall:

- (a) If they are a licensee or invitee, have their authorization to remain upon the campus or other property withdrawn and shall be directed to leave the premises. In the event of their failure or refusal to do so, they shall be subject to ejection.
- (b) If they are a trespasser or visitor without specific license of invitation, be subject to ejection.
- (c) If they are 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.
- (d) If they are a faculty member having a term or a continuing appointment, be guilty of misconduct and be subject to dismissal or termination of their employment or such lesser disciplinary action as the facts may warrant, including suspension without pay, or censure.
- (e) If they are a staff member in the classified service of the civil service, described in Section 75 of the Civil Service Law, be guilty of misconduct, and be subject to the penalties prescribed in said section.
- (f) If they are a staff member other than one described in subdivisions (d) and (e), be subject to dismissal, suspension without pay, or censure.

535.6. Procedure

- (a) The chief administrative officer or their designee shall inform any licensee or invitee who shall violate any provisions of these rules (or of the rules of any individual institution supplementing or implementing these rules) that their license or invitation is withdrawn and shall direct them to leave the campus or other property of the institution. In the event of their failure or refusal to do so, such officer shall cause their ejection from such campus or property.
- (b) In the case of any other violator, who is neither a student nor faculty nor other staff member, the chief administrative officer or their designee shall inform them that they are not authorized to remain on the campus or other property of the institution, and direct them to leave such premises. In the event of their failure or refusal to do so, such officer shall cause their ejection from such campus or property. Nothing in this subdivision shall be construed to authorize the presence of any such person at any time prior to such violation nor to affect their liability to prosecution for trespass or loitering, as prescribed in the Penal Law.

- (c) In the case of a student, charges for violation of any of these rules (or the rules of any individual institution supplementing or implementing these rules) shall be presented and shall be heard and determined in the manner hereinafter provided in Section 9 of this Part.
- (d) In the case of a faculty member having a continuing or term appointment, charges of misconduct in violation of any of these rules (or the rules of any individual institution supplementing or implementing these rules) shall be made, heard and determined in accordance with title D of Part 338 of the policies of the Board of Trustees.
- (e) In the case of any staff member who holds a position in the classified civil service, described in Section 75 of the Civil Service Law, charges of misconduct in violation of any of these rules (or the rules of any individual institution supplementing or implementing these rules) shall be made, heard and determined as prescribed in that section.
- (f) Any other faculty or staff member who shall violate any provision of these rules (or of the rules of any individual institution supplementing or implementing these rules) shall be dismissed, suspended or censured by the appointing authority prescribed in the policies of the Board of Trustees.

535.7. Enforcement Program

- (a) The chief administrative officer shall be responsible for the enforcement of these rules (or of the rules of any individual institution supplementing or implementing these rules), and they shall designate the other administrative officers who are authorized to take action in accordance with such rules when required or as appropriate to carry them into effect.
- (b) 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 their relations with the institution. In the case of any apparent violation of these rules (or of the rules of any individual institution supplementing or implementing these rules) by such persons, which, in the judgment of the chief administrative officer or their designee, does not pose any immediate threat of injury to person or property, such officer may make 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, such officers shall warn such persons of the consequences of persistence in the prohibited conduct, including their ejection from any premises of the institution where their continued presence and conduct is in violation of these rules (or of the rules of any individual institution supplementing or implementing these rules).
- (c) In any case where violation of these rules (or of the rules of any individual institution supplementing or implementing these rules) does not cease after such warning, and in other cases of willful violation of such rules, the chief administrative officer or their designees shall cause the ejection of the violator from the premises which they occupy in such violation and shall initiate disciplinary action as herein before provided.
- (d) The chief administrative officer or their designee may apply to the public authorities for any aid which they deem necessary in causing the ejection of any violator of these rules (or of the rules of any individual institution supplementing or implementing these rules), and they may request the State University for an injunction to restrain the violation or threatened violation of such rules.

535.8. Communication

In matters of the sort to which these rules are addressed, full and prompt communication among all components of the institutional community, faculty, students and administration, is highly desirable. To the extent that time and circumstances permit, such communication should precede the exercise of the authority, discretion and responsibilities granted and imposed in these rules. To these ends, each State-operated institution of the State University shall employ such procedures and means, formal and informal, as will promote such communication.

535.9. Notice, Hearing and Determination of Charges Against Students

- (a) The term, "chief administrative officer," as used in these rules, shall be deemed to mean and include any person authorized to exercise the powers of that office during a vacancy therein or during the absence or disability of this incumbent.
- (b) Whenever a complaint is made to the chief administrative officer of any State-operated institution of the University of a violation by a student or students of the rules prescribed in this Part (or of any rules adopted by an individual institution supplementing or implementing such rules), or whenever they have knowledge that such a violation may have occurred, they shall cause an investigation to be made and the statements of the complainants, if any, and of other persons having knowledge of the facts, reduce to writing. If they are satisfied from such investigation and statements that there is reasonable ground to believe that there has been such a violation, they shall prepare or cause to be prepared charges against the student or students alleged to have committed such violation, which shall state the provision prescribing the offense and shall specify the ultimate facts alleged to constitute such offense.
- (c) Such charges shall be in writing and shall be served on the student or students named therein by delivering the same to them personally, if possible, or, if not, by mailing a copy of such charges by registered mail to such student or students at their usual place or places of abode while attending college and also to their home address or addresses, if different.
- (d) The notice of charges so served shall fix a date for hearing thereon not less than ten or more than fifteen days from the date of service which shall be the date of mailing where necessary to effect service by mail. Failure to appear in response to the charges on the date fixed for hearing, unless there has been a continuance for good cause shown, shall be deemed to be an admission of the facts stated in such charges and shall warrant such action as may then be appropriate thereon. Before taking such action, the Hearing Committee hereinafter referred to, shall give notice to any student who has failed to appear, in the manner prescribed in paragraph (c), of its proposed findings and recommendations to be submitted to the chief administrative officer and shall so submit such findings and recommendations ten days thereafter unless the student has meanwhile shown good cause for their failure to appear, in which case a date for hearing shall be fixed.
- (e) Upon demand at any time before or at the hearing, the student charged or their representative, duly designated, shall be furnished a copy of the statements taken by the chief administrative officer in relation to such charges and with the names of any other witnesses who will be produced at the hearing in support of the witnesses who were unknown at the time of such demand.
- (f) The chief administrative officer may, upon the service of charges, suspend the student named therein, pending the hearing and determination thereof, whenever, in their judgment, the continued presence of such student would constitute a clear danger to themselves or to the safety of person or property on the premises of the institution or would pose an immediate threat of disruptive interference with the normal conduct of the institution's activities and functions, provided, however, that the chief administrative officer shall grant an immediate hearing on request of any student so suspended with respect to the basis for such suspension.
- (g) There shall be constituted at each State-operated institution a Hearing Committee to hear charges against students of violation of the rules for maintenance of public order prescribed by or referred to in this Part. Such committee shall consist of three members of the administrative staff and three members of the faculty, designated by the chief administrative officer, and three students who shall be designated by the members named by the chief administrative officer. Each member shall serve until their successor or replacement has been designated. No member of the committee shall serve in any case where they are a witness or is or has been directly involved in the events upon which the charges are based. In order to provide for cases where there may be such a disqualification and for cases of absence or disability, the chief administrative officer shall designate an alternate member of the administrative staff and alternate member of the faculty, and their principal designees shall designate an alternate student member to serve in such cases. Any five members of the committee may conduct hearings and make findings and recommendations as hereinafter provided.

- (h) The Hearing Committee shall not be bound by the technical rules of evidence, but may hear or receive any testimony or evidence which is relevant and material to the issue presented by the charges and which will contribute to a full and fair consideration thereof and determination thereon. A student against whom the charges are made may appear by and with representatives of their choice. They may confront and examine witnesses against them and may produce witnesses and documentary evidence in their own behalf. There may be present at the hearing: the student charged and their representatives and witnesses; other witnesses; representatives of the institutional administration; and, unless the student shall request a closed hearing, such other members of the institutional community or other person, or both, as may be admitted by the Hearing Committee. A transcript of the proceedings shall be made.
- (i) Within twenty days after the close of the hearing, the Hearing Committee shall submit a report of its findings of fact and its recommendations for disposition of the charges to the chief administrative officer, together with a transcript of the proceedings, and shall at the same time transmit a copy of its report to the student concerned or their representative. Within ten days thereafter, the chief administrative officer shall make their determination thereon. Final authority to dismiss the charges or to determine the guilt of those against whom they are made, and to expel, suspend or otherwise discipline them shall be vested in the chief administrative officer. If they shall reject the findings of the Hearing Committee in whole or in part, they shall make new findings, which must be based on substantial evidence in the record and shall include them in the notice of their final determination, which shall be served upon the student or students with respect to whom it is made.

Code of Student Rights, Responsibilities and Conduct

The Code of Student Rights, Responsibilities and Conduct is intended to provide students with an explicit statement of the conditions and expectations that are necessary to be part of our academic community.

The Code of Student Rights, Responsibilities and Conduct (hereafter referred to as the Code) was enacted by the Student Association Senate February 23, 1970, and adopted by the College Council October 21, 1971.

Generally, the Code governs the conduct of students and takes precedence over all other policies and procedures governing student behavior. In addition, conduct by students, staff, faculty and guests/visitors to the campus is governed by the *Regulations and Procedures for Maintaining Public Order on Campuses* of the State University (hereafter referred to as Regulations for Public Order). Generally, where student conduct allegedly violates standards in both the Code and the Regulations for Public Order, the disciplinary procedures of the Code will be followed. These two documents are complementary.

Title

1. These rules shall be known as the State University of New York at Oswego Code of Student Rights, Responsibilities, and Conduct, hereafter referred to as the Code.

Definitions

2. When used in this Code,

- (a) The term, "College," means State University of New York at Oswego, Oswego, New York, and collectively, those persons responsible for its control and operation.
- (b) The term, "student," includes all persons taking courses, both full-time and part-time, pursuing undergraduate, graduate, or extension site studies.
- (c) The term, "member," means persons who are students or persons who are employed as faculty or staff at the College.
- (d) The term, "college official," means any person employed by the College to serve in an instructional, research, advisement, administrative, supervisory, or support staff role as described by employee performance programs or College policy; or a person or company with whom the College has contracted as its agent to provide a service; or a person serving on the Board of Trustees; or a student who serves on an official College committee. A College official has a legitimate educational interest if that person is required to review an education record in order to fulfill their professional responsibilities for the College.
- (e) The term, "instructor," means any person hired by the College to conduct classroom activities. In any situation where a person may be both "student" and "instructor," that person's status shall be determined by the facts and circumstances of a specific issue.
- (f) The term, "Dean of Students or designee", means the person designated by the College President to be responsible for the administration of the Code of Student Rights, Responsibilities and Conduct.
- (g) The term, "hearing body", "hearing officer" or "conduct officer", means any person or persons authorized by the Director of Student Conduct to determine whether a student has violated the Code of Student Rights, Responsibilities and Conduct and to recommend the imposition of sanction(s).
- (h) The term, "complainant", means any person who submits a statement alleging that a student violated this Code.
- (i) The term, "respondent", means any student accused of violating this Code.
- (j) The term, "legal compulsion", means a judicial or legislative order that requires some action by the person to whom it is directed, or any order or directive originating from SUNY policy or regulations.
- (k) The term, "organization", means a number of persons who desire to come together to support a particular view, explore common interests, or accomplish identified tasks and who are willing to subscribe to the stated aims and to meet the stated obligations of the organization.
- (l) The term, "registered student organization", means a student organization that has complied with the formal requirements for registration with the College as provided in Section 18.
- (m) The term, "recognized student organization", means a registered student organization that has complied with the formal requirements for recognition by the Student Association as provided in Section 20.
- (n) The term, "Student Association", means the student organization that the College has designated as having responsibility for the disbursement of the Student Activity Fee.
- (o) The term, "student press", means either an organization whose primary purpose is to publish and distribute any publication on campus, or a regular publication of an organization.
- (p) The term, "shall", is used in the imperative sense.
- (q) The term, "may", is used in the permissive sense.
- (r) All other terms have their natural meaning unless the context dictates otherwise.

Bill of Rights

3. The following enumeration of rights shall not be construed to deny or disparage other rights retained by students in their capacity as members of the student body or as citizens of the community at large. Please refer to the Bill of Rights and Responsibilities for Faculty, Students, Administrators, Staff and College Council at Oswego in this handbook. The College reserves the right to determine time, place, and manner of the use of its facilities and grounds.
 - (a) Free inquiry, expression and assembly are guaranteed to all students.
 - (b) Students are free to pursue their educational goals; appropriate opportunities for learning in the classroom and on the campus shall be provided by the College.
 - (c) The right of students to be secure in their persons, living quarters, papers and effects against unreasonable searches and seizures is guaranteed.
 - (d) No disciplinary sanctions constituting deprivations of educational property rights may be imposed on any students without notice to the accused of the nature and cause of the charges except as provided for by Section 42, Interim Suspension. A disciplinary hearing complies with due process requirements.

Expression

4. Discussion and expression of all views are permitted within the College, subject to the provisions of this Code, the *Regulations and Procedures for Maintaining Public Order on Campuses* of the State University of New York, and to the legally recognized conditions placed upon the rights of free speech and expression. Support of any cause by orderly means which does not interrupt the operations of the College is permitted, subject to reasonable conditions which may be imposed by the College as to notification, time, place, and manner. Protection of free speech does not extend to conduct that incites violence or targets individuals or groups.
5. Discussion and expression of all views in the extracurricular environment of the College are subject to the College's responsibility for maintaining the continuity and quality of the educational process in and out of class, the safety of individuals, and the protection of property. The College reserves the right to determine time, place, and manner of the use of its facilities and grounds.
6. Discussion and expression of all views contributing to the understanding of the subject matter is encouraged in the classroom, subject only to the responsibility of the instructor to maintain the academic environment.
 - (a) Students are responsible for learning the content of material assigned or discussed for all courses in which they are enrolled.
 - (b) Requirements for participation in classroom discussion and submission of written exercises and out of class experiences are not inconsistent with this section.
7. Academic evaluation of student performance shall be based on the quality of the work by a student for a course. Extracurricular issues unrelated to the course shall not play a role in such evaluations. Also basic to the teaching/learning process in college coursework is the authority of the course instructor to assign a grade to indicate the quality of student achievement.
8. Information about students' personal views, beliefs, and political associations acquired by professors or instructors in the course of their professional or official work is confidential and is not to be disclosed to other people unless under legal compulsion or within the ordinary course of the College's business. Information relating to a student's intellectual or skills capacity is not subject to this section when such information is given in the ordinary course of the College's business.
9. Students, groups, and campus organizations may invite and hear any person of their own choosing, subject only to the requirements for use of College grounds and facilities (Section 22), The Code, and the Regulations for Public Order.

Protest

10. The right of peaceful protest and peaceful support of a cause is guaranteed within the College community. The College retains the right to determine the time, place and manner of assembly or presentation to assure the continuity and quality of the educational process in and out of class, the safety of individuals, and the protection of property.
11. Orderly, nonviolent, and non-disruptive picketing and other forms of peaceful protest are permitted on College premises. Actions by participants or bystanders which include behavior beyond normal standards of personal interaction, such as intimidation by physical proximity or by number, may be construed as disruptive forms of peaceful protest. Please refer to the *Regulations and Procedures for Maintaining Public Order on Campuses* of the Student University of New York located in this section of the handbook.
 - (a) Interference with ingress to and egress from College facilities, interruption of classes, College activities, or damage to property shall result in disciplinary action against the alleged violators, including arrest.
 - (b) Remedies are available to discipline such actions through local law enforcement bodies and the College disciplinary system.
12. Orderly picketing and orderly demonstrations are permitted in public areas within College buildings, subject to the requirements for noninterference in Section 11 and in the *Regulations and Procedures for Maintaining Public Order on Campuses* of the Student University of New York.
13. Every member of the College community has the right to be interviewed by or otherwise to meet with, on campus, potential employers whose hiring practices and business activities comply with federal and New York State laws and regulations. This section shall not be so construed as to frustrate any other reasonable and necessary rules pertaining to job recruitment on the campus.

Student Participation in College Policy Formation

14. All constituents of the College community are free, individually and collectively, to express their views on issues of College policy and on matters of interest to the student body. The President shall provide clearly defined means for student expression on all College policies affecting academic and student affairs. Students may petition the College regarding issues of administrative policy and actions.
15. The role of the student government and its responsibilities shall be made explicit. There should be no review of lawful student government actions except where review procedures are agreed upon in advance or clearly mandated by law or by SUNY regulation.
16. Where College owns and operates residences, the residents shall significantly participate in the development of programs and policies directly and substantially affecting their personal lives, including the imposition of sanctions for violations of stated norms of conduct, except that the College may direct minimal standards to insure compliance with all federal, state and local laws, College policies, and *Regulations and Procedures for Maintaining Public Order on Campuses* of the Student University of New York.
17. On questions of educational policy, students are entitled to a participatory or consultative role.
 - (a) Faculty-student committees with ex-officio College student affairs staff shall be created to consider questions of and to make recommendations concerning policy directly affecting student life.
 - (b) Students shall be designated as members of standing and special advisory committees concerned with College policy affecting academic and student affairs, including those concerned with curriculum, discipline, admissions, and allocating of student funds.
 - (c) This section shall not be construed as a limitation on students' rights to be members of committees serving a function other than advisory whenever such membership is permitted under the Policies of the Board of Trustees, Regents Regulations, the laws or regulations of the State of New York, or the policies of the College.

Student Organizations

18. Student Organizations are an important link in students' learning experiences at SUNY Oswego. Such organizations contribute to the overall development and enjoyment of their members. Additionally, student organizations provide a platform for members to develop their leadership skills and contribute to the social and intellectual fabric of the campus environment. The College encourages students to form student clubs and organizations and requires registration of all clubs and organizations that wish to use College facilities and grounds for their meetings, events, and activities.
 - (a) Student organizations may be established within the College for academic, educational, social, and recreational purposes. Such organizations may qualify for the use of College facilities and other privileges of association with the College by registering with the Department of Student Engagement and Leadership described in the policy on Student Organizations: Policy and Procedures in this handbook.
 - (b) Subject to regulations of the State University of New York, affiliation with an extramural organization shall not, in itself, disqualify the College branch or chapter from College privileges.
 - (c) Any student organization members who engage in activities in violation of the law, this Code, or the policies, procedures and rules of the College, on or off campus, may be subject to College disciplinary action. The officers of such student organizations may also be subject to College disciplinary action as a result. Sanctions for student organizations include, but are not limited to, the denial of recognition by the Student Association, the denial of registration and permission to use facilities and services by the College, and other sanctions as deemed appropriate as a result of a due process hearing.
19. The collection, appropriation and disbursement of student activity fees must conform to the existing policies of the State University of New York Board of Trustees related to Student Activity Fees. A representative student organization, designated as such by the President of the College, shall prepare and approve a budget for the expenditure of such fees. This budget must be submitted to, and approved by the President, or designee, for review and to certify that the allocations are in compliance with the policies and procedures which govern the use of these fees before such monies are disbursed. Currently, the designated student organization is the Student Association.
20. Student organizations that desire to be recognized and funded by the Student Association and receive the rights and privileges of recognition must meet the requirements set forth by the Student Association.
 - (a) All student organizations that meet the following requirements shall be recognized:
 - i. Submission of a list of officers and copies of the organizational constitution and bylaws to the appropriate Student Association official or body. All changes and amendments shall be submitted in writing within one week after they become effective.
 - ii. Where there is affiliation with an extramural organization, that organization's constitution and bylaws and the name and address of an organization contact person shall be filed with the appropriate Student Association official or body. All proposed amendments shall be submitted in writing at least 14 days prior to their becoming effective.
 - iii. All sources of outside funds shall be disclosed to the Director of Finance and subject to the Student Association financial policy.
 - (b) Upon recognition of an organization, the Student Association shall make clear that said recognition infers neither approval nor disapproval of the aims, objectives, and policies of the organization.
 - (c) Any recognized student organization desiring to take advantage of privileges afforded by the College must register with the Department of Student Engagement and Leadership.
21. Membership in any student organization shall be open to any member of the College community who is willing to subscribe to the stated aims and to meet the stated obligations of the registered student organization.

22. Generally, membership lists are for the exclusive use of registered student organizations and are maintained by the College or the student organization in the furtherance of the quality of the student organization and will be shared only with College staff who have a legitimate educational interest. The names, addresses, telephone numbers, and e-mail addresses of officers are required as a condition of registration with the Department of Student Engagement and Leadership for use of College facilities and services.
23. College facilities and grounds shall be assigned by the College to registered student organizations for business meetings, educational meetings, social programs, and programs or events open to the College community or the public, in accordance with the following provisions:
 - (a) Reasonable conditions may be imposed to regulate the timeliness of requests, to determine the appropriateness of the facilities assigned, to regulate time and manner of use, and to ensure proper maintenance and personal safety.
 - (b) Preference may be given to programs designed for audiences consisting primarily of members of the College community.
 - (c) Allocation of facilities shall be made based on priority of requests and the demonstrated needs of the registered student organization.
 - (d) The College may delegate the assignment function to an administrative official, to another employee(s), or to a student committee on organizations.
 - (e) Charges may be imposed for costs associated with the use of grounds and facilities.
 - (f) Physical abuse of assigned facilities shall result in limitations on future use of facilities or grounds by offending registered student organizations and restitution for damages. Student organizations, their officers or directors shall be secondarily liable for damages occasioned by the physical abuse of the facilities during use.
 - (g) Registered student organizations requesting the use of facilities or grounds shall follow the procedures described in the College's Facilities Use policy in this handbook.
24. In accordance with the Board of Trustees' Resolution and accompanying guidelines issued by the Office of the Chancellor, dated May 31, 1967, the following regulations concerning the use of the College name are in effect:
 - (a) No student shall indicate or imply that they have a relationship with the State University of New York at Oswego or the State University of New York beyond that of their officially enrolled status.
 - (b) Only registered student organizations may indicate on their letterhead and in the routine course of business that the organization is located at the State University of New York at Oswego. Registered student organizations shall refer to themselves as "Name of Student Organization at SUNY Oswego." In no way shall a student or a registered student organization indicate or imply that it has the authority to act in the name of the College or in any way make binding commitments on behalf of the College.
 - (c) Announcements, letters, bulletins, posters, et cetera, promoting or describing a meeting, event, program, or activity, or stating a position, point of view or concern must clearly indicate the name of the sponsoring or posting organization(s) and contact information of the individual member(s) designated as the contact person(s) for the event.

Publications

25. A student, or registered student organization may reasonably distribute, hand-to-hand, written material on campus without prior approval, providing such distribution does not disrupt or interfere with the educational, administrative, or operational activities of the College, the maintenance of College property, the terms of this Code, or the free flow of traffic and persons. All such written material shall clearly identify its sponsor. Sponsors are responsible for the cleanliness of the College facilities as a result of posting or leaf-letting. The posting of notices or advertisements

and the display of messages on campus grounds and in campus facilities must comply with the College policies on Posting Promotional Materials in this handbook.

26. The student press is to be free of censorship. The editors and managers shall not be arbitrarily suspended because of student, faculty, administrative, alumni, or community disapproval of editorial policy or editorial content. Similar freedom is assured for oral statements of views on a student-operated radio or television station. Editorial freedom entails a corollary obligation of student media organizations under the canons of responsible journalism and applicable regulations of the Federal Communications Commission.
27. All student media shall explicitly state on the editorial page or in broadcast that the opinions expressed are not necessarily those of the College or its student body.

Privacy

28. Students have the same rights to privacy as any other citizen and surrender none of those rights by becoming members of the academic community. These rights of privacy extend to residence hall living with the concomitant obligations to maintaining an environment conducive to academic learning. Nothing in the College relationship or room and board agreement may expressly or implicitly give College officials the right to consent to a warrantless search of a student's room by police or other government officials.
29. Generally, the College will not pursue inquiry into students' lives away from campus except where their conduct is harmful to self or others, detrimental to the learning environment, and/or damaging to the educational interests of the institution.
30. When the College seeks access to a student room in a residence hall to determine compliance with provisions of applicable multiple-dwelling unit laws or for improvement or repairs, the occupant shall be notified of such action not less than twenty-four hours in advance. There may be entry without notice in emergencies where imminent danger to life, safety, health, or property is reasonably feared or where a diligent effort has been made to notify the student resident, and entry is made in the course of management duties. In such cases, the College shall notify the student that entry into their room has been made, and reason(s) therefore shall be stated in such notice.
31. College officials may conduct a search of a student room in a residence hall to determine compliance with federal, state, and local law, and College policies, procedures, and rules where there is reasonable cause to believe that a violation has occurred or is occurring.

Confidentiality of Student Records

32. FERPA information – The Family Educational Rights and Privacy Act of 1974 (FERPA), also known as the “Buckley Amendment”, is a federal law regarding the privacy of student records and the obligations of the institution, primarily in the areas of release of the records and the access provided to these records. Any educational institution that receives funds under any program administered by the U.S. Secretary of Education is bound by FERPA requirements.

Under federal law, eligible students have:

- The right to inspect and review the student's education records.
- The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.
- The right to provide written consent before personally identifiable information (PII) from the student's education records can be disclosed, except to the extent that FERPA authorizes disclosure without consent.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by postsecondary institutions to comply with the requirements of FERPA.
 - While FERPA guarantees eligible students access to their education records, all such records are the property of the University.
33. Eligible Students – Eligible Students include all students in attendance at a postsecondary institution (regardless of age). FERPA rights are effective on the first day of classes of a student's initial registration. FERPA applies to all students past and present. The education records of individuals who applied to but have not attended an institution are not subject to FERPA guidelines.
34. Education Records – Under FERPA, education records are defined as records that are directly related to a student and are maintained by an education agency or institution or by a party acting for the agency or institution. Education records can exist in any medium, including: typed, computer generated, videotape, audiotape, film, microfiche and email, among others.

Education records do not include such things as:

- Records of instructional, supervisory and administrative personnel which are in the sole possession of the maker thereof, and which are not accessible to other persons.
- Information obtained through personal knowledge that is not recorded.
- Employment records (unless employment is contingent upon attendance; e.g. work study, graduate assistants).
- Records created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional which are used only in connection with the provisions of treatment of a student, and are not available to persons other than those individuals providing such treatment.
- Records and documents of a law enforcement unit, including those of the Department of University Police, except those available under the Freedom of Information Act.
- Financial records of a student's parents.
- Alumni records.

Confidential letters and statements of recommendation placed in a student's file prior to January 1, 1975, or those received after January 1, 1975, for which the student has signed a waiver of their right to access, provided these letters are used only for the purposes for which they are intended.)

Directory Information

35. Institutions may disclose "directory information" about a student without violating FERPA. At Oswego, directory information is defined as:
- Student's Name
 - Address (including email address)
 - Telephone Number
 - Age
 - Photographs
 - Major field of study
 - Class Year (freshman, sophomore, etc.)
 - Dates of Attendance
 - Degrees, honors, and awards received
 - Expected date of graduation

- Enrollment status (Full/Part-time)
- Participation in officially recognized University activities and sports, including height and weight of student-athletes
- All other portions of a student educational record (e.g. grades, GPA, class schedule, gender, ethnicity, etc.) are considered “non-directory.”
- Directory information may be made public unless the student requests, in writing, to the Registrar, that such information be released only upon their consent.

Access to Educational Records

36. Student Education records may be accessed by:

- The student (or outside parties specified and authorized by the student)
- School Officials with legitimate educational interest
- Persons in response to a lawfully executed subpoena or court order. SUNY Oswego will make a reasonable attempt to notify the student prior to release, normally complying with the subpoena after two weeks have elapsed from the day of notifying the student.

School Officials

37. Members of the institution who act in the student’s educational interest within the limitations of their “need to know.” These may include faculty, administrators, campus law enforcement staff, SUNY System Administration staff, clerical and professional employees and other persons who manage student education record information including student employees or agents. It may also include contractors, volunteers and others performing institutional functions.

Legitimate Educational Interest

38. A school official has a legitimate educational interest if the official requires the information in order to fulfill their professional responsibilities for the school.

39. Under FERPA, student consent for disclosure is not needed when the disclosure is (one or more of the following):

- Releasing directory information.
- In a health or safety emergency.
- To school officials who have a legitimate educational interest.
- In connection with financial aid; this includes Veterans’ benefits.
- To officials of other schools in which the student seeks to enroll or is enrolled.
- To accrediting organizations.
- To comply with a judicial order or subpoena.
- To organizations conducting studies for or on behalf of educational institutions.
- To federal, state and local authorities involving an audit or evaluation of compliance with educational programs.
- In response to requests submitted under the Solomon Amendment.
- Releasing the results of a disciplinary hearing to an alleged victim of a crime of violence (as mandated by the Clery Act).

- To parents or legal guardians of students who are under the age of 21 and who have been found in violation of University disciplinary policies (Code of Student Rights, Responsibilities and Conduct) with respect to any violation of any Federal, State, or local law, or of any rule or policy of the institution governing the use or possession of alcohol or a controlled substance.
- When the disclosure concerns a registered sex offender, including a student, and is information received under a community notification program under 42 USC § 14071.

Overview of the Student Conduct Process Policies and Procedures

This overview gives a general idea of how the College's conduct proceedings operate, however it should be noted that not all situations are of the same severity or complexity. Thus, these procedures are flexible, and are not exactly the same in every situation, though consistency in similar situations is a priority.

The student conduct process and all applicable timelines commence with notice to an administrator of a potential violation of the Student Code of Conduct. The student conduct system uses preponderance of evidence as a standard of proof. A preponderance of evidence standard evaluates whether it is "more likely than not" that a violation occurred. SUNY Oswego email is the official means of communication between Student Conduct or designated student conduct officials to students on all matters pertaining to the student conduct system.

Authority

The authority for resolving disputes under the Code of Student Rights, Responsibilities and Conduct is vested in the College President and designated to student conduct hearing bodies enumerated in this Code. This authority extends to all students: graduate, undergraduate, full-time, part-time, on the main campus and at extension sites.

The *Regulations and Procedures for Maintaining Public Order on Campuses* of the State University of New York also includes prohibited conduct which may be dealt with under the disciplinary procedures of the Regulations for Public Order. When the Code and the Regulations for Public Order overlap, the procedures in the Code will generally be followed, unless the President invokes the Regulations for Public Order in a specific instance.

Students and recognized student organizations may petition to the Dean of Students for assistance in resolving conflict on issues that are not before any student conduct body and where no statement of charges alleging violation of the Code of Student Rights, Responsibilities and Conduct has been filed.

Student Conduct Policies

College discipline shall be applied to conduct by a student or recognized student organization occurring on College premises, activities off campus, or at College sponsored programs off campus. College sponsored programs by a student or student organization off campus include but are not limited to: internships, field study, student teaching, community service, international study programs, recreational, intramural and club sports activities, and intercollegiate athletics. The College will take disciplinary action against a student or student organization when it is required by law to do so, or when the nature of the conduct:

1. Interferes with or is disruptive to the learning environment, College process or activities, and/or educational interests and mission of the College, or
2. Endangers the health or personal safety of a member(s) of the College community, or
3. Harms, intimidates, or threatens another member(s) of the College community.

Within the parameters stated above, the following conduct is subject to disciplinary action:

Statement on Academic Integrity: At SUNY Oswego, we are committed to maintaining rigorous intellectual standards and the highest level of academic integrity. As leaders and role models, faculty and professional staff must adhere to the highest standards of intellectual integrity in scholarship and professional practice. The College endeavors to foster an environment in which students adhere to these same standards that will extend beyond their time at SUNY Oswego.

A. Academic Integrity

1. **Plagiarism** - Plagiarism is the practice of deliberately or inadvertently taking someone else's work or ideas, in part or in full, and passing them off as one's own, in text or other mediums. Plagiarism of any kind, including taking from either published or unpublished material, is contrary to established ethical practices. All members of the College are expected to acknowledge the intellectual work of others. In some cases, plagiarism may also involve copyright violations (see Copyright Violation).
2. **Fabrication or Falsification** - Fabrication or falsification is a form of academic dishonesty in which someone invents or distorts the origin or content of information cited.
3. **Cheating** - Cheating is an attempt to use unfair means to gain an advantage during an examination or on an assignment which give the appearance of having the knowledge or a skill that an individual has not actually obtained.
4. **Copyright Violation** - Copyright is a form of intellectual property law that protects original works of authorship including, but not limited to: texts, images, photographs, illustrations, sound recordings, dramatic works, music, and video. The copyright holder is guaranteed the exclusive rights to perform, display, reproduce, and distribute the work as well as to make derivative works. Currently, these rights are protected for the life of the author plus 70 years. Copyright violations occur either when one uses media in websites, blog posts, videos, papers, etc. without securing permission (usually in the form of a license) for the specific use or when the use does not fall under the "fair use" clause of copyright law. Many classroom uses of copyrighted materials fall under fair use, but not all (see [Penfield Library's guide to fair use](#) for specific details).

B. Misrepresentation

1. Knowingly or willfully providing false or misleading information or statements to the College, college official or law enforcement officer.
2. Forgery, alteration or unauthorized use of institutional documents with intent to defraud.
3. *Withholding information, including failing to disclose records of convictions or disciplinary actions, on applications after admission to the College.
4. Manufacturing, distributing, delivering, selling, providing, purchasing, using, or possessing any form of fraudulent identification.
5. Acts of dishonesty which harm an individual member(s) of the College, the integrity of the academic programs or the educational interests and mission of the College, or a College activity or procedure whether by act or omission.
6. Abuse, interference, or failure to comply with college processes, including conduct meetings, investigations, conferences or hearings.

*State University of New York (University or SUNY) policy prohibits SUNY Oswego from inquiring into an applicant's prior criminal history. After a student has been accepted for admission, if such student seeks campus housing, or seeks to participate in clinical or field experiences, internships or study abroad programs, campuses shall inquire if the student has a prior felony conviction. See full Move the Box Policy, Guidelines and Procedures

C. Acts of Violence

1. Harassment, intimidation, bullying (including cyberbullying) or coercion toward an individual or group of individuals, that is severe, pervasive, or persistent to a degree that it interferes with a person's ability to work, learn, live, participate in or benefit from educational activities.
2. Creating a hostile environment toward any individual or group of individuals.
3. Inciting violence, targeted toward an individual or group of individuals.
4. Physical abuse, assault and/or battery to any individual or group of individuals.
5. Verbal or written threat toward any individual or group of individuals causing harm or reasonable apprehension of harm or invasion of privacy.
6. Creation of or participating in a condition or situation that endangers the mental or physical wellbeing of self or others.
7. Conduct which inhibits the peace or safety of members of the College community.
8. Retaliation, harassment or coercion of parties, including witnesses, participating in student conduct actions or proceedings.

D. Disruptive or Disorderly Behavior

1. Disruption of administration, disciplinary processes, or other college activities.
2. Disruption or obstruction of teaching, learning or research.
3. Disruption to the community including, but not limited to excessive or unreasonable noise, excessively large parties, throwing of projectiles or rude and abusive language or behavior.
4. Lewd, indecent, or obscene behavior including public urination or defecation.

E. Sexual and Interpersonal Misconduct including, but not limited to:

1. Imposition of sexual contact or physical exposure without affirmative consent.
2. Non Consensual sexual intercourse.
3. All forms of intimidation or coercion to exact sexual favors.
4. Use of alcohol or other drugs to exact sexual contact.
5. Nonconsensual verbal, non-verbal, or cyber communication of a sexual nature as well as nonconsensual photography, video or audio taping or posting of sexual activity.
6. Sexual contact upon another who is reasonably unable to consent for any reason, particularly due to their age, use of alcohol or other substances, incapacitation, involuntarily restraint, emotional distress or sleep.
7. Stalking
8. Domestic Violence
9. Dating Violence
10. Sexual Harassment

Please review the full policy and procedures under the compliance section.

Hazing Statement: The College takes all reports of hazing seriously. Individuals and recognized organizations who are reported and found responsible for violating this policy, are subject to college disciplinary action, as well as legal action. Hazing is a violation of New York State law and is subject to criminal prosecution. New York Law classifies Hazing in the 1st Degree a Class A Misdemeanor (section 120.16) and Hazing in the 2nd Degree as a Violation (section 120.17) for persons found guilty.

F. Hazing – Any act, creation of, or participating in a situation or activity that humiliates, degrades, abuses, or endangers an individual or group of individuals mental or physical wellbeing, for purposes of initiation into or affiliation with any group or organization regardless of a person’s willingness to participate.

1. Activities that disrupt or interfere with an individual’s pursuit of academic endeavors.
2. Activities which harass or intimidate.
3. Any activity for human degradation, or public embarrassment and by its nature, has the potential to cause severe anxiety, distress or panic.
4. Activities that deprive individuals of sleep, edible meals, or personal hygiene.
5. Activities that involve tests of endurance including leaving a person in a location without means of identification, communication or ability to return.
6. Activities that expose members or prospective members to potentially dangerous or hazardous circumstances, including lockdowns, overcrowding rooms or locking exits.
7. Activities that involved the forced or required consumption of food, beverages, alcohol, or other drugs.
8. Activities which have a foreseeable potential for personal injury, impart pain or cause mutilation or alteration to the body.
9. Activities which involve illegal acts.

G. Theft or Property Damage

1. Damage of College premises or property.
2. Damage to property of another person.
3. Theft of College property.
4. Theft of property of another person.
5. Physical or digital theft of intellectual property, including computer programs, software files or documents, or library books and materials.
6. Possession or distribution of stolen property.

H. Failure to Comply

1. Failure to comply with the reasonable directives or request of a College official, law enforcement officer or student staff acting in the performance of their duties.
2. Failure to complete assigned conduct sanctions and/or mandated assessments.
3. Failure to comply with administrative or interim actions, including no-contact orders, no-trespass notices, building or campus ban/restriction, removal from campus housing facilities or interim suspension.
4. Failure to comply with, abuse of, or interference in College processes including academic and non-academic disciplinary meetings, investigations, conferences, or hearings.
5. Violation of disciplinary probation, housing probation or deferred suspension status.
6. Ineligible pledging or association with a recognized student organization without having met eligibility requirements established by the College.

I. Violation of Rules Governing the Residence Halls

J. Violation of College Policies, Procedures and Rules, including but not limited to:

1. Weapons and Dangerous Materials Policy (consistent with college policy title)
2. Entry and use of College facilities
3. Solicitation and Posting
4. Computer and Network Acceptable Use Policy
5. Student Organizations Policies and Procedures
6. Guest Policy
7. Student Athlete Code of Conduct

K. Fire and General Safety

1. Tampering with or improperly using portable fire extinguishers, elevators, fire sprinkler systems, EXIT lights or any other life safety equipment such as smoke detectors.
2. Failure to evacuate buildings and follow emergency procedures issued by college officials, local authorities, or emergency personnel during a fire drill or alarm.
3. Intentionally or recklessly causing a fire which damages College or personal property or which causes injury.
4. Smoking of any kind, including by use of vaping devices, electronic cigarettes, and other nicotine delivery devices, is prohibited on College premises and in all facilities.

L. Violation of Law - Behavior that would constitute a violation of any federal, state, or local law; city or county ordinance.

M. Alcohol Policy

1. Possessing, consuming, or being under the influence of alcohol while under the legal drinking age.
2. Being in the presence of alcohol while under the legal drinking age.
3. Purchasing, providing, or serving alcohol to or for an underage person.
4. Manufacturing, distributing, or engaging in the sale of alcohol.
5. Possessing or consuming alcohol in public, common spaces in residence halls or on College premises.
6. Creating or possession of drinking games or engaging in drinking games that induce, encourage, or result in rapid consumption.
7. Possession of empty alcohol containers and paraphernalia.
8. Conduct under the influence of alcohol as demonstrated through one's actions, regardless of age including but are not limited to, impaired motor-skill coordination, difficulty communicating, vomiting, verbal or physical aggressiveness, destructive or disruptive behavior, or public intoxication.
9. Possessing, consuming or being under the influence of alcohol during registered College events, activities, trips, or classes.
10. Operation of a motor vehicle under the influence of alcohol, including but not limited to a DUI/DWI.

N. Drug Policy

1. Possessing, consuming or being under the influence of drugs, controlled substances or non-prescribed medication. The odor of marijuana may suffice to constitute a violation of policy.
2. Being in the presence of drugs, controlled substances or non-prescribed medication.
3. Possessing and/or use of drug paraphernalia.
4. Manufacturing, selling, or distribution of drugs, controlled substances or non-prescribed medication.
5. Possessing, consuming or being under the influence of drugs, controlled substances or non-prescribed medication during College events, activities, trips, or classes.
6. Conduct under the influence of drugs as demonstrated through one's actions including, but not limited to operation of a motor vehicle under the influence of drugs.

Bias Crimes and Prevention Statement:

The College's values and goals advocate a broad degree of human understanding amongst its community members: students, faculty, staff, visitors and alumni. We seek to enroll and engage a diverse population of students across diverse cultural and national experiences. A vibrant, productive learning environment requires a richness in the variety of voices and life experiences that are represented among us. For this reason, prejudice, discrimination, and bias related actions by community members or visitors and guests, based on race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, are counterproductive and harmful to the purposes of our educational community.

The College does not limit freedom of expression, particularly speech, even if the ideals and values held by some of its members are challenged by that speech. Even bigoted or racist speech or other forms of intolerant speech or offensive expression are protected. In this way, the College values of an inclusive and diverse learning environment may occasionally be challenged by, or at least not furthered by, freedom of speech. However, conduct that targets a specific individual or group of individuals and creates an unreasonable interference with that individual's or group's ability to pursue educational purposes or to benefit from college life is prohibited by the College through this policy, the Code of Student Rights, Responsibilities and Conduct, and Maintaining Public Order on Campuses of the State University of New York. (See full [Bias Crimes and Prevention Policy and Procedures](#))

Bias-related crimes (also called hate crimes) are defined, when a person commits a specified offense and either:

- Intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding their protected characteristic, regardless of whether the belief or perception is correct; or
- Intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding their protected characteristic, regardless of whether the belief or perception is correct.

O. Bias-Related Incident – Any act of bias or inciting violence targeted toward an individual, a group of individuals or property based on actual or perceived identities so as to interfere with or limit the ability of an individual to participate in or benefit from the educational institution's programs or activities

1. Bias-related harassment or inciting violence through verbal, written (including electronic mail and/or digital communication), graphic or physical conduct that is sufficiently severe, pervasive, or persistent.
2. Threatening, intimidating or fear provoking.

Good Samaritan Policy

Any student or student group or organization who, in good faith and in a timely manner, seeks emergency medical assistance for a person who reasonably appears to be experiencing an overdose from alcohol or drugs may not be held responsible for a violation of prohibited alcohol or drug related conduct only.

To minimize any hesitation students or student groups or organizations may have in obtaining immediate medical or other professional help for students in need:

- For those in need of assistance: Amnesty is available to individuals who seek or accept medical or other professional assistance without fear they may be accused of minor policy violations, such as underage drinking at the time of the incident. Educational sanctions (including, but not limited to, restitution, work service, loss of privileges, educational requirements such as programs and/or presentations) may be required, but will not otherwise result in a violation of the Student Code of Conduct as long as the educational sanctions are completed.
- For those who offer assistance: To encourage students to seek medical or other professional assistance for others, amnesty is available for minor violations when students offer this help to others in need. Educational sanctions may be required, but will not otherwise result in a violation of the Student Code of Conduct as long as the educational sanctions are completed.

Procedures for Case Resolution

- Any college student, staff, or faculty member may submit a complaint to an administrator, campus office, or law enforcement authority alleging that a student, recognized student organization, or student group is in violation of college policy or when behavior warrants attention. A written complaint must be filed with the Director of Student Conduct within 30 calendar days of the occurrence or discovery of the alleged infraction(s). Requests for extensions of the 30 calendar day filing period must be made in writing to the Director of Student Conduct or designee, who may extend this time frame for good cause. The 30 calendar day filing period does not apply to written complaints alleging sexual misconduct and discrimination. It should be noted that when an anonymous report is made or a significant amount of time has passed, the College may be limited in its ability to respond or unable to take any action.
- In certain circumstances, once a report has been filed, the College may proceed with an initial inquiry and pre-investigation, even if a complainant later chooses to retract, rescind, or recant any or all of the report or chooses not to cooperate. Action will only be taken without the consent of a complainant if, in the College's judgment, such action is necessary to protect the safety, security, or integrity of the College or any of its members.
- Students, as citizens, must abide by local, state, and federal laws. Consequently, a student who violates the law, whether on or off-campus, is subject to legal prosecution. In addition, a violation of the Code, whether on campus or off, will subject the student involved to College disciplinary action. Whether College disciplinary action precedes, is concurrent with, or follows legal prosecution depends upon whether the legal prosecution coincides with the process outlined in the Code. It has been well established by Student Conduct rulings that the concurrence of legal prosecution and College disciplinary action does not constitute double jeopardy.

Reporting and/or filing a complaint made be made in person or online directly at:

University Police - 109 Pathfinder Hall

Email: police@oswego.edu

Phone: 315-312-5555

[Concerns | University Police](#)

Dean of Students - 501 Culkin Hall

Email: deanofstudents@oswego.edu

Phone: 315-312-5483

[Report an incident | Student Conduct](#)

Student Conduct - 501 Culkin Hall

Email: conduct@oswego.edu

Phone: 315-312-3378

[Report an incident | Student Conduct](#)

Title IX Coordinator - 202 Penfield Library

Email: lisa.evaneski@oswego.edu

Phone: 315-312-5604

[Reporting an incident | Title-IX](#)

Preliminary Review

- Once a complaint has been reported to Student Conduct, the Director of Student Conduct or designee will conduct a preliminary review into the nature of the incident, the evidence available, and the parties involved. The preliminary review may lead to a determination that there is insufficient evidence, no indicated policy violations, or further investigation when it is clear more information must be gathered.
- The Director of Student Conduct or designee has discretion to determine whether a complaint may bypass the conduct process and alternatively resolved through mediation or conflict resolution. Complaints where outcomes are not likely to rise above disciplinary probation are referred for an informal resolution. For complaints where the Director of Student Conduct or their designee determines that the outcomes could reasonably include college housing removal, suspension or expulsion the complaint will be referred for a formal resolution.

Alternative Resolution

- **Mediation** - A process in which two individuals or groups meet to resolve a conflict with the facilitation and help of a neutral third party. Mediation sessions are conducted confidentially and safely by the Dean of Students, Director of Student Conduct or affiliates that have been trained to assist people in airing their concerns, clearing up misunderstandings, and arriving at a resolution that is agreeable to all parties. In order to ensure neutrality, the mediators assigned to each case are approved by all of the parties involved. Participation in the mediation process is voluntary. Student Conduct cannot force any person to agree to mediation or attend sessions.

Informal Resolution and Forum

- **Incident Review Meeting** - A one-on-one meeting between the accused student and a trained Conduct Officer. The accused student will be notified in writing of the date, time and location of the incident, nature of the alleged conduct, college policies that may have been violated. The letter shall also provide the date, time and location for an individual meeting. The accused student will be provided an opportunity to accept or deny responsibility within a specified time.
 - **Accept Responsibility for the violation(s) and agree with the proposed sanctions.** The accused student acknowledges responsibility and waives any rights to contest the allegations or the sanctions. During the conduct meeting, the Conduct Officer will review the outcome and the accused student will sign the Agreement of Resolution. Responsibility for monitoring compliance with the Agreement of Resolution rests with the student.
 - **Deny Responsibility for the violation(s).** This will allow for further exploration of other facts and circumstances of the alleged misconduct. The burden is on the accused student to prove that their position has merit. The accused student will share their own perspective about the incident in question, clarify or correct any information in the reports under review and answer questions specific to their alleged involvement. Upon completion of the case, the Conduct Officer will send the student a written notice of the decision as to whether the charges have been substantiated based upon the preponderance of evidence, the rationale for the determinations and the assigned sanctions (if any).

Formal Resolution and Forum

- **Notice of Charges and Pre-Hearing Conference** - The respondent and the complainant (if applicable) will be notified in writing of the charge(s), the date, time and location of the alleged incident, the nature of the conduct and the alleged College policies to have been violated. The charge letter will include a date and time for a Pre-Hearing Conference. A Pre-Hearing Conference is a meeting with the Director of Student Conduct or designee during which the student's rights, responsibilities and the hearing procedures are explained. This meeting is intended to ensure that the student understands the pending charges, the conduct process, and their autonomy in deciding how their case will be resolved. If the student fails to attend the pre-hearing interview, the student waives their rights to review all available information and to request a hearing forum.
 - **Accept Responsibility.** A student may admit to the allegations and request a meeting with the Dean of Students, who may defer to a hearing officer or body. In the event that the respondent elects to meet with the Dean of Students or designee, and accepts responsibility for the charges under consideration, the Director of Student Conduct will convene an administrative hearing to consider the nature and severity of the incident and determine an appropriate sanction.
 - **Deny Responsibility.** A student is contesting the allegations brought against them and agrees to attend and participate in a Student Conduct Hearing.
 - **Waive Right to Appear.** A student is neither admitting to or contesting the allegations rather waives the right to a hearing. The Director of Student Conduct or designee shall present all evidence in support of the charges to the Dean of Students or designee, and a decision using preponderance as the standard of evidence will be made in the student's absence.
- **Notice of the Hearing Date** - A time shall be set for that hearing as soon as practicable, but not less than five (5) business days nor, whenever possible, more than twenty (20) business days after a hearing preparation meeting with the Director of Student Conduct or designee and the appropriate resolution process has been identified. Alteration of the time limits may occur at the discretion of the Director of Student Conduct.

- **Director of Student Conduct** - The Director of Student Conduct or designee will serve as the hearing administrator and chairs higher-level hearings. The Director of Student Conduct may participate in hearing panel deliberations and discussions, but cannot vote. The chair is responsible for final decisions on all procedural issues and may modify hearing procedures, if necessary, to ensure a fair and expedient administration of the hearing.
 - **Student Conduct Hearing Boards** - An active body of three to five community members; one to three students, one faculty member and one staff member. Members of the Board are selected and trained by the Director of Student Conduct and play an integral role in the adjudication of formal student non-academic and academic conduct cases. Three members will constitute quorum and at no time will there be less than three members. At the discretion of the Director of Student Conduct, the composition of the panel may be modified when good cause arises. In cases where students or recognized student organizations are contesting the allegations, hearing boards ensure students are given the opportunity to have their cases heard by a representative body of the College. Board members are knowledgeable of all Code of Conduct and College policies who are trained in evaluating the facts of a case and participate in all aspects of the hearing including listening to testimony, questioning students and witnesses, deliberations and determining responsibility. The board shall make its determination of responsibility by majority vote except that unanimity is required for a sanction of expulsion.
 - **Administrative Hearings** - Administrative Hearings are typically facilitated by a single Hearing Officer which can be the Dean of Students or their designee and where sanctions up to expulsion are within the prescribed range of outcomes. More complex cases may require two Hearing Officers.
- **Notice of the Outcome** - Typically, five (5) business days after the adjournment of the hearing, the Director of Student Conduct shall submit written findings of the fact, conclusions regarding the charge(s), and imposition of a sanction, if any, to the respondent and any College official who is determined to have a legitimate interest in the result, notification of the final determination will be made by letter sent to respondent's College email account. The Director of Student Conduct may modify the timing of the notification of the final determination during semester breaks or holidays.
 - In the case of violations involving physical violence, notice of findings and sanctions imposed directly related to the complainant/reporting party shall be received by the complainant/reporting party.
 - In the case of sexual misconduct notice of findings and sanctions imposed shall also be received by the complainant and the reporting party. For sexual harassment cases, the notice of outcome and only sanctions that directly relate to the complainant of record will be shared.
 - Documentation concerning any prior violation(s) of the Code by the respondent may be presented by the Director of Student Conduct to the hearing body/officer only after a finding of responsibility has been determined.

Appeal Process

Appeal requests will be reviewed when the decision has resulted in either suspension or expulsion. All appeal requests must be submitted in writing within five (5) business days of receiving the outcome. An appeal request does not by itself prevent or defer implementation of the sanctions imposed.

However, at the request of the appellant, the Dean of Students, in discretion and for good cause, may defer implementation of some or all of those sanctions during the pendency of the appeal. Students and organizations may not appeal simply because they do not like the sanction imposed; the appeal must meet one or all of the criteria.

Any such appeal may be made only on one or more of the following grounds:

1. There was significant procedural error of a nature sufficient to have materially and detrimentally affected the outcome.
2. There is significant new evidence of which the appellant was not previously aware, that the appellant could

not have discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially and detrimentally affected the outcome.

3. The sanction(s) imposed are grossly disproportionate to the charges found to have occurred.

Upon receipt of the appeal request, one of the following actions may be taken:

- Deny the appeal.
- Grant the appeal and convene the Appellate Board to review the record of the case. New information will be considered at this time.

An appeal is limited to a review of the record of the hearing and supporting information that was evaluated in the decision-making process. New information will only be considered if the Director of Student Conduct or Appellate Board determines that the information was not available at the time of the original hearing. If the Appellate Board is convened, upon conclusion of the review, it will do one of the following:

- Affirm the findings of responsibility and sanctions. Decisions affirmed by the Appellate Board are final. Written notification will be provided to the Respondent and Complainant, if applicable.
- Affirm the findings of responsibility and return the case to the original decision maker with recommendations to modify (increase or decrease) the sanctions. Decisions made after review of the recommendations are final and written notification will be provided to the Respondent and Complainant, if applicable.
- Recommend reversal of the findings of responsibility if the Appellate Board disagrees with the decision maker's evaluation of information in the record and does not believe sufficient information exists to support a violation of the Student Code of Conduct.

The decision of the Appellate Board is final and binding unless it is altered by a presidential review. Requests for a case review must be submitted in writing to the Vice President of Student Affairs and Dean of Students within 30 calendar days of the appeal outcome. Whether or not a case review is granted is the prerogative of the President.

Hearing Officers and Participants

The Director of Student Conduct will assign three to five members of the Board or one or two Hearing Officers to conduct a hearing, with the Director of Student Conduct serving as the Chair. The hearing participants generally include the Complainant (if applicable), Respondent(s), witnesses, advisors, and the hearing officer or hearing body.

Evidence

- An essential component of any hearing is the determination, using a preponderance of evidence, and the weighing of the facts that pertain to the allegation(s). Therefore, it is vital that personal statements and other information be presented clearly and factually. All participants are expected to be respectful of each other's purpose in the hearing process and to conduct themselves according to the direction of the hearing body. In an effort to be as fair as possible to the Complainant and Respondent, student conduct procedures may be modified by the Chair.
- Evidence, to include but not limited to written documents, photographs, videos, and witness names, to be presented by the Complainant(s) and Respondent(s) during any hearing should be sent to the Student Conduct in advance of the scheduled hearing so it can be shared appropriately. The Chair may, in their sole discretion, exclude evidence that has not been shared or adjourn the hearing to afford all parties the opportunity to review

evidence to be presented during the hearing. The Chair will make the final decision related to the admissibility of all evidence. Information presented by a student during a hearing that indicates a potential violation of the Student Code of Conduct may be adjudicated at a future time. Character or expert witnesses are not permitted in the hearing; a max of two character letters or letters of reference may be submitted for consideration before the imposition of sanctions.

Student Rights in a Hearing

When a student, the Complainant and Respondent shall each have the right to:

1. Receive advance notice of the date, time and location of any meeting or hearing they are required to or are eligible to attend. This notification will also include a written statement of the violations to the Student Code of Conduct that the Respondent is being charged with. Proper written notification to the student's College email address.
2. A prompt and impartial hearing.
3. An investigation and adjudication process conducted in a manner that recognizes the legal and policy requirements of due process including fairness, impartiality, and a meaningful opportunity to be heard.
4. A hearing that is not conducted by individuals with a conflict of interest.
5. Request a delay of a hearing date of up to five (5) business days due to reasonable extenuating circumstances. The Director of Student Conduct will determine the validity of the request and if the delay will be granted. Requests for a delay must be submitted at least two (2) business days prior to a scheduled hearing date;
6. Be notified of the proposed evidence and information to be presented, to know the identity of witnesses who have been called to speak at the hearing or provide notarized statement for the hearing when such information is known by the Director of Student Conduct or designee prior to the hearing.
7. Present evidence, testimony, witnesses, and witness statements when deemed appropriate and relevant by the Chair.
8. Ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. It will be left to the discretion of the Code Administrator whether or not to ask requested questions of other parties.
9. Have an advisor of the student's choosing, including an attorney, to accompany them in all stages of the conduct process including investigation interviews, pre-hearing conferences, and the hearing. The role of an advisor is limited to providing support and consultation before and during hearing proceedings. Advisors may not speak or answer questions on behalf of their advisee, interject, or make arguments about the merits of the case or strength of the evidence. The deliberations of the hearing body are private.
10. Respond truthfully and accurately to statements and other information presented at the hearing.
11. Present a written impact statement to the Board to review if a finding of responsibility is determined and before the imposition of sanctions. Impact statements outline the complainant's (if applicable) or respondent's thoughts or opinions regarding an appropriate sanction. The Board or Hearing Officer is not bound by these statements in determining sanctions.

Hearing Procedures

A hearing is conducted differently from legal proceedings and shall generally be conducted in accordance with the procedures listed below:

1. A hearing shall be closed and not open to the public. Admission of any person into the hearing room shall be at the discretion of the Director of Student Conduct. The Director of Student Conduct shall have the authority to remove any person whose presence is deemed unnecessary or obstructive to the proceedings.
2. When a hearing involves more than one Respondent, the Director of Student Conduct or designee may, at their discretion, permit the hearings to be conducted either separately or jointly.
3. If a Respondent, after receiving notification, does not appear for a hearing, the hearing will proceed without the Respondent and a finding will be made based upon the information available and sanction(s) imposed, if appropriate.
4. The Complainant (if applicable) and Respondent shall each have the opportunity to present opening statements, present evidence and ask relevant questions.
5. The Complainant and the Respondent may arrange for witnesses to present pertinent information to the Hearing Officer or Hearing Body. The Hearing Officer or Hearing Body, the Respondent, and Complainant reserve the right to question the witnesses in a manner prescribed by the Code Administrator.
6. The Respondent, Complainant, and any witnesses will provide information to and answer questions from the Hearing Officers or Hearing Body.
7. After the portion of the hearing concludes in which all pertinent information has been received, the Hearing Officers or Hearing Body and Code Administrator shall deliberate in private whether the Respondent has violated each section of The Student Code of Conduct which the student had been charged with violating.
8. Determination shall be made based on the preponderance of the evidence, meaning whether it is more likely than not that the Respondent violated the Student Code of Conduct.
9. When a student Respondent is found responsible for a violation(s), the hearing body shall continue private deliberations to impose appropriate sanction(s) and may review the student's academic transcript, student conduct history, and impact statement(s).
10. Procedural questions may be asked at any point during the course of the hearing by any participant, with the exception of the advisor.

Recordings

Hearings may be recorded by the College and, if recorded, the College will maintain the audio recordings as required by New York state law. Recordings are the property of the College. Participants are prohibited from making their own recording. Upon written request, a Respondent or Complainant may review the audio recording and make appropriate arrangements for it to be transcribed on College premises. Arrangements for a transcriber and all associated costs involved in the transcription will be the sole responsibility of the requesting individual.

Disciplinary Actions

Students or student groups and organizations who are found responsible for violating the Student Code of Conduct will receive consequences appropriate to the violation(s) and in consideration of any prior conduct history and/or mitigating or aggravating circumstances. Individual consequences or a combination of consequences may be issued.

Sanctions may carry certain terms and conditions appropriate to the violation, including but not limited to suspension from participation in College activities or programs, employment within the College, restrictions on the entry and use of campus facilities, and prescribed conduct such as service or work to benefit the College community or participation in referral and assessment programs or services. In such instances,

- Students or student groups and organizations who enter the grounds and facilities of the College after access to the campus has been revoked as a result of a disciplinary hearing may be subject to arrest for trespassing and further disciplinary action.
- Academic disqualification may occur as a consequence of a disciplinary action, in which case, the student may contact their academic dean's office concerning College policies related to academic reinstatement.
- A student who withdraws from or is not registered with SUNY Oswego while a disciplinary action is pending is prohibited from access to College facilities and grounds and College-sponsored activities and events pending the outcome of said disciplinary action; a notation will be placed on the student's transcript until such matter is resolved.
- Students may not be reinstated nor readmitted to the College until the disciplinary action is completed and related sanctions, if any, are satisfied, or terms of completion of the related sanctions are approved by the Dean of Students or designee.
- Students who are dismissed for academic matters or suspended or expelled as a result of disciplinary action prior to the end of an academic term, shall be liable for all tuition and fees due for that term, in accordance with SUNY Policy on Billing, Refunds, Collection and Write-offs for Tuition, Fees and Other Charges.

College Disciplinary Status

Students and recognized student organizations who have violated the Student Code of Conduct and receive imposed sanctions are considered to be not in Good Standing with the Student Conduct. Good Standing includes a requirement that all matters pending with Student Conduct have been fully and finally resolved including, but not limited to, full satisfaction of any disciplinary sanctions imposed or active status (period of observation and review) has been lifted. Students and organizations who are not in good standing may be ineligible to participate in College activities or programs, hold positions with campus offices and/or organizations, or run for or hold certain campus-wide leadership positions.

Student Groups or Organizations who have been suspended may apply for reinstatement. Re-recognition is possible but not guaranteed and will only be considered after the end of the suspension period and based on meeting all re-recognition criteria and obtaining clearance from the College. Any evidence that members of a student group or organization have attempted to sustain an unofficial student group or organization will result in individual charges and will postpone the group or organization's ability to be reinstated or registered in the future.

Disciplinary Sanctions

Disciplinary Warning - An official written notification that the student has violated College policies and their behavior is counter to the expectations in the student code of conduct. No other specific action is taken unless further misconduct occurs.

Restitution - Compensation for damage caused to, theft of, or misappropriate or misuse of College property or the personal property of others. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen. Restitution can be monetary, but may also take the form of service or work.

Loss of Privileges - A student's status is not in good standing with the College and will be denied certain privileges for a specified period of time or revoked indefinitely. Specific limitations or exceptions may be granted by the Director of Student Conduct and terms of this conduct sanction may include, but are not limited to, student leadership positions, ineligibility to hold any office in any student organization recognized by the College or hold an elected or appointed office at the College, ineligibility to represent the College to anyone outside the College community in any way including, participating in the study abroad program, attending conferences, or representing the College at an official function, event or intercollegiate competition as a player.

Disciplinary Probation - A student's status is not in good standing with the College. A designated period of time for observation and review, not to exceed one academic year or two academic semesters, during which the student must demonstrate the willingness and ability to comply with College policies and stipulated requirements. Disciplinary Probation status may impact a student's ability to participate in college activities or programs, hold positions with campus offices and/or organizations, or run for or hold certain campus-wide leadership positions. Failure to meet the conditions or terms of probation or further infraction of college policy, may result in more severe sanctions, including suspension or expulsion from the College.

Deferred Suspension - A student's status is not in good standing with the College. A designated period of time for observation and review, not to exceed two academic years or four academic semesters, during which the student must demonstrate the willingness and ability to comply with College policies and stipulated requirements. Deferred Suspension status may impact a student's ability to participate in college activities or programs, hold positions with campus offices and/or organizations, or run for or hold certain campus-wide leadership positions. Failure to meet the conditions or terms of deferment or further infraction of college policy, shall result in more severe sanctions, namely suspension or expulsion from the College.

College Housing Probation - Formal notice that the student is not in good standing with the Department of Residence Life and Housing. Housing probation is typically assigned in situations where behavior has been detrimental to the on-campus residential community for a period of time to allow residential students to reflect upon their actions and demonstrate the ability to abide by housing community standards and expectations. Additional residentially-based violations of the Student Code of Conduct while on Housing Probation may impact a student's eligibility to participate in the housing lottery process, residential sponsored programs or services, serve in leadership positions or result in housing relocation or contract termination.

College Housing Suspension - Separation from the College residential community for a specified period of time when conduct clearly demonstrates unwillingness or inability to function appropriately in the residential living and learning environment. Students separated from the housing system may reapply for on-campus housing at the end of the term of their housing suspension; however, there is no guarantee that the Department of Residence Life and Housing will be able to provide them with on-campus housing in any future semester or academic year.

College Housing Removal - The student's privilege to live in or visit any college residence hall is revoked indefinitely. The student is required to vacate college housing within 24 hours of notification of the action, though this deadline may be extended at the discretion of the Director of Student Conduct or designee. This sanction may be enforced with a trespass action if deemed necessary. Students found in violation of the terms of this sanction may also be arrested for trespassing. Conditions for readmission to College housing, if any, may be specified.

Suspension - Separation from the College and all attendant privileges is terminated for a specific period of time not to exceed two academic years or four academic semesters. Conditions for readmission to the College may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Dean of Students or designee. During the suspension period, the student is banned from College property,

functions, events and activities without prior written approval from the Director of Student Conduct. This sanction may be enforced with a trespass action as necessary. [This sanction will be noted as a Conduct Suspension on the student's official academic transcript]

Expulsion - Termination of a student's enrollment, including all attendant privileges, and permanent separation from the College. Conditions for readmission, if any, shall be stated in the written notice of expulsion. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Dean of Students or designee. The student is banned from College property and the student's presence at any College-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary. (This sanction will be noted as a Conduct Expulsion on the student's official academic transcript)

Student Organization Sanctions

Formal Reprimand

An official notification to the student group or organization explaining that they have violated College policy and are at risk for deactivation, de-recognition and/or loss of all privileges. Any further misconduct may result in more severe sanctions, including temporary or permanent deactivation from the College.

Organizational Probation

The student group or organization is deemed not in good conduct standing with the College. The duration of any probationary period will be determined on a case-by-case basis. Any further violations of College policy while on probation may result in more serious consequences being imposed. Some of the restrictions that may be placed on the student group or organization during the probationary period include, but are not limited to, ability to host a party or philanthropy event, eligibility to receive any College award or honorary recognition, participate in activities or events, represent the College and any travel in connection with such representation, participate in recruitment/intake or receive a new member class, maintain membership or representation of the organization on the governing council, utilize College facilities/grounds, participate in competitions, or receive future institutional funding.

Organizational Deferred Suspension

The student group or organization will be officially suspended from the College, but the suspension will be deferred, meaning that the student group or organization may continue to function at this time. Failure to meet the conditions or terms of deferment or further infraction of college policy, shall result in more severe sanctions, namely suspension or expulsion from the College.

Organizational Suspension

The student group or organization is no longer recognized by the College for a designated period of time. During the suspension period, a student group or organization may not conduct any formal or informal business, or participate in College related activities, whether they occur on or off campus. This includes, but is not limited to: ability to host a party or philanthropy event, eligibility to receive any College award or honorary recognition, participate in activities or events, represent the College and any travel in connection with such representation, participate in recruitment/intake or receive a new member class, maintain membership or representation of the organization on the governing council, utilize College facilities/grounds, participate in competitions, or receive future institutional funding.

Organizational Expulsion

The student group or organization will permanently lose its College recognition and/or registration and is ineligible to utilize College resources including facilities and financial support.

Administrative Actions

Under the Code of Student Conduct, interim actions can include separation from the institution, denied access to College housing or restrictions on participation in the community, including class attendance, for any student or student organization pending the scheduling of a disciplinary hearing on alleged violation(s) of the Code of Student Conduct. Students or student organizations who violate the terms of interim actions may be subject to more severe disciplinary action and/or arrested for trespassing.

Interim Suspension

Interim Suspension may be implemented by the President or designee when:

- the presence or alleged action of a student or student organization may pose an imminent threat to the safety of the campus community or any of its members,
- to preserve College property,
- the student or student organization poses a threat of disruption or interference with the normal operations of the College, or
- can reasonably be deemed to expose the campus community or any of its members to additional harm in a future context.

An interim suspension is a temporary suspension, during which time students are prohibited to attend classes (in-person and distance learning) and are restricted from all or any portion of the College premises, residence halls or other campus facilities, and all other college activities or privileges, for which they may otherwise be eligible, as determined by the Vice President of Student Affairs and Dean of Student. Students residing on campus must vacate their room immediately unless otherwise noted and ID's will be temporarily deactivated. Students who fail to abide by these terms and enter the campus grounds or facilities without such permission, may be subject to arrest for trespassing.

Student Organization's will be prohibited from conducting formal or informal business, participating in college related activities (whether they occur on or off campus), host a party or philanthropy event, receive any College award or honorary recognition, participate in activities or events, represent the College and any travel in connection with such representation, maintain membership or representation of the organization on the governing council, utilize College facilities/grounds, participate in competitions, or use Institutional funding without express permission from the Vice President of Student Affairs and Dean of Students.

Review of Interim/Administrative Action: Students may request a review to challenge the basis for such interim suspension or request a modification of the terms of an interim suspension by submitting a letter and any supporting documents or information that supports lifting the interim suspension to Student Conduct within three business days of issuance. Requests for review of an interim suspension decision is an opportunity for the student to articulate why their presence does not present safety and security concerns and include the rationale for the request. The interim suspension decision, and any relevant information, will be reviewed and the decision will either be supported, modified, or revoked. Notification of the review decision will be communicated as soon as administratively possible.

The interim suspension will remain in effect while any review is pending and there are no further appeals to the decision rendered upon review. Review of an interim suspension does not replace resolution of this matter through the conduct process, which shall proceed in accordance with applicable disciplinary procedures. Absent such a request, these restrictions will remain in effect until the conclusion of an investigation and/or pending the outcome of an administrative or board hearing, or the criminal proceeding against the respondent, if applicable; at which time conditions for reinstatement to the College may be specified.

No Contact Letters

Definition: No Contact Letters are directives issued by the Dean of Students or designee or University Police or Title IX Coordinator, prohibiting communication between or among designated students. No Contact Letters are issued when, in the judgment of the Dean of Students, there is reason to believe that an order would be in the best interest of all parties and the community for maintaining peace and safety. No Contact Letters prohibit all forms of communication between designated students, direct or indirect, written, electronic or through a third party.

Authority: No Contact Letters differ from court imposed restraining orders and do not guarantee that designated parties will avoid sightings or passing interactions on the campus or in the local community. In some circumstances, No Contact Letters may restrict a student from parts of the campus except for required academic activities. Students who are concerned about personal safety should contact University Police or local police. Students who have questions about No Contact Letters may speak with the Dean of Students.

Issuance: No Contact Letters shall be issued to maintain the peace and safety of the community and parties involved in an incident. Such situations include, but are not limited to: harassment, threats, bullying, physical assault, stalking, domestic violence, dating violence, sexual assault, retaliation or intimidation or other disruptive behaviors as indicated in the Code of Student Rights, Responsibilities and Conduct of the Rules for Public Order or federal, state or local laws.

- No Contact Letters shall be issued for incidents that occur off campus, in non-residential areas of campus and in residence halls, entryways and other areas contiguous to the residence halls.
- No Contact Letters shall be issued to all parties involved in an incident. This includes the victim, respondent, and any other students involved. No Contact Letters shall be delivered in the quickest means available, including e-mail, campus mail, or hand delivered by a University Police officer or Residence Life staff.
- If a No Contact Letter is part of the terms of an interim suspension, the interim suspended student shall be notified in the No Contact Letter, as well as in the interim suspension notice, that the two are enforced concurrently.

Policy Review of No Contact Letters

Both the accused or respondent and the reporting individual shall, upon request and consistent with SUNY Oswego policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of a no contact order, including potential modification, and shall be allowed to submit evidence in support of their request. SUNY Oswego may establish an appropriate schedule for the accused and respondents to access applicable buildings and property at a time when such buildings and property are not being accessed by the reporting individual. Contact the Dean of Students, 315-312-5483, deanofstudents@oswego.edu.

Student Conduct Procedures for Allegations of Sexual and Interpersonal Violence

([See full policy under Sexual and Interpersonal Violence Policies and Procedures](#))

In general, the procedures listed in Student Conduct Procedures will be followed with some notable differences specific to cases of sexual discrimination as listed here.

Conduct proceedings are governed by the procedures set forth in this Handbook ([Student Handbook](#)) as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions. Reporting individuals can request that student conduct charges be filed against the accused/respondent.

A. Throughout conduct proceedings, the accused/respondent and the reporting individual will have:

- The same opportunity to be accompanied by an advisor of their choice who may assist and advise the parties throughout the conduct process and any related hearings or meetings. Participation of the advisor in any proceeding is governed by federal law and the Code of Student Rights, Responsibilities and Conduct;
- The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial, timely, and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the accused/respondent, including the right to a presumption that the accused/respondent is “not responsible” until a finding of responsibility is made, and other issues related to sexual assault, domestic violence, dating violence, and stalking.
- The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality, and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest.
- The right to receive advance written or electronic notice of the date, time, and location of any meeting or hearing they are required to or are eligible to attend. Accused individuals (Respondent) will also be told the factual allegations concerning the violation, a reference to the specific code of conduct provisions alleged to have been violated, and possible sanctions.
- The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than ten (10) days except when law enforcement specifically requests and justifies a longer delay.
- The right to offer evidence during an investigation and to review available relevant evidence in the case file (or otherwise held by SUNY Oswego).
- The right to present evidence and testimony at a hearing, where appropriate.
- The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.
- The right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in the college disciplinary stage that determines responsibility. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanction.
- The right to ask questions of the decision maker/hearing officer/code administrator and via the decision maker/hearing officer/code administrator indirectly requesting responses from other parties and any other witnesses present.
- The right to make an impact statement during the point of the proceeding where the decision maker/hearing officer/code administrator is deliberating on appropriate sanctions.
- The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanctions, and the rationale for the decision and any sanctions
- The right to written or electronic notice about the sanction(s) that may be imposed on the accused/respondent based upon the outcome of the conduct proceeding. Students who are found responsible for sexual assault will be suspended (with additional requirements) or expelled. Students found in violation of dating violence, domestic violence, sexual harassment or stalking will be either placed on disciplinary probation, placed on deferred suspension, suspended or expelled. Students that are placed on disciplinary probation, deferred suspension or suspended may be sanctioned intervention services, restrictions from accessing college or community buildings, and educational programs. For more information, review the Code of Student Rights, Responsibilities and Conduct.
- Access to at least one level of appeal of a determination before the Appellate Hearing Committee, which may include one or more students, that is fair and impartial and does not include individuals with a conflict of interest.
- The right to have access to a full and fair record of a student conduct hearing, which shall be preserved and maintained in the Office of Student Conduct for at least five years.

- The right to choose whether to disclose or discuss the outcome of a conduct hearing.
- The right to have all information obtained during the course of the conduct process be protected from public release until the appeals panel makes a final determination unless otherwise required by law.
- The burden of proof in all cases is “the preponderance of the evidence” - whether it is “more likely than not” that the sex discrimination, sexual harassment, sexual assault, sexual violence, stalking, domestic violence or dating violence occurred. If the evidence presented meets this standard, then the Respondent must be found responsible.
- All deadlines and time requirements in the Code may be extended for good cause as determined by the Director of Student Conduct. Both the respondent and the complainant will be notified in writing of the delay, the reason for delay, and provided the date of the new deadline or event. Extensions requested by one party will not be longer than five (5) class days.

Appeal Process for Cases Involving Sexual and Interpersonal Violence

[\(See full policy under Sexual and Interpersonal Violence Prevention, Policies and Procedures\)](#)

Either party may submit an appeal within five (5) business days of the hearing outcome notification for the following reasons:

1. There was significant procedural error of a nature sufficient to have materially and detrimentally affected the outcome.
2. There is significant new evidence of which the appellant was not previously aware, that the appellant could not have discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially and detrimentally affected the outcome.
3. The sanction(s) imposed are grossly disproportionate to the charges found to have occurred.

Appeals from the decision of a College level student conduct body/officer (i.e. Student Conduct Committee or Dean’s level hearing) shall be directed in writing to the Director of Student Conduct by either party within five (5) business days of the Respondent’s receipt of the written decision. If an appeal is submitted by one party, the non-requesting party will receive notice of the appeal and within five (5) business days of receipt of notice of an appeal, may submit to the Director of Student Conduct a statement of their position regarding the decision of the hearing body. This individual will not have access to the appealing party’s letter of appeal. The party initiating the appeal of the decision of the hearing body will also receive notice of the five-day period indicating an opportunity to amend or add to their submitted appeal. Final submissions will be due concurrently at the end of the designated five-day period.

The Appellate Hearing Committee shall review the decision on the basis of consideration of procedural error, significant new evidence and or grossly disproportionate sanctions. The Committee shall provide the Director of Student Conduct with a written explanation of any modification of the decision. In the absence of a timely appeal, the Dean of Students determination will be final and conclusive. Upon receipt of an appeal that complies with these requirements, the Appellate Hearing Committee may decide it on the basis of the statement of appeal and the record; consult with Dean of Students; the Student Conduct Committee; other persons deemed appropriate; and/or grant the Appellant a conference to explain the appeal in person. The Appellate Hearing Committee may sustain, reverse, or modify the Dean of Students’ determination and/or may hear the case on appeal.

Notification of the Appellate Hearing Committee’s resolution of the appeal will be made by letter sent to the appellant’s SUNY Oswego email account by the Director of Student Conduct. The complainant/reporting party will also receive notice of the decision. The respondent or complainant/reporting party may request a review of the case by the President by submitting a request in writing to the Vice President for Student Affairs. However, whether or not the case will be reviewed is the prerogative of the President. This appeal is final within the campus Student Conduct system.

For more information, contact:

Director of Student Conduct
Office of the Dean of Students
501 Culkin Hall
315-312-3378

For more information see Sexual and Interpersonal Violence Prevention, Policies and Procedures.

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

[\(See full policy under Sexual and Interpersonal Violence Prevention, Policies and Procedures\)](#)

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

POLICIES

Academics

Academic and Grade Appeal Process

Students may appeal academic decisions that they feel are unfair. A student who believes they have been evaluated unfairly should first discuss the matter with the professor of the class. If the issue is not resolved with the professor, the student may next appeal to the department chair. The student has the right to continue the appeal in an orderly progression to the next supervisor, but it is best to resolve issues at the source. A student's appeal should be presented in writing. The student may select an advisor to aid them through the process. For further information about the appeal process, contact the Office of the Associate Provost, 703 Culkin Hall, 315-312-2232.

Grade Appeal

1. The instructor of record has the responsibility to assign/change the final grade for the course. The purpose of the appeal process is to ensure that college policies have been followed and that the treatment of a student has been fair and consistent with guidelines established in the course syllabus.
2. The first step in the resolution of any dispute between a student and an instructor concerning an academic matter should be that the student meets with, or makes a determined effort to meet with, the instructor in order to discuss the problem. Most often, the dispute can be resolved through such discussion between faculty and student; should it not lead to a satisfactory resolution, the student may further pursue an appeal process.
3. The following will describe the steps and deadlines for such an appeal process:
 - (a) The grade appeal process begins with a written appeal letter to the chair of the department offering the course. The written appeal must be submitted no later than the end of the sixth week of the following semester. Student is encouraged to seek a mentor, their advisor or any other member of the faculty and staff, to assist in the appeal process.
 - (b) Within a week of the receipt of the student's written appeal, an acknowledgement will be sent to the student by the chair. The department chair will need time to look into the issue(s) raised by the student. The chair's evaluation may involve review of course records, communications between the faculty and the student, or any other document offered by the student or the faculty member deemed pertinent to the case. The discovery process may also require face to face meetings, phone conversation, or email communications between the chair and the student.
 - (c) The student should expect a written response to the appeal within two weeks of submitting the appeal unless circumstances delay the conclusion of the case. If the appeal is denied, the written response by the chair must outline the reasons.
 - (d) If the student is not satisfied with the outcome of the review from the department chair, they may then appeal to the appropriate academic dean. This is where the role of a mentor becomes most critical as the student's appeal to the dean must appropriately offer responses to the written reasons of denial of the appeal by the department chair. The process described in step 2 applies, except that the student will have two weeks to submit a written appeal to the dean. There would be the same set of expectations regarding acknowledgment of receipt of the appeal letter and deadlines to review and respond to the student by the dean.
 - (e) Written response from the dean concludes the grade appeal process.
 - (f) In the event that the faculty member who had assigned the final grade is not available to consider the student's appeal, the chair of the department responsible for offering the course shall assign a qualified faculty member to review the merits of the appeal in place of that original instructor. The faculty member assigned to review the case will have the authority to change the grade. This exception is only exercised in extraordinary cases where the faculty member, for example, is no longer working for SUNY Oswego and is not responding to the student's appeal or to queries from the department chair or the dean as they review the case.

Attendance Policy

The attendance policy is focused on achieving effective instruction, scholarly accomplishment, and sustaining an effective learning environment. Student achievement and the development of scholarship are responsibilities shared by the student and the College. It is the responsibility of the staff of the College to provide worthwhile and rewarding learning experiences commensurate with the objectives of the College, and it is the responsibility of each student to maintain attendance at each class and other assigned educational activity since such attendance is essential to obtain optimum benefits from the College programs. Regular class attendance is expected and is obligatory. Faculty may consider attendance when determining grades.

1. Absences

- (a) Students who have two unexcused absences during the first two class meetings of the semester may be dropped from the course at the discretion of the instructor. The instructor or the department offering the course will notify the Registrar of this action. However, students should not assume that they have been dropped from a class just because the first two classes were missed. It is ultimately the responsibility of students to drop a course that they are not planning to attend by the deadline published in the College calendar. Failure to do this may result in a failing grade for the course.
- (b) The College does not set a numerical quota of allowable absences. However, regular class attendance is obligatory and each faculty member may set an attendance policy in their course syllabus. Any absence from class or other assigned educational activity results in lessening, to some degree, the student's progress. It is, therefore, the responsibility of each student, insofar as possible, to become acquainted with the concepts and to attain the skills developed in any class missed.

2. Procedures

- (a) If an instructor determines that a student has failed a class due to lack of attendance as stipulated in the course syllabus, the student should be notified as soon as possible via e-mail or in person. Depending on the timing of this final absence, the student may have time to withdraw from the class, but this action is the responsibility of the student and falls under the rules of late course withdrawal.
- (b) The College recognizes that certain instances of absence from class are unavoidable. In the case of such unavoidable absence, the student should consult the course syllabus for any statement concerning absence and talk with the instructor before, during, and/or immediately after the absence occurs, whichever is possible. The student should also realize that the attendance of the entire semester may factor into the instructor's decision about such unavoidable absences. The best policy is to have excellent attendance so most course attendance policies may accommodate such unavoidable absences.
- (c) Faculty members have the responsibility, insofar as feasible, to provide students with the opportunity to make up any examination, study, or work requirement missed for duly verified medical reasons, College sponsored activities, religious observances or other unavoidable absence.

3. Class Absences Beyond Two Consecutive Days

- (a) In recognition of the fact that "regular class attendance is obligatory" and that there is no provision for an excused absence from class, students must follow the attendance policy for each class as it is presented in the course syllabus. From time to time, students may find that they will be absent from class for a period of time of three (3) days or more for extenuating circumstances that are beyond their control. When this occurs, students are expected to notify the Office of the Dean of Students (315-312-5483) prior to their absence from class. The Office of the Dean of Students will then notify faculty members of the absence. **This notification is not an excuse nor does it obligate the faculty member in any way.** The notification is merely an attempt to facilitate faculty-student contact, particularly in emergency or urgent situations that require the student to be away from the campus.
- (b) The Office of the Dean of Students will provide out-of-class notification to faculty members only under the following circumstances:
 - 1. Notification is prior to or concurrent with the absence
 - 2. Absence is due to circumstances beyond the student's control (documentation will be requested)
 - 3. Absence will be for three or more class days and the student is absent from campus

4. Absence from Class Due to Military Obligations

- (a) For the purposes of this policy, military obligations are defined as duties that will cause a student to miss no more than 15% of class meetings. These obligations include drill, temporary duty assignment, unit training assemblies, and ROTC training.
- (b) For a student, who because of her/his military obligation is unable to attend classes on a particular day or days because of such, that absence is excused.
- (c) Faculty and administrative officials of the institution must provide each student who is absent from school because of such obligations an equal opportunity to make up any course requirements which the student may have missed because of such absence. No fees of any kind shall be charged by the institution for this opportunity. At the same time, the absent student shall not expect the instructor to repeat an entire lecture or lab session.
- (d) For obligations exceeding this 15% limit, any accommodation will be at the instructor's discretion.
- (e) Students who are actively participating in the United States Military Reserve, ROTC or National Guard are to provide each faculty member a copy of their military obligation schedule during the first week of class each semester. In the event that the student must perform duties outside of this schedule, a signed memorandum from their Unit Commander must be provided with said dates of service and supplied to each instructor.
- (f) It is the responsibility of the student who misses any classes under these provisions to contact the instructor of each class (prior to the anticipated absence) to arrange for making up course requirements affected by the provisions. It is also the student's responsibility to inform the faculty affected by these provisions of changes to their schedules at the time of the change.
- (g) Faculty and administrative officials of the institution must ensure that students do not suffer unfairly because of these provisions. Students who feel that this policy has not been fairly implemented by faculty may appeal to the appropriate department chair. If it is felt that no satisfaction is received there, then the student may appeal to the appropriate dean.

5. Absence from Class Due to Religious Beliefs

The following statements regarding absence from class because of a student's religious beliefs is taken from State Education Law, paragraph 224a.

- (a) No person shall be expelled from or be refused admission as a student to an institution of higher education for the reason that they are unable, because of their religious beliefs, to attend classes or to participate in any examination, study or work requirements on a particular day or days.
- (b) Any student in an institution of higher education who is unable, because of religious beliefs, to attend classes on a particular day or days shall be excused from any examination or any study or work requirements because of such absence on the particular day or days. However, students must communicate with the faculty prior to the absence to make reasonable plans for making up the missed work.
- (c) It shall be the responsibility of the faculty and of the administrative officials of each institution of higher education to make available to each student who is absent from school, because of their religious beliefs, an equivalent opportunity to make up any examination, study or work requirements which they may have missed because of such absence on any particular day or days. No fees of any kind shall be charged by the institution for making available to the said student such equivalent opportunity.
- (d) If classes, examinations, study or work requirements are held on Friday after four o'clock post meridian or on Saturday, similar or makeup classes, examinations, study or work requirements shall be made available on other days, where it is possible and practicable to do so. No special fees shall be charged to the student for these classes, examinations, study or work requirements held on other days.

- (e) In effectuating the provisions of this section, it shall be the duty of the faculty and of the administrative officials of each institution of higher education to exercise the fullest measure of good faith. No adverse or prejudicial effects shall result to any student because of them availing themselves of the provisions of this section.
- (f) Any student, who is aggrieved by the alleged failure of any faculty or administrative officials to comply in good faith with the provisions of this section, shall be entitled to maintain an action or proceeding in the supreme court of the county in which such institution of higher education is located for the enforcement of their rights under this section.
- (g) As used in this section, the term "institution of higher education" shall mean schools under the control of the board of trustees of the State University of New York or of the board of higher education of the City of New York or any community college.

Students who feel that this policy has not been fairly implemented may appeal to the appropriate department chair. If it is felt that no satisfaction is received there, then the student may appeal to the appropriate dean.

6. Absence From Class Due to Athletic Team Membership

- (a) A student who because of their membership on an officially sanctioned athletic team with officially scheduled competitions is unable to attend classes on a particular day or days because of such absence is excused.
- (b) Faculty and administrative officials of the institution must provide each student who is absent from school because of such competitions an equal opportunity to make up any course requirements which the student(s) may have missed because of such absence. No fees of any kind shall be charged by the institution for this opportunity. At the same time, the absent student shall not expect the instructor to repeat an entire lecture or lab session.
- (c) Coaches of each athletic team must provide the student athlete a list with dates of officially scheduled competitions. The student must give this list to faculty and to administrative officials affected by these provisions at least one class meeting prior to the first competition, and at least one class period prior to any post-season competitions. It is the responsibility of the Athletic Director to see that all coaches comply with this provision.
- (d) It is the responsibility of the student who misses any classes under these provisions to contact the instructor of each class (prior to the anticipated absence) to arrange for making up course requirements affected by the provisions. It is also the student's responsibility to inform the coaches and faculty affected by these provisions of changes to their athletic schedules at the time of the change. It shall be the responsibility of the Academic Advisor for Intercollegiate Athletics to monitor student athletes' changes of schedules and notify coaches.
- (e) Faculty and administrative officials of the institution must ensure that students do not suffer unfairly because of these provisions. Students who feel that this policy has not been fairly implemented by faculty may appeal to the appropriate department chair. If it is felt that no satisfaction is received there, then the student may appeal to the appropriate dean.

7. Medical Leave of Absence

A matriculated student who withdraws from the College for medical reasons may apply for a Medical Leave of Absence. A Medical Leave for physical or psychological health reasons is intended to allow a student sufficient time away from campus for a sustained recovery and/or stability, and for activities that contribute to a successful return.

Upon the recommendation of Oswego's Health Services, Counseling Services, or a student's physician or therapist, the Dean of Students may grant a student Medical Leave status. Depending on the date of the withdrawal, a medical leave may provide a benefit to the student in terms of W grades and financial liability.

Process for Requesting Medical Leave

Students who wish to leave campus on a Medical Leave should contact the [Office of the Dean of Students](#) to complete the College Withdrawal process. Documentation from a licensed medical or psychological expert is required, that indicates how the student's personal health is impacting their ability to complete the current semester.

The deadline to request Medical Leave for a particular semester is the last day of classes for that semester.

Return to Campus from Medical Leave

Requests for return from medical leave require a letter from the student along with a letter from the student's clinician(s) documenting the student's treatment and readiness to return. These materials must be received by the [Office of the Dean of Students](#) at least 30 days prior to the start of the semester in which the student expects to return.

The Dean of Students must approve the student's return. Once a student is cleared to return from a medical leave, their previous academic standing will apply.

Military Leave of Absence

A matriculated student who is called up to active duty with the military or deployed for military action is eligible for a Military Leave of Absence. A Military Leave of Absence will facilitate a student's return to Oswego if the student wishes to return within one year from the date of discharge from active service or return from deployment.

Students who wish to utilize the Military Leave should contact the [Office of the Dean of Students](#) to complete the College Withdrawal process. A copy of the student's military orders will be the documentation needed to expedite the withdrawal.

To return to Oswego, a student on Military Leave of Absence must notify the Registrar's Office of their intent to return to Oswego. A student on Military Leave of Absence may participate in the Advance Registration period only after they have notified the Registrar's Office. Documentation of discharge or reassignment will be required.

If the Military Leave of Absence expires, a student must follow the procedures for readmission to the College.

Experiential and Field Placements

The College encourages students to make full use of the learning environment outside the classroom. Work and volunteer experiences broaden a student's understanding and provide opportunities to apply concepts learned in the classroom to practical situations. Learning is enhanced by applying classroom learning and by reflecting on these experiences.

1. Expectations for Behavior

The College expects students to be responsible, ethical and professional in all work environments consistent with guidelines as expressed in the Code of Student Rights, Responsibilities and Conduct, including adherence to federal, state and local laws and the policies of the field placement site. Students who engage in experiential placements, both on and off-campus, such as internships, co-ops, student teaching, practica, community service, service learning, and field-based independent studies are participating in College sponsored programs and thus, are subject to the Code of Student Rights, Responsibilities and Conduct. Misconduct, poor judgment, and inappropriate actions in any work or volunteer placement may subject the student to dismissal from a specific placement and/or disciplinary action. The College will provide an explanation of the circumstances surrounding dismissal. The College in such circumstances has no obligation to reassign a student. The School of Education has its own Fair Process Policy. Under advisement, students dismissed during their practica, field experience, or student teaching will be reassigned if they are permitted to re-register for the course.

2. Student Disclosure During Application Process

Students should realize that for certain specific experiential placements, the College or the placement itself may require that students provide references, fingerprint checks, disclosure of information concerning criminal convictions, or other information as part of an application for experiential placements. Release of information may be a requirement of an individual placement. Criminal convictions or college disciplinary action may have an adverse effect on the opportunity for students to obtain an experiential placement and licensure in a profession.

3. Placements

- (a) The College attempts to make placements for eligible students; however, the College cannot provide nor guarantee a placement in all cases. Final decisions for eligibility, appropriateness, and preparedness for a placement rest in the professional judgment of those who review students for possible placement. Factors beyond the control of the College may influence a student's ability to find a placement. A student's inability to obtain a placement may affect the student's ability to complete an educational program. In such cases a student may be encouraged to withdraw or transfer to another degree program.
- (b) Students may not create their own experiential placements for credit, whether voluntary or required for an academic program, without informing the sponsoring department and obtaining prior approval directly from that department. Students are not employees or agents of the College while engaging in their experiential placements. Students may not represent themselves as an agent of the College seeking a placement unless they have department sponsorship and supervision from a member of the College faculty and/or staff.

4. Confidential Information and Referrals

If a student is placed in a department at the College for their experiential placement, the student may, as a result of the placement, have access to confidential information and materials related to other members of the college community. The student is prohibited from disclosing to any party any academic or personal information or materials related to another member of the college community. It will be the responsibility of the experiential placement supervisor to inform the student of the expectations regarding confidentiality. Students should also be aware that a similar expectation for confidentiality is required in many off-campus experiential placements.

See individual department and/or program handbooks for additional information related to experiential and field placement procedures and expectation.

Campus Events and Conference Services

Credit Card Vendor Policy

SUNY Oswego follows the New York State Education Law Article 129-A, Section 6437, regarding the solicitation of student applications for credit cards. The advertising, marketing, or merchandising of credit cards to students by vendors is prohibited at the College.

Exceptions to this policy are determined by the Director of Campus Events and Conference Services, or designee, if the services to students are consistent with the educational purposes of the college. [Credit Cards, Prohibition on the Marketing of.](#)

Facilities Reservations and Use

The Department of Campus Events and Conference Services supports the College's mission by providing the opportunity for students to engage in purposeful educational and co-curricular activity. Policies contained herein are designed to ensure that students have a full understanding of the intended use of campus facilities, resources, and support services at their disposal.

A. Overview

The use of College facilities is intended for functions sponsored by recognized student organizations, as well as offices, programs and departments of the College in pursuit of its educational mission. As a public institution, the College also recognizes it should make its facilities available for use by external groups when appropriate and so long as they do not infringe upon, disrupt or conflict with operation and activities of the College and its educational pursuits.

B. Policy Application

Policy information contained herein is intended to guide and inform Registered Student Organizations and Clubs as they plan events for/with their peers and other members of the campus community. To review our full "Facilities Use Policy" and its application to other campus community members and external groups please visit our website at [Facilities use policy | Campus Events and Conference Services](#).

This policy applies only to the use of those facilities located on the main campus of SUNY Oswego. The Division of Extended Learning has sole responsibility for scheduling the use of facilities at the SUNY Oswego at Syracuse campus.

C. Helpful Definitions

Registered Student Club or Organization - Groups and/or organizations composed of currently enrolled SUNY Oswego students that have complied with the formal requirements for registration with the College as provided in Section 18 of the Code of Student Rights, Responsibilities and Conduct. Considered "College Users" for the purposes of this policy.

College Users - In addition to registered student clubs and organizations this classification includes any group that is part of or directly affiliated with the organizational and/or governance structure of the College. This includes but is not limited to Student Association, Alumni Association, the Oswego College Foundation and Auxiliary Services. Individual students and other members of the college community are not considered College Users.

Facility(ies) - When referring to reservable College facilities this includes any building, structure, outdoor space, furnishings and/or equipment under the control and custody of the College and/or the College Foundation.

D. Eligible Events

In general, any event occurring in the College's facilities must have a clear, direct connection to the educational and/or co-curricular mission of the College as well as the programmatic mission of the sponsoring College User.

1. Sponsored Event: An event sponsored solely by one or more College Users. This includes but is not limited to activities such as:
 - (a) Registered Student Club and Organization meetings, events, and programs.
 - (b) Committee, task force, or departmental meetings initiated by a College User.
 - (c) Academic activities, meetings or programs that are not an academic class but are part of or directly related to the College's curriculum of formal instruction.

2. Hosted Event: An event initiated by one or more College Users who partner with one or more external groups (groups not directly affiliated with the organizational and/or governance structure of the college). The following criteria must be met in order for the event to be hosted on campus:
 - (a) Event must be initiated and organized by one or more College Users
 - (b) Partnering external groups agree to comply with the College's Solicitation policy
 - (c) External Groups acknowledge they may be subject to the assessment of applicable fees
 - (d) External Groups agree to comply with all aspects of the College's policies regarding Insurance requirements and Indemnification

E. Scheduling Authority

1. The Department of Campus Events and Conference Services and the Division of Student Affairs, is solely responsible for scheduling the use of College facilities for sponsored events, and hosted events.
2. Campus Events and Conference Services shall be responsible for implementing this aspect of the policy.
3. Campus Events and Conference Services shall establish procedures to request, schedule, reserve, and coordinate the use of College facilities.
4. Campus Events and Conference Services shall establish procedures to arrange for services in support of activities and events.

F. Appropriate Use of Facilities

1. The purpose for which a facility is requested to be used must be consistent with and suitable to the primary function(s) for which the facility was designed or is currently utilized. The proposed use of a facility must conform to building and fire codes, including adherence to occupancy limits and maintaining proper ingress and egress to the facility.
2. Certain facilities cannot be reserved due to their specific functions including, but not limited to: offices, storage rooms, closets, bathrooms, stairwells, and hallways.
3. Certain facilities may not be appropriate for use beyond their primary function for reasons of safety or security including, but not limited to: mechanical rooms, rooftops, maintenance shops, dining centers or catering kitchens, and laboratories.
4. Registered Student Organizations and Groups may hold events in College facilities so long as they comply with Section D (Eligible Events) of Campus Events and Conference Services policies.
5. College facilities may not be used in a manner that infringes upon, disrupts or conflicts with the operations of the College or the College's educational purposes (see *Regulations and Procedures for Maintaining Public Order on Campuses* of the State University of New York).
6. College facilities may not be used in a manner that is inconsistent with the College's status as a tax-exempt educational institution.
7. The College shall have the authority to limit activities and events to specific locations, specific dates(s) and specific time(s), limit the manner in which facilities are used, limit the number of participants at an activity or event, limit the level of amplification, and set other limits to ensure the integrity of the College's primary programs and educational purposes.
8. The College shall determine appropriate measures for the health, safety, and security of campus members and the public for activities and events and may deny or limit the use of College facilities accordingly.

9. Facility use may be denied or restricted if the College determines that the College user(s) or partnering external group has violated College policy, federal, state or local law during a previous use of College facilities.
10. All College and external users who schedule the use of College facilities and their visitors and guests must abide by College policies, the *Regulations and Procedures for Maintaining Public Order on Campuses* of the State University of New York, other policies of the Board of Trustees of the State University of New York, and the tenets of the SUNY Oswego Code of Student Rights, Responsibilities and Conduct. Violation of such policies may result in disciplinary action, criminal or civil actions. Violators may be required to reimburse the College for costs associated with damages or other services incurred as a result of such violation. Violators may be escorted off the campus by University Police.
11. The advertisement and/or posting of information in College facilities soliciting campus or community attendance at events using College facilities must comply with the College's policy on Posting Promotional Materials.
12. The use of College facilities by College and external users must comply with all provisions outlined in this policy.

G. Scheduling Criteria

In order to ensure compliance with this policy, the Department of Campus Events and Conference Services will use the following process and criteria in evaluating event requests:

1. Requests for the use of College facilities by College Users must be directed to the Department of Campus Events and Conference Services for scheduling.
2. The Department of Campus Events and Conference Services will review each request, make a decision as to the appropriate classification of the activity or event and, after appropriate consultation within the College community, approve or deny the request with cause. The Department of Campus Events and Conference Services Office shall base its decision on the following:
 - (a) Purpose for which the space is requested
 - (b) Appropriateness of the request
 - (c) Availability of facilities and other resources
 - (d) Relationship of the user(s) to the College
 - (e) Relationship of the primary audience to the College
 - (f) Each activity and event will be scheduled in an available facility whose capacity and/or design is most appropriate for the size and/or nature of the proposed activity or event.
 - (g) To optimize the overall use of College facilities, the Department of Campus Events and Conference Services reserves the right to change the location, reservation start time or reservation end time of a scheduled activity or event. Decisions to change the location, reservation start time or reservation end time of a scheduled activity or event will be made in consultation with the user(s) and with as much advance notice as possible.

H. Facility Use Priority

1. Academic Classes
 - (a) The scheduling of academic classes shall receive first priority for the use of classrooms and laboratories.
 - (b) The scheduling of academic classes shall not pre-empt or "bump" scheduled activities or events from other College facilities.

2. Eligible Events
 - (a) In general, requests for the use of College facilities for eligible events shall be accommodated on a first-come first-served basis.
 - (b) When two or more requests for the use of College facilities are received at the same time and a scheduling conflict arises, the following order of scheduling priority will be used to resolve the conflict:
 1. Academic related activities
 2. Other qualifying Sponsored events
 3. Hosted events
 4. An activity or event with a higher scheduling priority shall not pre-empt or “bump” a previously scheduled activity or event with a lower scheduling priority.
3. Classrooms and laboratories may not be scheduled for sponsored events or hosted events for a given semester or summer term prior to the release of the final schedule of academic classes for that semester or summer term except for those activities and events that are scheduled during academic breaks and/or non-class or weekend hours.
4. The College reserves the right to pre-empt the facility use priority to meet the educational purposes of the College or in response to unique needs or circumstances.

I. Deposits and Fees

1. The College reserves the right to charge deposits and certain other fees, as listed below, related to the use of College facilities:
 - (a) Administrative Fee – Assessed for the planning and/or support of an activity or an event.
 - (b) Damage Fee – Assessed for damage to a facility resulting from an activity or an event.
 - (c) Deposit – A non-refundable payment made for the purpose of reserving the use of a facility or facilities for an activity or an event. The amount of the deposit is applied toward the total cost of all applicable fees arising from the production of the activity or event.
 - (d) Rental Fee – Assessed for the use of space, furnishings and/or equipment.
 - (e) Support Service Fee – Assessed for a service required or provided by the College, or its subcontractors, in support of an activity or an event (e.g., custodial, maintenance, catering, dining center meals, parking, traffic control, event security, and facility supervision outside normal operating hours).
2. Campus Events and Conference Services has sole authority to quote and assess fees for the use of College facilities for all sponsored events, and hosted events.
3. Generally, a College user who uses College facilities for an Eligible Event will not be assessed a deposit or administrative fees.
4. Rental fee(s) will be assessed for the use of residence hall facilities.
5. Rental fee(s) may be assessed for the use of facilities under the custody and control of Auxiliary Services (e.g., Fallbrook Recreation Center).
6. Support service fee(s) will be assessed for dining center meals and for catering.
7. Rental fee(s) may be assessed for furnishings and equipment when an activity or event requires additional furnishings or equipment not included in the routine operation of the facility or facilities used.

8. Support service fee(s) may be assessed when an activity or event requires additional staffing or support services not included in the routine operation of the facility or facilities used.
9. Damage fee(s) may be assessed when an activity or event results in damage to the facility or facilities used.
10. Generally, an internal and/or external user who uses College facilities for a hosted event or an external event will be assessed a deposit and applicable rental fees, support service fees, and administrative fees.
11. Damage fee(s) may be assessed when an activity or event results in damage to the facility or facilities used.

J. “No Show”, Cancellation and Facility Substitution Policy

1. Space on campus is a limited resource and at certain times of the academic calendar there may be several College Users in need of a specific venue.
2. If a scheduled event is no longer occurring we ask that all College Users contact the Campus Events and Conference Services to cancel their reservation.
3. Should a College User fail to cancel a reservation and “No Show” for their reserved facility they may be subject to progressive action that includes:
 - (a) A written warning regarding future loss of reservation privileges
 - (b) A loss of reservation privileges for a two week period and/or cancellation of any reservations scheduled for this period
 - (c) A loss of reservation privileges for a four week period and/or cancellation of any reservations scheduled for this period
 - (d) A loss of reservation privileges for a time constituting a 16 week academic semester and/or cancellation of any reservations scheduled for this period
 - (e) Payment of a “Support Service Fee” if the event required the scheduling of additional staff and resources by Campus Events and Conference Services.
4. The College reserves the right to substitute an alternative facility if deemed necessary to:
 - (a) Ensure the integrity of the College’s primary programs and educational objectives
 - (b) Optimize the use of College facilities
 - (c) Respond to unique needs or circumstances
 - (d) In extremely rare situations, due to factors beyond the control of the College, including, but not limited to weather conditions, unavailability of facilities due to physical damage, or mechanical breakdown of support systems, the College may cancel a previously scheduled activity or event without penalty to the College.
 - (e) The College reserves the right to establish reasonable cancellation deadlines for sponsored events and hosted events.
 - (f) Such deadlines will be established and communicated in a timely manner to internal/external users during the planning process.
 - (g) Some cancellations received after an established cancellation deadline may result in the assessment of additional fees and/or the loss of non-refundable fees.

K. Insurance

1. The College reserves the right to require certain users to provide a certificate of insurance related to their use of College facilities.
2. If required by the College, the user(s) shall purchase and maintain, at its expense, the following types of insurance:
 - (a) Workers' compensation insurance sufficient to cover all employees of the user. Such policies shall name SUNY Oswego, SUNY, and the State of New York as additionally insured.
 - (b) Comprehensive commercial general liability insurance, property damage insurance, and automobile liability insurance in such amounts as the College shall deem sufficient but no less than \$250,000 each person.
 - (c) General Liability insurance two million dollars (\$2,000,000) each occurrence and two million dollars (\$2,000,000) in the aggregate.
 - (d) New York State Workers' Compensation and disability insurance during the term of the revocable permit for the benefit of permittee's employees required to be covered under the NYS Workers' Compensation Law and the NYS Disability Benefits Law.

L. Indemnification

The College reserves the right to require certain users to indemnify the College, SUNY, and the State of New York from any liability arising out of the actions of the user or its agent(s) incidental to the use of the College facilities by the user.

M. Waivers and Additional Discounts

Requests to waive or discount deposits and fees related to the use of College facilities must be submitted in writing to the Director of Campus Events and Conference Services or designee who will then submit their recommendation to the Vice President for Student Affairs. The Vice President for Student Affairs will approve or deny the request.

Free Speech – Public Forum Designation

The College campus may be used for free speech purposes by third parties pursuant to the delegation of authority by the SUNY Board of Trustees (SUNY Policy #5603 – Use of Facilities by Non-Commercial Organizations). The College reserves the right to determine the time, place, and manner of assembly or presentation in order to assure the continuity and quality of the educational process both in and out of class, the protection of property, and the safety of individuals.

The College recognizes an obligation to provide a free speech area of the campus for use by third parties (not part of or sponsored by the College or a registered student organization). This policy applies to third parties and does not apply to the College's students, speakers officially sponsored by registered student groups, faculty or staff. The rights of students, faculty and staff regarding free speech are included in:

- *Regulations and Procedures for Maintaining Public Order on Campuses* of the State University of New York
- Code of Student Rights, Responsibilities and Conduct
- Bill of Rights and Responsibilities for Faculty, Students, Administrators, Staff and College Council at Oswego

As a public entity partially funded by New York State tax dollars, the College will provide a designated public forum to third parties for the exercise of their free speech rights. To comply with existing law, the College will assign resources to presentations by third parties, including staff time, for the management of the designated public forum and possibly using University Police or other administrative staff to provide for public safety of participants. Reservations for the designated forum will be addressed on a first-come, first-served basis.

In implementing this policy, the College weighs competing obligations and responsibilities to:

- Meet its legal obligations as a public entity to provide a designated public forum for free speech by third parties
- Meet audit and control responsibilities in managing New York State property under College jurisdiction
- Provide for the orderly and safe operation of the College campus
- Responsibly manage and allocate College resources in pursuit of its educational mission

The College has determined specific time periods when the use of its campus or facilities, including outdoor spaces, are reserved exclusively for College related activities that are at the core of the primary educational mission of the College. During these periods, no third party shall be permitted to reserve or use the designated public forum for free speech purposes during:

- Student orientation days and opening weekends for the summer, fall and spring semesters
- Reading and examination periods as set forth in the then current academic calendar
- Graduation related activities and events including winter and spring commencement days
- Major campus-wide celebrations and events such as Quest, Family and Friends Weekend, and Honors Convocation

1. Designated Public Forum Location

- (a) The College has designated the following area as a public forum for third party free speech: the south side of the recessed concrete surface in the academic quad between Hewitt Hall, Mahar Hall, and Lanigan Hall, commonly known as "The Sundial," not including the east-west sidewalks surrounding The Sundial.
- (b) The south side of The Sundial is one of the most highly trafficked areas on campus by students, faculty, staff and visitors. No electronic amplification of sound is permitted in the academic quad, which includes the Sundial, due to the proximity of academic buildings in which classes are held. The risk of interfering with classroom instruction is too great to allow for the use of electronic amplification methods. Therefore, the use of electronically amplified sound is not permitted in the academic quad on class days from the time classes begin in the morning through the time that classes end in the evening.

2. Application and Reservation Process

- (a) Third parties seeking to use the space designated as a public forum for third party free speech must complete a designated public forum application and file the application with the Department of Campus Events and Conference Services three (3) business days before the date when the applicant wants to use the designated public forum space. [Free Speech Public Forum App](#)
- (b) Completed applications should be sent or hand delivered to:
Department of Campus Events and Conference Services
Attn: Director of CECS
135 Marano Campus Center
SUNY Oswego
Oswego, NY 13126

- (c) Questions regarding the application process for use of the designated public forum may be addressed to the Director of Campus Events and Conference Services, at 315-312-2301.

Fundraising by Students and Student Organizations

Generally, students may not conduct fundraising activities as individuals since such activity could grow large enough to interfere with the conduct of College activities. Therefore, the College has established the following requirements to ensure that student fundraising activities that occur on campus are conducted in accordance with College policies.

1. Within the context of this policy, student groups are defined as registered student organizations, intercollegiate athletic teams, and residence hall governance/programming bodies recognized by the Residence Life and Housing office.
2. Fundraising is defined as non-commercial events or programs through which money is donated or exchanged for goods, services, or membership and the funds raised are intended for the educational, public service, or non-profit use of the sponsoring student group.
3. Registered student organizations, intercollegiate athletic teams, and residence hall governance/programming bodies recognized by the Residence Life and Housing office are the only student groups permitted to conduct fundraising activities on College property.
4. Student groups may use College facilities and grounds to conduct fundraising activities only when those activities are conducted in accordance with policies and procedures for such use and are in compliance with time, place and manner of such fundraising as determined by the Director of Campus Events and Conference Services.
5. Student groups shall not engage in fundraising activities that promote or condone behavior that violates College policies or local, state, or federal law or are not congruent with the educational purpose of the College.
6. Products and services offered through a fundraising activity that compete directly with those sold by Auxiliary Services are not permitted.
7. Student groups may contract with commercial vendors for the purpose of fundraising activities in accordance with the following provisions:
 - (a) Student groups are not permitted to coordinate or support the advertisement or processing of applications for credit cards on College property.
 - (b) All vendors must be approved, in advance, by the Department of Campus Events and Conference Services.
 - (c) Fundraising activities must be conducted in accordance with College policy on Solicitation.
 - (d) A member of the sponsoring student group must be present with the vendor at all times while the vendor is on campus.
8. Student groups who register with the NYS Racing and Wagering Board and obtain NYS Racing and Wagering Board ID number may conduct raffles on College property. Other forms of charitable gaming are not permitted. Charitable gaming information, requirements, and forms can be found at: [NYS Gaming Commission: Charitable Gaming](#)
9. Each student group must display the following at all times while conducting a fundraising activity:
 - (a) The name of the student group conducting the fundraising activity.
 - (b) The purpose for which the funds raised will be used.
10. Student groups must maintain accurate records of funds raised and how those funds were disseminated.
 - (a) A member of the sponsoring student group must be present with the vendor at all times while the vendor is on campus.

Identification Cards

The College requires all students to procure and carry a valid SUNY Oswego identification card. The identification card must be presented or surrendered upon request of a College official, including residence hall staff, University Police, Student Affairs staff, and students authorized by the College to supervise campus events, activities, and residence halls. The College identification card is used to access campus services, buildings, events, Penfield Library materials, and campus dining operations.

Failure to present a student identification card upon request by a College official, alteration or falsification of data on a College identification card, creation and/or distribution of falsified identification cards, or using an identification card to impersonate others are violations of this policy and may result in disciplinary action and/or arrest.

It is the student's responsibility to replace the identification card if it is confiscated, stolen, lost, bent, broken, or worn beyond the point of readability by College officials and/or card readers used by the College. Replacement cards may be obtained at the I.D. and Dining Office, 503 Culkin Hall, in accordance with [posted fees](#).

Lakeside Activities on Campus

A reservation must be confirmed for all lakeside activities by filling out a request form through the [Campus Events and Conference Services](#).

Lakeside activities should be held at the north end of parking lot #1 next to Walker Health Center.

Bonfires are permitted in the fire pit provided and when weather conditions are calm. The College complies with Section 307 of the Fire Code of NYS - Open Burning and Recreational Fires. This information can be obtained from the Department of Campus Events and Conference Services staff prior to a submitted reservation.

All groups are expected to clean the area and fire pit after their activity has concluded.

The use of alcoholic beverages is not permitted on the grounds of the College.

Late Night Party/Dance Policy

The College encourages the production of co-curricular activities that contribute positively to the social development of registered student organizations and their members. It is the responsibility of the College to take reasonable precautions to protect the safety and overall well-being of the College community and College facilities. This policy has been developed in an effort to achieve both of these objectives while allowing registered student organizations the freedom to plan large-scale late-night social activities that help to achieve the goals of their organizations. The provisions of this policy define specific expectations and requirements of host organizations and those methods by which the College will assist host organizations in the planning and management of their large-scale late-night parties and dances. Procedures related to implementing this policy are available from the Department of Campus Events and Conference Services, 135 Marano Campus Center.

Large-Scale Late Night Party/Dance Policy

1. **Definitions** - Within the context of this policy, the following definitions will apply:

- (a) Party (including a dance) - A planned gathering where the primary purpose is for attendees to mix socially with one another through the use of music or music and dancing.
- (b) Attendee - A person in attendance at a party including, but not limited to, members of the host organization(s), other members of the College community, invited guests, entry monitors, and event monitors.

- (c) Host Organization(s) - A registered student organization(s) that, having reserved College facilities for a party, provides financial support for the production of the party, and/or receives a portion of any admission fee to the party.
- (d) Host –A member of the College community who extends a specific invitation to a guest(s) to attend the party.
- (e) Invited Guest – An attendee who is not a member of the College community and has received a specific invitation to attend the party from a member of the College community or host organization.
- (f) Party Liaison – The designated representative(s) of the host organization(s) who will be the liaison between the host organization(s) and the Department of Campus Events and Conference Services throughout the party planning and implementation processes.
- (g) Entry Monitor – A member of the host organization(s) or a volunteer from the College community who will assist in implementing the admittance process for the party.
- (h) Event Monitor – A member of the host organization(s) or a volunteer from the College community who will assist in monitoring the party.
- (i) College Community – Those students who are enrolled at SUNY Oswego, faculty and staff who are employed by the College, Auxiliary Services, the Student Association, the Oswego College Foundation, the Alumni Association.
- (j) Capacity Limit – The maximum capacity of a space(s) as determined by the intended configuration of the space(s) to be used for an event, the nature of the event, and state fire code.
- (k) Attendance Limit – The maximum number of attendees permitted at a party not to exceed the capacity limit of the space. The attendance limit shall be determined by the Department of Campus Events and Conference Services in collaboration with the host organization(s).
- (l) Party Venue – The facility in which the party will be held.
- (m) Party Location – The designated space within the party venue in which the party will be held.
- (n) Valid Photo ID – An unexpired and unaltered school ID, driver license or state ID that includes a picture of the person presenting the identification.
- (o) Contraband – Alcohol, other drugs, weapons or dangerous materials (as defined in the Weapons and Dangerous Materials policy), a backpack, a bag, beverages, or any other item banned in advance of the party by University Police, the Department of Campus Events and Conference Services or the host organization(s).

2. General Provisions

Compliance with the provisions of this policy is required if a party will continue after the normal closing time of the building in which it is held, and it includes one or both of the following circumstances:

- Will exceed 100 attendees
- Will include invited guests

3. Alcohol, Other Drugs and Tobacco

The party shall be alcohol-free, drug-free and tobacco-free.

4. Planning Requirements

A party is a complex event that requires significant planning and coordination between and among College units and the host organization(s) in order to be successful. For this reason, reservation requests for party venues must be submitted by the party liaison to the Department of Campus Events and Conference Services at least 40 business days prior to the desired date of the party.

The first planning meeting will be scheduled by the Department of Campus Events and Conference Services and must occur at least 30 business days prior to the scheduled date of the party. Multiple planning meetings may be necessary depending upon the complexity of the proposed party and established planning deadlines. The primary purpose of planning meetings is to:

- Review the host organization(s) tentative plans for the party
- Assess the need for College support services
- Review host organization(s) responsibilities
- Review third-party contracts and technical riders
- Assist the host organization(s) in planning for the party
- Establish deadlines for the receipt of additional event details from the host organization(s)

A final planning meeting will be scheduled by the Department of Campus Events and Conference Services and must occur at least five (5) business days prior to the scheduled date of the party. The party liaison must attend all planning meetings and adhere to all planning procedures and established deadlines.

5. Party Locations and Party End Time

Parties may be held in the Ballroom of Hewitt Union or other spaces approved by Campus Events and Conference Services for a specific event. Parties must end no later than 3:00 a.m. Only one party may be held per night.

6. Maximum Attendance

Attendance at a party may not exceed the attendance limit for the party location. The host organization(s), the Department of Campus Events and Conference Services, and University Police will be responsible for monitoring and enforcing the attendance limit.

7. Support through the Department of Campus Events and Conference Services

Planning and implementing a party should be a positive and productive learning experience. Toward that end, the Department of Campus Events and Conference Services will provide general guidance and information to registered student organizations related to: scheduling College facilities, services, and equipment; adhering to deadlines; risk management requirements; understanding and negotiating contracts and technical riders; and planning, implementing, and monitoring a party.

8. General Responsibilities of Host Organization(s)

Host organization(s) shall be responsible for:

- (a) Planning a safe and entertaining event in compliance with this policy and procedures, other College policies, the Code of Student Rights, Responsibilities and Conduct, and local, state and federal laws. (refer to section 4)
- (b) Completing the facility reservation process (refer to section 4)
- (c) Providing the Department of Campus Events and Conference Services with a Certificate of Insurance for the party by the established deadline (refer to section 14)

- (d) Providing the Department of Campus Events and Conference Services with copies of all third-party contracts and technical riders by the established deadline (refer to section 13)
- (e) Compliance with publicity requirements (refer to section 16)
- (f) Compliance with host organization staffing requirements (refer to section 9)
- (g) Compliance with signage requirements (refer to section 22)
- (h) Informing attendees of the policies and procedures governing the party. (refer to section 15)
- (i) Ensuring that their invited guests are made aware of expectations for conduct governed by the Code of Student Rights, Responsibilities and Conduct and the *Regulations and Procedures for Maintaining Public Order on Campuses* of the State University of New York. (refer to section 17)
- (j) Managing and monitoring the party in accordance with the established pre-party, admittance, exit, and closing procedures.

9. Host Organization Staff

The general role of the host organization(s) staff is to plan the party, monitor the party, implement the pre-party, admittance, exit, and closing procedures and enforce the attendance limit. The host organization(s) shall be responsible for providing the following staff:

- (a) Party Liaison – a member of the host organization who will serve as the liaison between the host organization(s) and the Department of Campus Events and Conference Services throughout the party planning and implementation processes. Responsibilities include:
 - Complete the facility reservation process to secure a party location
 - Regular and timely communication with the Department of Campus Events and Conference Services
 - Adhere to established deadlines
 - Attend all planning meetings
 - Recruit Entry and Event Monitors
 - Oversee the pre-party, admittance, exit, and closing procedures
 - Attend Entry Monitor and Event Monitor training
 - Supervise the Entry and Event Monitors
 - Sign Attendance Roster as “host” for all invited guests of the host organization(s)
 - Enforce guest and attendance limits
 - Monitor party venue exits to prohibit re-entry
 - Report problems to the Building Managers and/or University Police
 - Make announcement that party will end in 5 minutes
 - End the party
 - Clear the party venue at the conclusion of the party
 - Submit Attendance Roster(s) to the Building Manager at the conclusion of the party
- (b) Entry Monitor – A member of the host organization(s) or a volunteer from the College community who will assist in implementing the admittance process for the party. Responsibilities include:
 - Attend Entry Monitor training
 - Implement admittance procedures
 - Monitor party venue exits to prohibit re-entry
 - Enforce guest and attendance limits
 - Clear the party venue at the conclusion of the party
 - Report problems to the Party Liaison, the Building Managers or University Police

A minimum of four (4) Entry Monitors will be required throughout the duration of the party. Entry Monitor coverage may be provided in shifts. All Entry Monitors are required to attend the scheduled Entry Monitor training prior to the start of the party.

- (c) Event Monitor - a member of the host organization(s) or a volunteer from the College community who will assist in monitoring the party. Responsibilities include:
- Attend Event Monitor training
 - Monitor party venue exits to prohibit re-entry
 - Make rounds in party venue
 - Clear the party venue at the conclusion of the party
 - Report problems to the Party Liaison, the Building Managers or University Police

A minimum of one (1) Event Monitor will be required per party venue exit throughout the duration of the party. A minimum of two (2) Event Monitors per 300 attendees will be required to make rounds in the party venue throughout the duration of the party. Event Monitor coverage may be provided in shifts. All Event Monitors are required to attend the scheduled Event Monitor training prior to the start of the party.

10. Building Managers

The general role of the Building Managers is to respond to building operations concerns and requests and to assist the host organization(s) and University Police in the general monitoring of the party.

- (a) A minimum of two Building Managers will be required to work during a party.
- (b) The Building Managers will be stationed near the entry to the party venue. As circumstances permit, one of the Building Managers will make rounds throughout the party venue.
- (c) Building Managers for the party will begin their shift one hour before the scheduled start time of the party and end their shift one hour after the end time of the party or when the building is closed and cleanup after the party is complete, whichever occurs first.
- (d) Depending upon the party location, there may be a charge to the host organization(s) for Building Manager support. Should circumstances related to the party require the Building Managers to work beyond the scheduled end time of their shift, the host organization(s) will be responsible for paying all fees related to the additional time worked.

11. University Police Staffing

All professional security forces must be provided by University Police. The level of security staffing is determined on an event by event basis by the Chief of University Police or designee, and is based on the following criteria:

- (a) Number of persons attending the party
- (b) History of safety issues with similar events
- (c) Indications that safety issues may develop during the party
- (d) Level and type of attendee involvement
- (e) Presence of money or other valuables at the party
- (f) Level of security and safety support to be provided by the host organization(s)
- (g) Facility issues:
 - 1. Number of entrances and exits
 - 2. Lighting levels
- (h) Other criteria that may impact safety of attendees or have the potential to damage College property

Costs for security staffing will be based on an average per hour reimbursement rate for University Police services and will be the obligation of the host organization(s) unless other arrangements are made between the host organization(s) and the Chief of University Police.

12. Additional College Support Services

Certain circumstances may require College support services in addition to those provided by the Department of Campus Events and Conference Services and University Police. Additional support services may include, but are not limited to, custodial, building trades, and parking. When it becomes apparent that circumstances require additional support services, the host organization(s) will be notified by the Department of Campus Events and Conference Services in a timely manner. The host organization(s) may be responsible for fees for additional support services. Host organization(s) will be provided with an estimate of all applicable support services fees as soon as possible in advance of the scheduled date of the party.

13. Third-Party Contracts and Technical Riders

Third-party support services provided by non-College services providers (e.g., entertainment, sound, lighting, staging, and decorations) can enhance a party. Third-party service providers typically require that specific conditions be met in preparation for the delivery of the contracted support service. These specific conditions are outlined in the service provider's contract and technical rider. For this reason, the College requires the host organization(s) to provide copies of signed contracts and technical riders a minimum of 10 business days in advance of the party.

The Department of Campus Events and Conference Services will review the specific conditions outlined in contract and technical rider to determine whether or not the College can meet the conditions contained therein.

This review is most effective if done before the host organization(s) sign contracts and technical riders. Host organizations that are funded by the Student Association should also have contracts and technical riders reviewed by the Director of Finance before the contract is signed.

A host organization may not contract with a third-party for support services that are provided by the College (e.g., professional security, custodial, building trades, building managers, catering).

14. Risk Management and Insurance

Overall safety and the prevention of accidents should be a high priority when planning any event. Many risks can be minimized and most accidents avoided through careful planning. However, accidents do happen. General liability insurance is a way to protect the host student organization(s) and the College from claims of negligence resulting in property damage and/or bodily injury during a party. For this reason, the College requires each host organization to provide a certificate of insurance a minimum of seven (7) business days in advance of the party. To be acceptable, the certificate of insurance must reflect the following detail:

- The certificate must name SUNY Oswego and the State of New York as the certificate holders
- The certificate must name SUNY Oswego and the State of New York as additional insureds, with the exception of Workers' Compensation
- The limit of liability must be no less than \$1,000,000 per occurrence.
- The policy will be in effect during the date of the party
- The date of the party must be listed in the description portion of the certificate
- The cancellation portion of the certificate must state 10 to 30 days written notice

Host organizations who are funded by the Student Association should request a certificate of insurance from the Student Association. Host organizations that are not funded by the Student Association should request a certificate of insurance from their parent organization or purchase insurance coverage through an insurance broker of their choice.

Host organizations shall be responsible for the costs to repair any property damage that occurs to the party venue that cannot be directly attributed to a specific individual(s).

15. Invited Guests

A party is a private event which is not open to the general public. An attendee must be a current member of the College community, an invited guest of a current member of the College community, or an invited guest of the host organization(s).

Each member of the College community may host a maximum of five (5) invited guests. Host organization(s) collectively may host a maximum number of invited guests that is equal to 25% of the attendance limit.

16. Publicity and Promotional Materials

A party is a private event which is not open to the general public and should not be publicized to the general public. Promotional materials for the party may only be directed toward members of the College community and their invited guests and must state that "a SUNY Oswego ID or a Valid Photo ID is required for entry."

17. Responsibilities of Attendees

All attendees shall be responsible for adhering to the Code of Student Rights, Responsibilities and Conduct, and the *Regulations and Procedures for Maintaining Public Order on Campuses* of the State University of New York. Attendees who are members of the College community shall also be responsible for ensuring that their invited guests are made aware of expectations for conduct governed by the Code of Student Rights, Responsibilities and Conduct; and the *Regulations and Procedures for Maintaining Public Order*.

18. Tickets

Attendance limits for a party will be controlled, in part, through the use of tickets. Host organizations are required to make arrangements for the sale or distribution of tickets through the Marano Campus Center Box Office. The maximum number of tickets to be sold or distributed for a party shall not exceed the attendance limit. Ticket sales or distribution must end at least one hour before the scheduled conclusion of the party or when the number of tickets sold or distributed is equal to the attendance limit, whichever occurs first.

19. Entry/Exit

Entry into a party venue will be limited to a single entrance of the venue that is best suited for implementing the Admittance Procedures. Once admitted to the party venue, attendees shall not be permitted to exit and re-enter. Entry into the party venue will stop at least one hour prior to the end time of the party. At the conclusion of the party, exit from the party location will be limited to those exits that lead directly outdoors.

Before, during and after a party, attendees are not permitted to loiter in areas adjacent to the party venue, outside buildings, or in parking areas.

20. Entry Requirements

The host organization(s) Entry Monitors will be responsible for determining whether a person seeking entry into the party venue has met all of the requirements for entry into the party venue. Only those persons who meet the following requirements will be permitted entry into the party venue:

- The person does not appear to be impaired by alcohol or any other drug
- The person is a member of the College community, an invited guest(s) of a member of the College community, or an invited guest(s) of the host organization(s)
- The person presents an unused ticket to the party
- The person presents the proper form of photo ID depending upon their affiliation with the College community
- The person enters their name, the name of their host (invited guests only), and their signature on the Attendance Roster
- The person successfully passes a pat-down and an electronic screening when required

As part of the party planning process, University Police in collaboration with the host organization(s) will determine, on an event by event basis, whether a successful pat-down and electronic screening will be a requirement for entry into the party venue.

21. Contraband

Any contraband brought to the entrance of the party venue or discovered inside the party venue will be confiscated and will not be returned to the owner. University Police will be responsible for taking possession and disposing of the contraband.

22. Signage

The following types of signage will be provided by the Department of Campus Events and Conference Services and must be posted in required locations throughout the duration of a party:

Type of Sign	Required Locations
Welcome	The Party Venue Entrance
Valid Photo ID Required	The Party Venue Entrance and those Party Venue Exits that may be mistaken as entrances
Prohibited Items	The Party Venue Entrance and those Party Venue Exits that may be mistaken as entrances
Emergency Exit Only / No Re-entry	All Party Venue Exits

The host organization(s) may provide and post additional signage for the party provided that the additional signage does not contradict the required signage.

23. Cancellation by the College

The party may be canceled for cause by the Chief of University Police, the Director of Campus Events and Conference Services or their designee(s) at any time prior to the start of the party. Causes for cancellation may include, but are not limited to:

- (a) Non-compliance with the provisions of this policy
- (b) Non-compliance with established planning procedures and deadlines
- (c) Credible and foreseeable safety and security risks that the College determines cannot be adequately addressed when planning the party or in the established admittance procedures
- (d) Breaches in the established admittance procedures

Notice of cancellation shall be made in writing to the Party Liaison and the host organization(s) and will include the cause(s) for cancellation. Should the party be canceled for cause within 72 hours or less of the scheduled start time, the host organization(s) shall be responsible for all costs incurred and/or obligated by the College in preparation for the party. Should the party be canceled for cause more than 72 hours in advance of the scheduled start time, the host organization(s) shall not be responsible for any costs incurred and/or obligated by the College in preparation for the party.

24. Cancellation by the Host Organization(s)

A party may be canceled by the host organization(s) at any time prior to the start of the party. Cancellations shall be made in writing and directed to the Department of Campus Events and Conference Services. The host organization(s) shall be responsible for all expenses incurred and/or obligated by the College in preparation for the party.

25. Termination of the Party by the College

The party may be terminated for cause by the Chief of University Police or designee at any point prior to the established end time for the party. Causes of termination may include, but are not limited to:

- (a) Non-compliance with the provisions of this policy by the host organization(s), Entry Monitors and Event Monitors during the party
- (b) Criminal activity at the party
- (c) The potential for property damage or bodily injury
- (d) A fire alarm
- (e) Non-compliance by the host organization(s), Entry Monitors, or Event Monitors with the established admittance procedures

The decision to terminate the party shall be made by the Chief of University Police or designee. Where appropriate and as time permits, University Police will consult with the Department of Campus Events and Conference Services and the Party Liaison regarding a decision to terminate the party. In the event of an emergency such as a fire where it may be necessary to clear the building immediately, it may not be possible for such consultation to occur. When consultation is not possible, a debriefing will be held among University Police, the Department of Campus Events and Conference Services and the host organization(s) as soon as practical following the resolution of the emergency.

Should the party be terminated for cause, the Party Liaison and the host organization(s) shall assist University Police and the Department of Campus Events and Conference Services in ending the party and conducting an orderly exit process. The host organization(s) may be responsible for all costs incurred and/or obligated by the College for the party.

Political Canvassing

The College has established the following requirements to ensure that political canvassing activities for Student Association elections are conducted in accordance with College policies.

1. Political canvassing is defined as any activity in which a candidate for elective office, or individuals campaigning on behalf of a candidate for elective office, seeks political support through face-to-face interaction with constituents. Political canvassing activities include, but are not limited to: open forums organized by a candidate or on a candidate's behalf, information tables operated by a candidate or on a candidate's behalf, petition or referendum on a candidate's behalf.
2. Political canvassing activities in campus residence halls must be approved, in advance, by the Office of Residence Life and Housing in accordance with Residence Life and Housing policies and procedures for such activity. Door-to-door campaigning is not permitted in campus residence halls.
3. Political canvassing activities in campus dining centers must be approved, in advance, by Auxiliary Services in accordance with Auxiliary Services policies and procedures for such activity.
4. Political canvassing activities in non-residential facilities and on College grounds must be properly registered and the reservation of space approved, in advance, by the Department of Campus Events and Conference Services in accordance with all policies and procedures for such use.
5. Political canvassing activities shall not disrupt or interfere with the educational, administrative, or operational activities of the College, the maintenance of College property, or the free flow of traffic and persons.

Posting Promotional Materials on Campus

Informing the College community about events, programs, and services is a necessary and important part of ensuring the success of those activities. In recognition of this need, The College has designated suitable areas throughout the campus for the purpose of posting and distributing promotional materials. The intent of this policy is to set forth procedures for the orderly posting and distribution of promotional materials primarily by registered student organizations and students. This policy also provides requirements in terms of the time, place, and manner for posting and distributing promotional materials on campus which the College reserves the right to determine.

1. Internal Groups

Within the context of this policy, internal groups are defined as registered student organizations, campus governance units, academic units, campus departments/offices, and College committees. Internal groups may place promotional materials (e.g., posters, notices, flyers, announcements) on outdoor kiosks, bulletin boards, Laker Life, and general-purpose bulletin boards only, in accordance with the following requirements:

- (a) No promotional materials shall be affixed upon any other surface (interior or exterior), including but not limited to: buildings, doors, windows, interior walls, elevators, classroom bulletin boards, classroom chalkboards, trash receptacles, cigarette butt receptacles, light poles, telephone poles, posts, pillars, trees, shrubs, building signs, retaining walls, fountains, sidewalks, roadways, vehicle windshields, any other areas of a building whether inside or outside, any other area of the campus, or any object on the campus. The only exceptions to this section of the policy are:
 1. Banners may be posted on the walls directly outside the entrance doorways to Residential Dining Centers.
 2. The hand-to-hand distribution of promotional materials is permitted only when such activity does not disrupt or interfere with the educational, administrative, or operational activities of the College, the maintenance of campus property, or the free flow of traffic and persons. Reasonable efforts shall be made by the sponsoring College group to prevent litter as a result of the group's hand-to-hand distribution of promotional materials.

- (b) The use of tape, paint, or other substances used to convey a message on sidewalks, roadways, buildings, grounds (including snow and ice), or any other campus property is prohibited. The only exception to this section of the policy is sidewalk chalking (see section 8).
- (c) The use of department, office, or organization bulletin boards or surrounding area shall be in accordance with the policies, procedures and established practices within each department, office or organization.
- (d) Only academic or student affairs postings are permitted on classroom bulletin boards.
- (e) Only academic chalkings are permitted on classroom chalkboards.
- (f) Promotional materials for events, programs, or services open to the general public shall include the following ADA Accommodations Statement: **“Persons with disabilities seeking accommodations to attend this event should contact [Name] at [Telephone Number] in advance.”** Assistance in arranging reasonable accommodations for persons with disabilities is available from the College’s ADA Coordinator, 155 Marano Campus Center. The cost of providing reasonable accommodations will be paid by the College in accordance with policies and procedures for such arrangements.

2. Individuals and External Groups

Within the context of this policy, external groups are defined as those groups which are not registered student organizations, campus governance units, academic units, campus departments/offices or committees. Individuals and external groups are permitted to place promotional materials (e.g., posters, notices, flyers, announcements) on outdoor kiosks and general-purpose bulletin boards **only**, in accordance with the following requirements:

- (a) Promotional materials for commercial purposes shall pertain only to personal grooming, academic support/ other services to students, and food.
- (b) No promotional materials shall be affixed upon any other surface (interior or exterior), including but not limited to: buildings, doors, windows, interior walls, elevators, classroom bulletin boards, classroom chalkboards, trash receptacles, cigarette butt receptacles, light poles, telephone poles, posts, pillars, trees, shrubs, building signs, retaining walls, fountains, sidewalks, roadways, vehicle windshields, any other areas of a building whether inside or outside, any other area of the campus, or any object on the campus.
- (c) The use of tape, paint, or other substances used to convey a message on sidewalks, roadways, buildings, grounds (including snow and ice), or any other campus property is prohibited.

3. General Requirements

- (a) Promotional materials shall not include references to the sale or consumption of alcohol or other drugs.
- (b) Promotional materials shall not promote or condone behavior that violates College policies or local, state or federal law.
- (c) Promotional materials that infringe on the copyrighted or trademarked works of others are prohibited. Copyrighted and trademarked works may include, but are not limited to: logos, digital images, photographs, paintings, movies, videos, and written works. For an overview of Copyright and Fair use topics, visit: [Overview Sections Archive - Stanford Copyright and Fair Use Center](#).
- (d) Outdoor kiosks are located at the west entrance of Hewitt Union and in the Academic Quad on the south side of Lanigan Hall.
- (e) College bulletin boards are located in all campus buildings.
- (f) A general-purpose bulletin board is located in the Marano Campus Center and is designated as such.
- (g) Access to posting space on outdoor kiosks, College bulletin boards, and general purpose bulletin boards is available on a first come first served basis.
- (h) Promotional materials (other than banners) shall be made of paper or similar medium as appropriate for

posting on a kiosk or bulletin board. The preferred size is 8.5" by 11" or smaller. Promotional materials shall not exceed 17" by 22".

- (i) Each piece of promotional material is limited to one per outdoor kiosk, College bulletin board, or general-purpose bulletin board.
- (j) The advertisement or processing of applications for credit cards, except those offered by the Oswego Alumni Association, is prohibited.
- (k) The posting of promotional materials shall be performed by the sponsor. Likewise, the sponsor shall also be responsible for the prompt removal (within 24 hours) and proper disposal of all promotional materials upon the conclusion of an event, program, or service.
- (l) The distribution or posting of promotional materials within campus residences shall be in accordance with Residence Life and Housing policies and shall be approved in advance by the Director of Residence Life and Housing, or designee, 303 Culkin Hall.
- (m) The door-to-door distribution of promotional materials in residence halls is not permitted.
- (n) The use of table tents in campus Dining Centers shall be approved by the General Manager of Auxiliary Services, or designee, 507A Culkin Hall.

4. Content

The College reserves the right to address concerns or make suggestions related to the content of promotional materials in an effort to reinforce the educational mission of the College.

5. Violations

Individuals, internal groups or external groups, student organizations, and athletic teams, distributing or posting promotional materials in violation of this policy, may be subject to disciplinary or legal action.

6. Digital Signage

Digital Signage is a visual communications medium that informs students, faculty, staff and visitors about the happenings at SUNY Oswego. Several large LCD screens are placed in strategic locations in campus buildings that display digital slides and digital video. The Digital Signage system also provides up-to-date weather information, television feeds, and serves as a means of emergency communication.

- (a) Only registered student organizations, campus governance units, academic units, campus departments/offices, and College committees are permitted to display content (digital slides and digital video) on the Digital Signage system.
- (b) The creation of content for display on the Digital Signage system is the responsibility of the group presenting the information to the campus community.
- (c) Content must be submitted electronically to signage@oswego.edu a minimum of five (5) business days prior to the first date the content is to be displayed on the Digital Signage system. Content submissions must include the first name, last name, and phone number of the submitter, the date the content should start running on the Digital Signage system, and the digital slide or digital video file as an attachment to the e-mail.
- (d) Campus Events and Conference Services reserves the right to address concerns or make suggestions related to Digital Signage content in an effort to reinforce the educational mission of the College.
- (e) Digital Signage content that promotes or advertises the occurrence of a series of regularly scheduled meetings, activities or events will not be approved for display.

- (f) Digital Signage content that promotes or condones behavior that violates College policies, or local, state or federal law will not be approved for display.
- (g) Advertisement of commercial products or services on the Digital Signage system is prohibited.
- (h) The use of solid red backgrounds in digital slides and digital video is reserved for Emergency Communications only. Digital Signage content submitted with a solid red background will not be scheduled for display.
- (i) To optimize the management of Digital Signage content, Campus Events and Conference Services reserves the right to determine what content is displayed at which Digital Signage location(s) and determine the duration, dates, and times content is displayed.
- (j) Content that violates this policy or does not meet the minimum digital signage content requirements will not be approved for display.

The most current version of this policy and the content and format requirements can be found on the College's website at: [Digital Signage](#).

7. Laker Life

Laker Life is the College's online system for centralizing, organizing and increasing student involvement opportunities and communication among and between registered student organizations, campus governance units, academic units, campus departments/offices, and College committees.

- (a) Only registered student organizations, campus governance units, academic units, campus departments/offices, and College committees are permitted to post content (news, photos, events, flyers, etc.) on Laker Life.
- (b) The creation of content for display on Laker Life is the responsibility of the group presenting the information to the campus community.
- (c) The College reserves the right to address concerns or make suggestions related to Laker Life content in an effort to reinforce the educational mission of the College.
- (d) Laker Life Bulletin Board content that promotes or advertises the occurrence of a series of regularly scheduled meetings, activities or events will be removed.
- (e) Laker Life content that promotes or condones behavior that violates College policies, or local, state or federal law will be removed.
- (f) Solicitation for monetary donations and the advertisement of commercial products or services on Laker Life are prohibited.
- (g) Content that violates the College's Posting Policy will be removed.

8. Sidewalk Chalking

Informing the College community about events and programs is a necessary and important part of ensuring the success of those activities. In recognition of this need, the College has designated suitable areas throughout the campus for the purpose of displaying chalked messages. The intent of this policy is to set forth procedures for the orderly display of chalked messages.

- (a) Chalked messages may be created by students, faculty, and staff of the College and staff of College affiliates for creating short-lived promotional messages on approved exterior horizontal surfaces of the campus in compliance with the following requirements:
 1. All chalked messages by students, faculty, and staff shall only be for events or programs which occur on the campus and are sponsored by a registered student organization, campus governance,

an academic unit, a campus department/office, or a campus committee.

2. Only academic related messages are permitted on classroom white boards and chalkboards.
3. Chalked messages shall be written using commercially manufactured water soluble "sidewalk chalk" in stick form only.
4. Chalked messages shall only be written on flat horizontal surfaces of sidewalks.
5. Chalked messages shall not be written on vertical surfaces (interior or exterior) including, but not limited to, trash receptacles, cigarette butt receptacles, light poles, telephone poles, posts, pillars, trees, building signs, buildings, doors, retaining walls, fountains, or any object on the campus.
6. Chalked messages shall not deface decorative symbols or sculptures located on walkways.
7. Chalked messages shall not include references to the sale or consumption of alcohol or other drugs and shall not constitute solicitation for products or services by external groups or their agents.
8. Chalked messages shall not promote or condone behavior that violates policies of the College or local, state or federal law.

(b) Individuals or groups creating chalked messages in violation of this policy may be subject to disciplinary action or legal action such as a conduct hearing or Persona Non Grata action.

Solicitation

Generally, the College does not permit the use of the campus for solicitation of students by students acting as agents, or on behalf of an external entity, or by any external entities as they interfere with the educational purposes and activities of the College. However, the Director of Campus Events and Conference Services, acting on behalf of the College and, where appropriate, in consultation with College administrators, shall approve solicitation activities on a case-by-case basis and shall determine the time, place and manner of solicitation activities.

Solicitation of students is not permitted during periods of final examinations or orientation of new students, except as provided by the College.

The advertisement or processing of applications for credit cards is prohibited as is the recruitment of students to solicit campus members on campus on behalf of private entities.

Solicitation is defined as any activity that:

1. Results in the sale of any product or service by a commercial enterprise or its agent(s).
2. Encourages support for or membership in any group, association, organization, or cause which is not directly affiliated with the College.
3. Provides an informational session or presentation by any individual or group which is not directly affiliated with the College.

Solicitation on College property shall occur in accordance with the following provisions:

1. Products and services that compete directly with those already offered on the campus will not be permitted.
2. Solicitation in campus residence halls must be approved, in advance, by the Office of Residence Life and Housing and conducted in accordance with Residence Life and Housing policies and procedures for such activity.
3. Solicitation in campus dining centers must be approved, in advance, by Auxiliary Services and conducted in accordance with Auxiliary Services policies and procedures for such activity.

4. Solicitation activities in academic buildings and on College grounds must be properly registered with the Department of Campus Events and Conference Services in accordance with all policies and procedures for such use and the reservation for space approved, in advance. Final approval for solicitation activities in academic buildings and on College rests with the Director of Campus Events and Conference Services.
5. Solicitation activities and materials shall not interfere with the programs, services, and activities of the College and shall not occur concurrently with programs and services of the College.
6. Solicitation activities shall not disrupt or interfere with the educational, administrative, or operational activities of the College, the maintenance of campus property, or the free flow of traffic and persons.
7. Solicitation activities which are fraudulent or misrepresentative are not permitted.
8. Solicitation activities which are in violation of local, state, or federal law, or policies of the College are prohibited.
9. Solicitation for monetary donations are prohibited, except as permitted by the Director of Campus Events and Conference Services.
10. The posting and distribution of promotional materials (e.g., posters, notices, flyers, announcements) and the display of chalked messages are regulated by the College policy on "Posting Promotional Materials on Campus."
11. Violation of this policy or any other College policy may result in the immediate cancellation of the solicitation activity, the denial of future requests to conduct solicitation activities on College property, and/or disciplinary action.

Student Organizations: Policy and Procedures

Any student organization desiring to take advantage of privileges afforded by the College must register with Student Engagement and Leadership at The Point, 131 Marano Campus Center, 315-312-5420. Students interested in registering a student organization should contact the Assistant Director of Student Engagement for specific information on the registration process. All student organizations which meet College requirements for registration will be permitted to register. The College is committed to providing support and assistance to all properly registered student organizations. The initial step to receiving this support and assistance is the completion of the registration process.

1. General Policy

- (a) Within the context of this policy, the term, "registered student organization" shall mean a student organization that has complied with the formal requirements for registration with the College as provided in Section 18 of the Code of Student Rights, Responsibilities and Conduct.
- (b) The registration of a student organization results from compliance with these regulations and is simply a means by which the student organization may receive standard privileges granted when certain minimum requirements are met.
- (c) Standard registration privileges are granted to all student organizations that annually complete the registration process. These standard privileges include:
 - Use of College facilities and grounds
 - Use of College services
 - Sponsorship of events
 - Advertising or posting on College bulletin boards and in Laker Life
 - On-campus fundraising activities
 - Use of the phrase "at Oswego State"
 - Assistance from the Student Engagement and Leadership staff

- (d) Registration does not generate a contractual relationship between the College and the student organization nor does it imply College approval of the student organization or its activities.
- (e) Acceptance of registration by a student organization shall constitute an agreement by the organization, its officers, and members to observe and abide by the Code of Student Rights, Responsibilities and Conduct, the *Regulations and Procedures for Maintaining Public Order on Campuses* of the State University of New York, all College policies and local, state, and federal laws.
- (f) Registrations are only valid from the first day of each fall semester until the last day of the subsequent summer session.
- (g) The president of each registered student organization shall be a student and be the official contact person for the organization and shall be accountable to the College for all actions and financial commitments of the organization.
- (h) Student organizations that desire to be recognized (and potentially funded) by the Student Association and receive the rights and privileges of recognition must meet the requirements set forth by the Student Association.
- (i) All references to “in writing” herein refer to communications delivered via either a printed letter, an email, or message through [Laker Life](#).

2. Registration of Student Organizations

(A) Creating a New Organization

1. Students wishing to start a new organization will start the “New Organization Process” in Laker Life and then meet with a staff member from Student Engagement and Leadership.
2. The student forming the newly proposed student organization may seek advisement and support from the Assistant Director of Student Engagement and/or designees until a faculty/staff advisor is selected by the organization.

(B) Registration of Student Organizations

1. Initial Registration

- (a) To be considered for registration, a student organization must meet certain registration requirements including the submission of the following registration documents:
 1. A completed New Student Organization Kit
 2. A completed Student Organization Registration Form
 3. A copy of the organization’s constitution and bylaws
 4. Where applicable, a copy of the organization’s charter issued by its parent organization
 5. Where applicable, a copy of the current constitution and bylaws of its parent organization
 - Students wishing to create a new student organization will have access to the New Student Organization Kit in Laker Life beginning on October 1st and ending on the Friday prior to spring break
- (b) All registered student organizations are required to have an advisor who is directly affiliated with the College such as faculty, staff, graduate assistants, and non-student employees of Auxiliary Services, the Oswego College Foundation and the Student Association.
 - Student organizations seeking assistance in advisor selection should contact the Assistant Director of Student Engagement and/or designee.

2. Complete the following training workshops which will be scheduled for you through Student Engagement and Leadership
 - Laker Life
 - Leadership 101: Successfully Leading Your Organization
 - Campus Resources Orientation

3. The following additional registration criteria are required of Greek letter social organizations:
 - (a) Successful completion of all requirements for expansion as outlined in the Greek Expansion process
 - (b) Proof of liability insurance naming the State of New York, State University of New York, and the College at Oswego as additionally named insureds
 - (c) The minimum amount for the general liability insurance should be in the amount of \$1,000,000.00 (one million dollars)
 - (d) Greek letter social organizations must abide by the policies and procedures set forth in the Fraternity and Sorority Standards of Excellence program

4. A competitive sport club is a student group that organizes for the purpose of furthering their members' common interest in a specific athletic sport and to compete with other sport clubs in one or more competitions. The following additional registration criteria may be required of competitive sport clubs:
 - (a) Proof of liability insurance naming the College, its employees and the State University of New York (SUNY) as additionally named insureds.
 - (b) Competitive sport clubs are required to retain a coach/instructor who will be present at all practices, scrimmages, and competitions held on College grounds and facilities. It is recommended that each competitive sport club select a coach/instructor, preferably from College faculty and staff, who has the appropriate training/credentials as determined by the governing body of its league/association.

5. The officers of student organizations that engage in selective membership practices (organizations not open to all students or organizations that have selective membership levels) are required to attend an information session(s) that explains specific risk management issues relevant to the selective nature of the organization, and disseminate that information to members.

6. Within five (5) class days of receipt of all completed registration documents and submission of additional registration requirements, the newly registered student organization will be approved in Laker Life and listed in the directory of registered organizations in Laker Life.

(C) Criteria for Denial of Initial Registration

1. No student organization will be registered with the College if:
 - (a) The student organization has not filed required sections of the New Student Organization Kit
 - (b) The student organization has not filed complete and accurate registration documents
 - (c) Additional registration criteria have not been met

- (d) The officers of a selective membership organization have not attended required information session(s) on risk management
 - (e) The student organization is not in compliance with this policy on registered student organizations, the Code of Student Rights, Responsibilities, and Conduct, the *Regulations and Procedures for Maintaining Public Order on Campuses* of the State University of New York, or other written College policies and procedures
 - (f) The student organization's activities are inconsistent with the educational mission of the College
 - (g) Where applicable, the student organization has not received official affiliation with its parent organization
 - (h) The purpose of the organization is similar to one already registered
 - (i) The student organization has been previously suspended or expelled from continuing registration at the College
2. If registration is denied by a staff member of Student Engagement and Leadership, the student applying for the potential student organization in Laker Life shall be notified of the decision in writing.
 3. The applying student organization may appeal, in writing, to the Director of Student Engagement and Leadership within five (5) class days from the date of the notice of denial. The decision of the Director of Student Engagement and Leadership is final.
 4. If registration is denied, the organization must wait one calendar year from the date of denial to apply for registration by submitting a newly completed New Organization Kit in Laker Life.

(D) Annual Renewal

In order to maintain continued registration, a registered student organization shall comply with the requirements outlined below. At any time, registration will be suspended or withdrawn, along with all standard privileges, until such time as these requirements are met.

1. The student organization must file the following registration documents with the Assistant Director of Student Engagement, within the first ten (10) class days of the fall semester each year:
 - (a) A completed Student Organization Registration Form
 - (b) A copy of the organization's current constitution and bylaws
 - (c) Where applicable, a copy of the organization's charter issued by its parent organization
 - (d) Where applicable, a copy of the current constitution and bylaws of its parent organization
2. All registered student organizations are required to have an advisor who is directly affiliated with the College such as faculty, staff, graduate assistants, and non-student employees of Auxiliary Services, the Oswego College Foundation and the Student Association. Student organizations seeking assistance in advisor selection should contact the Assistant Director of Student Engagement and/or designee.
3. The following additional registration criteria are required of Greek letter social organizations: proof of liability insurance naming the State of New York, State University of New York, and the College at Oswego as additionally named insureds.
4. The minimum amount for the general liability insurance should be in the amount of \$1,000,000.00 (one million dollars).

5. The following additional registration criteria may be required of competitive sport clubs:
 - (a) Proof of liability insurance
 - (b) Competitive sport clubs are required to retain a coach/instructor who will be present at all practices, scrimmages, and competitions held on College grounds and facilities. It is recommended that each competitive sport club select a coach/instructor, preferably from College faculty and staff, who has the appropriate training/credentials as determined by the governing body of its league/association.
6. The officers of student organizations that engage in selective membership practices (organizations not open to all students or organizations that have selective membership levels) are required to attend an information session(s) that explains specific risk management issues relevant to the selective nature of the organization and disseminate that information to the members.
7. Greek letter social organizations are to provide "Bid Lists" to the Program Coordinator of Fraternity and Sorority Life within three (3) class days of starting an affiliation (pledge) program. The "Bid List" will include the names of new members and contact information for them. Within three (3) class days of the completion of the organization's affiliation program, the organization should notify the Program Coordinator of Fraternity and Sorority Life of the completion of their program, make all appropriate changes to their "Bid List" and identify anyone who did not complete the program.
8. Greek letter social organizations are to have all individuals participating in their affiliation (pledge) programs attend an educational program covering Greek Life and Hazing policies. This program will be a collaborative effort of the Program Coordinator of Fraternity and Sorority Life and the Greek Council. Any Greek letter social organization adding new members (pledges) after this program and/or starting their affiliation programs after this time must arrange a meeting with the Program Coordinator of Fraternity and Sorority Life to review the Greek Life and Hazing policies with members and pledges.
9. Greek letter social organizations must abide by the freshman deferment, grade point average, and expansion policies of the College.
10. Greek letter social organizations must abide by the policies and procedures set forth in the Fraternity and Sorority Standards of Excellence program.
11. All Greek letter social organization New Member Education programs must occur under the guidance of and with approval from Program Coordinator of Fraternity and Sorority Life. The Program Coordinator of Fraternity and Sorority Life will schedule the start and end dates for New Member Education, during which each organization's affiliation activities must take place. New Member Education will occur once in the fall semester and once in the spring semester in a predetermined window of time, which will not exceed 8 calendar weeks; organizations cannot educate or initiate new members at any other time during the calendar year.
12. Greek letter social organizations choosing not to conduct a new member program in any given semester must complete the New Member Education Abstention Form notifying Student Engagement and Leadership of the decision.

(E) Suspension of Continued Registration

1. Suspension of continued registration shall mean that the student organization's registration, and all registration privileges, will be terminated for a specific period of time, not to exceed two calendar years.
2. The registration of a student organization, and all registration privileges, may be suspended by the College as a result of a College disciplinary hearing or while a Statement of Charges alleging misconduct by the organization is pending.

3. The Director of Student Engagement and Leadership or designee may suspend a student organization if:
 - (a) The student organization has not filed all required registration documents within the first ten (10) class days in the fall semester
 - (b) The student organization has not filed complete or accurate registration documents
 - (c) Additional registration criteria have not been met
 - (d) The officers of a selective membership organization have not attended required information session(s) on risk management
 - (e) The student organization has not provided timely notification of a change in officer(s), advisor, constitution, or bylaws
 - (f) The student organization is not in compliance with this policy on registered student organizations
 - (g) A statement of charges alleging misconduct by members of the organization, or sponsored by the organization (new member affiliation, etc.) is pending
 - (h) The student organization has been denied official affiliation with their parent organization. In such cases, an application for registration shall not be considered until the action taken by the parent organization is no longer in effect
4. The president of the registered student organization and its advisor shall be notified in writing by the Director of Student Conduct and/or the Director of Student Engagement and Leadership, or designee, of the suspension of registration and of the reason(s) for such action, the effective date of the suspension, the length of time for which registration has been suspended, and any conditions that must be met before registration will be reinstated.
5. A student organization may be found responsible, through the College's student conduct process, for misconduct, and subject to sanctions resulting from that finding, including but not limited to suspension of privileges, conditions of registration, or restitution.
6. Organizations that are suspended from registration shall not operate on campus, hold events or activities in campus facilities, recruit members from the student body, post, advertise or communicate through campus computer networks or media, unless otherwise permitted by the decision of the hearing body.

(F) Expulsion from Continued Registration

1. Expulsion from continued registration shall mean that the student organization's registration and standard registration privileges will be terminated for an indefinite period of time.
2. The student organization may be expelled from continued registration should the College determine that:
 - (a) The student organization is not in compliance with this policy on registered student organizations, the *Regulations and Procedures for Maintaining Public Order on Campuses* of the State University of New York or other written College policies and procedures
 - (b) The student organization's activities are found to be inconsistent with the educational mission of the College
 - (c) Where applicable, the student organization has lost its official affiliation with its parent organization
 - (d) Organizations expelled from registration with the College shall not operate on campus, hold events or activities in campus facilities, recruit members from the student body, post, advertise or communicate through campus computer networks or media

- (e) Any student who joins or affiliates with an expelled student organization is subject to College disciplinary action

(G) Withdrawal of Continued Registration

1. Registered student organizations that wish to withdraw their registration with the College may do so in writing to the Assistant Director of Student Engagement.
2. Upon withdrawing their registration with the college, the student organization, along with its officers and members, will lose all of the privileges provided to registered student organizations.
3. Withdrawn student organizations may reapply for registration by complying with the Initial Registration procedures and satisfying any outstanding disciplinary sanctions and/or additional registration requirements requested of them to return as a registered student organization.
4. Organizations that withdraw from registration shall not operate on campus, hold events or activities in campus facilities, recruit members from the student body, post, advertise or communicate through campus computer networks or media.

(H) Violations and Reporting

Violations of College policy, the Code of Student Rights, Responsibilities and Conduct, or the *Regulations and Procedures for Maintaining Public Order on Campuses* of the State University of New York, both on and off campus, by members of registered student organizations will be evaluated on a case-by-case basis. The nature and severity of an infraction(s) resulting from student organizational activities, traditions, and practices, or infractions resulting from the actions of members or others within the property owned or rented by the organization or members of the organization, will determine the procedure for adjudication and appropriate sanction(s). The result of an investigation may lead to disciplinary action against individual member(s) or officers representing the organization; in which case, notice to the individual members or officers will be provided by the College.

(I) Standards for Registered Student Organizations

1. Changes in Officer(s), Advisor, Coach, Constitution, or By-Laws
Notification of any change in officer(s), advisor, coach, constitution, or bylaws shall be filed with the Assistant Director of Student Engagement, and/or through updating the organization's Laker Life page by the president of the student organization within five (5) class days after such change takes effect.
2. Membership
 - (a) Within the context of this policy, the term, "College community" shall mean the students, faculty, and staff of the College and the employees of Auxiliary Services, the Oswego College Foundation and the Student Association.
 - (b) Membership in registered student organizations shall be open to all constituents of the College Community who are willing to subscribe to the stated aims and to meet the stated obligations of the registered student organization.
 - (c) Membership in student organizations recognized by Student Association shall be open to all student activity fee paying students of the College and who are willing to subscribe to the stated aims and to meet the stated obligations of the registered student organization.
 - (d) Membership in registered student organizations shall be open to all, as described in b. and c. above, without regard to race, religion, creed, color, national origin, age, gender, sexual orientation, marital status, or disability, except in the cases of academic honor societies,

designated sports clubs and Greek letter social organizations which are exempted by federal law from Title IX Regulations concerning discrimination on the basis of sex.

- (e) Membership in social and service fraternities and sororities can only be granted to undergraduate students who affiliate through the means delineated in the Student Organization Procedures. The College does not acknowledge secondary or special status memberships (honorary memberships, little brothers/sisters, etc.) for undergraduate students to these organizations. Social and service fraternities and sororities will limit participation in and solicitation of new member affiliation programs to students who have completed 12 credit hours at SUNY Oswego and maintained a Grade Point Average of 2.25 or higher. Transfer students who have matriculated at another institution of higher education (in an academic year following their graduation from high school) and completed 12 credit hours or more may apply for participation in new member affiliation (pledging) programs.
- (f) Membership selection criteria must be relevant to the goals and objectives of the student organization and congruent with College educational purposes.
- (g) Members of registered student organizations must be provided notice and an appeal process for actions taken against them by the organization. A model for such due process is available from the Assistant Director of Student Engagement and/or the Student Association's Supreme Court.
- (h) Only constituents of the College community may hold membership in a registered student organization.
- (i) Only students may serve as executive officers in a registered student organization.
- (j) Students who act as agents to promote student organizations that have been denied registration, or who make use of College facilities and services to benefit student organizations that have been denied registration, will be considered in violation of the Code of Student Rights, Responsibilities, and Conduct and may be subject to disciplinary action.

3. Financial Management and Accountability

The registered student organization is solely responsible for any obligations entered into by the organization or any debts incurred by the organization.

4. Organization Advisors

- (a) All registered student organizations are required to have an advisor who is directly affiliated with the College such as faculty, staff, graduate assistants, and non-student employees of Auxiliary Services, the Oswego College Foundation and the Student Association. Student organizations seeking assistance in advisor selection should contact the Assistant Director of Student Engagement.
- (b) The general purpose of an organization advisor is to provide insight and guidance that assists a student organization in furthering its purpose and enhancing the meaningfulness of organization membership.
- (c) Registered student organizations are strongly encouraged to take full advantage of the valuable role an advisor serves.
- (d) As a general rule, the advisor should counsel the organization in the exercise of responsibility, be familiar with the organization's programs and be familiar with College policies and procedures. Advisors do not have authority to control the policies of an organization.
- (e) Specific written duties or expectations of an advisor shall be mutually agreed upon by the advisor and the student organization. These responsibilities may include, but are not limited to:
 - Provide continuity for the student organization by assisting with the transition of officers

- Be reasonably informed of the purpose and activities of the student organization
 - Assist the student organization in complying with this policy, registered student organizations, Code of Student Rights, Responsibilities, and Conduct, and other written College policies and procedures
 - Accompany and/or assist, as needed, organization officers in their dealings with College or outside public on behalf of the organization
 - Be reasonably informed of the student organization's financial matters
 - Assist the student organization in setting goals and objectives
 - Be available to the organization's officers and members for consultation
 - Provide constructive feedback
 - Accept the student organization's invitation to join their Laker Life page after the president lists them on the "Student Organization Registration Form" in Laker Life
 - Assist in other responsibilities mutually agreed upon between the advisor and the student organization
- (f) Advisors to registered student organizations involved in campus governance are appointed by the Dean of Students after consultation with the organization's student officers and other interested parties, as appropriate. Other registered student organizations may select a new advisor as the need arises. Notification of a change in advisor shall be filed with the Assistant Director of Student Engagement, The Point, 131 Marano Campus Center, by the president of the student organization within five (5) class days after such change takes effect. Additionally, the president of the student organization needs to invite the new advisor to join the organization's page in Laker Life.
- (g) In carrying out their responsibilities, organization advisors shall be protected from liability in accordance with the Public Officers Law of the State of New York.

Compliance

Bias Crimes and Prevention (New York State Education Law Article 129.A)

The College's values and goals advocate a broad degree of human understanding amongst its community members: students, faculty, staff, visitors and alumni. We seek to enroll and engage a diverse population of students across diverse cultural and national experiences. A vibrant, productive learning environment requires a richness in the variety of voices and life experiences that are represented among us.

For this reason, prejudice, discrimination, and bias related actions by community members or visitors and guests, based on race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, are counterproductive and harmful to the purposes of our educational community. The College does not limit freedom of expression, particularly speech, even if the ideals and values held by some of its members are challenged by that speech. Even bigoted or racist speech or other forms of intolerant speech or offensive expression are protected. In this way, the College values of an inclusive and diverse learning environment may occasionally be challenged by, or at least not furthered by, freedom of speech. However, conduct that targets a specific individual or group of individuals and creates an unreasonable interference with that individual's or group's ability to pursue educational purposes or to benefit from college life is prohibited by the College through this policy, the Code of Student Rights, Responsibilities and Conduct, and Maintaining Public Order on Campuses of the State University of New York.

Procedures for Reporting and Responding to Hate Crimes

1. Hate crimes, also called bias crimes or bias-related crimes, are criminal activity motivated by the perpetrator's bias against an individual victim or group based on perceived or actual personal characteristics, such as their race, religion, ethnicity, gender, sexual orientation, or disability. Hate/bias crimes, in particular, are addressed by the passage of the federal Hate/Bias Crime Reporting Act of 1990 and the New York State Hate Crimes Act of 2000 (Penal Law 485.05). Copies of the New York law are available from the Office of Student Conduct, 501 Culkin Hall, 315-312-3378 and University Police, Pathfinder Hall, 315-312-5555.
2. Perpetrators of hate crimes and bias incidents intentionally:
 - (a) Select the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.
 - (b) Commit the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.
3. Examples of hate crimes may include, but are not limited to: threatening phone calls, hate mail (including electronic mail), physical assaults, vandalism, destruction of property, arson, and fire bombings.
4. Penalties for hate and bias-related crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence or previous convictions of the offender. Perpetrators who are students will also be subject to campus disciplinary procedures where sanctions including dismissal from the College are possible.
5. If you are a victim of, or witness to, a hate/bias incident or crime on campus, report it to University Police by calling 315-312-5555. Reporting to the University Police gives the College the best advantage in further investigating the incident. University Police will investigate and follow the appropriate adjudication procedures.
6. Reporting procedures apply, to the extent reasonably practicable under the circumstances, during both business and non-business hours. All bias-related incident reports shall be considered confidential. Any personal information obtained during the investigation or adjudication of the matter will be subject to disclosure only to the extent required by law. When a student, faculty or staff member becomes aware of a bias-related incident, the following procedures are to be applied:
 - (a) Contact University Police (315-312-5555) for on-campus incidents or the Oswego City Police (911) for off campus incidents. Provide your name, location, the nature of the incident and whether you or those involved have sustained injury. Ask the responding agency to provide a camera to the scene. Photographs should be taken of physical injuries, offensive graffiti and evidence of vandalism or other crimes.
 - (b) If possible, remain on or near the location while you wait for the police to respond. Do not touch or move any items from the scene. Retain any physical evidence of the incident (e.g., messages written on doors, physical objects, etc.). If you cannot remain, write down what you experienced or witnessed as soon as possible to preserve details and contact University Police to arrange an interview.
 - (c) Once the Police arrive provide a detailed description of what occurred. Include time, location, any persons observed at the scene, and any subsequent actions. University Police will be responsible to report all documents and information to the Office of Affirmative Action. If Oswego Police are called, it is strongly encouraged to report the incident to University Police (315-312-5555) the Affirmative Action Officer (315-312-2213), and/or Human Resources (315-312-2230).
 - (d) Upon completion of the interview, write a detailed deposition of the events for the Police.
 - (e) University Police will secure the services of the College's Affirmative Action Officer, the Office of

Human Resources, or whenever appropriate the Dean of Students may also be consulted who will request an interview with you and other witnesses. You should bring a copy of your deposition with you. The Affirmative Action Officer, Human Resources or Dean of Students staff member will engage you in a discussion to determine the dimensions of the incident and an appropriate response.

- (f) University Police will contact the Maintenance and Operations department to remove graffiti, repair damage and clean the area as soon as practicable, after appropriate evidence gathering procedures are completed.
- (g) Victims and witnesses of bias crime or bias incidents can avail themselves of support services from the campus as follows:

University Police	315-312-5555
Counseling Services	315-312-4416
Office of Student Conduct	315-312-3378
Office of Human Resources	315-312-2230
Residence Life and Housing	315-312-2246

- 7. Statistics concerning campus bias-related and hate crimes are available from University Police website under "Reports." The Annual Security and Fire Safety Report contains the Jeanne Clery Disclosure of Campus Security Policy and the Campus Crimes Statistics Act Information.
- 8. In addition to preventing and prosecuting hate/bias crimes, the College addresses bias-related acts that do not rise to the level of a crime. It is the position of the College that bias-related incidents include acts that are motivated by bias, but may not meet the necessary elements required to prove a crime. These activities, referred to as bias incidents, are violations of the College's Code of Student Rights, Responsibilities and Conduct where the perpetrator selects a person or group of persons against whom the offense is committed in whole or in part because of a belief or perception regarding national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status.
- 9. All bias incidents can be reported to the Bias Prevention and Response Team via the [Bias-Related Incident Report](#); University Police, Pathfinder Hall, 315-312-5555 and the College's Affirmative Action Officer, 708 Culklin Hall, 315-312-2213..

For more information, please refer to the University Police website:
[Bias crimes and prevention | University Police](#)

Child Sexual Abuse Reporting Policy

Any employee, student, or volunteer of SUNY Oswego who witnesses or has reasonable cause to suspect any sexual abuse of a child occurring on SUNY Oswego property or while off campus during official SUNY Oswego business or SUNY Oswego-sponsored events shall have an affirmative obligation to report such conduct to the University Police Department immediately by calling 315-312-5555. Such reports should include the names of the victim and assailant (if known), other identifying information about the victim and assailant, the location of the activity, and the nature of the activity. Upon receiving such a report, the University Police Department shall promptly notify the Office of the President and Human Resources Director, along with the Commissioner of University Police at SUNY System Administration who shall report such incidents to the Chancellor for periodic reporting to the Board of Trustees. In addition, University Police will notify external law enforcement agencies as necessary.

In addition, to aid in the prevention of crimes against children on property of SUNY Oswego and/or during official SUNY Oswego business at events sponsored by SUNY Oswego, relevant employees, students and/or volunteers should be trained on the identification of such crimes and proper notification requirements. Vendors, licensees or others who are given

permission to come onto campus or to use SUNY Oswego facilities for events or activities that will include participation of children shall ensure that they have in place procedures for training, implementation of applicable pre-employment screening requirements and reporting of child sexual abuse.

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

Additional Resources:

SUNY Mandatory Child Sexual Abuse Reporting and Prevention Policy: [Compliance](#)

SUNY Child Protection Policy: [SUNY's Child Protection Policy - SUNY](#)

New York State Penal Law: [New York State Penal Law | NY Penal Law Code | NYS Laws](#)

Accommodations for Individuals with Disabilities

SUNY Oswego is committed to accommodating the needs of individuals with disabilities for the purpose of providing access to its programs and services as required by the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the New York State Human Rights Law (NYSHRL), and the ADA Amendments Act of 2008. This document establishes the policy and procedures for determining reasonable accommodations for students (matriculated and non-matriculated), employees, and visitors to campus events, activities, and programs.

Policy

SUNY Oswego provides reasonable accommodations for qualified individuals with disabilities on a case-by-case basis. Accommodations are determined through an interactive process.

SUNY Oswego and its employees shall comply with all applicable federal laws and regulations regarding reasonable accommodations necessary to ensure equal opportunity to qualified individuals with disabilities. SUNY Oswego has:

- Established procedures to respond to requests for accommodations
- Established procedures to provide notice to interested parties of the existence of services, including the office location and information for the contact person to obtain information and services
- Developed a process for the provision of services for students with disabilities

Accessibility and Equal Opportunity

It is the policy of SUNY Oswego to provide reasonable accommodations for individuals with disabilities on an individualized and flexible basis. Although programs are not required to have all the resources individuals with disabilities may need, they are expected to have the flexibility and capacity to provide reasonable accommodations as needs arise. Final determination as to the appropriateness of an accommodation is evaluated on a case by case basis and rests with SUNY Oswego.

Individuals with documented disabilities (as defined by state and federal regulations), may be eligible for reasonable accommodations. The responsibility for initiating a request for accommodations lies with the individual with a disability. It is the responsibility of every individual making a request for accommodations to provide adequate documentation that supports their request. Submitted documentation must be from an appropriate, qualified professional. In accordance with federal and state regulations disability related information will be treated in a confidential manner by SUNY Oswego.

Designated Campus Contacts

(a) Students

Accessibility Resources coordinates services for students with disabilities. Accessibility Resources collects student disability related documentation, evaluates requests from students for reasonable accommodations, and coordinates appropriate services. Accessibility Resources also assists faculty, staff, and students with information and resources relating to disabilities and serves as a consultant for persons needing information or referrals to outside agencies or professionals.

Accessibility Resources
155 Marano Campus Center
315-312-3358

access@oswego.edu

[Accessibility Resources | Accessibility Resources](#)

(b) Employees

Human Resources coordinates services for employees with disabilities requesting reasonable accommodations. Human Resources collects employee disability related documentation, evaluates requests from employees for reasonable accommodations and coordinates appropriate services. Human Resources is available to assist faculty and staff in gaining a greater understanding of the law and to clarify institutional obligations under the law to provide reasonable accommodations.

Human Resources
201 Culkin Hall
315-312-2230

hr@oswego.edu

[Human Resources | Human Resources](#)

SUNY Oswego Designee for Reasonable Accommodation (DRA)

Holly DeMar, Director of Human Resource Operations

7060 State Route 104, Culkin Hall 201

Oswego, NY 13126

315-312-3625

holly.demar@oswego.edu

SUNY Oswego Alternate Designee for Reasonable Accommodations (DRA)

Amy Plotner, Assistant Vice President of Human Resources

7060 State Route 104, Culkin Hall 201

Oswego, NY 13126

315-312-3702

amy.plotner@oswego.edu

(c) Visitors to the Campus

Persons with disabilities who are visiting the campus and in need of accommodations should contact the specific department coordinating the specific activities, programs or events they will be attending. Visitors in need of accommodations should provide a reasonable advance notice of their request of at least three (3) weeks, to allow time to make logistical arrangements. With the goal of providing access to and participation in all SUNY Oswego programs, services, and activities, however, every effort will be made to respond to requests for reasonable accommodations within any reasonable time frame.

Determination as to how to best meet the needs of those individuals with disabilities attending on-campus programs, services and activities shall be made on a case by case basis.

Accessing Accommodations

1. Determination of accommodations are handled through the designated campus contact. Students with disabilities should contact Accessibility Resources, employees with disabilities should contact Human Resources, and all other requests should be directed to the office sponsoring the specific program or activity. (See Designated Campus Contacts section above.)
2. Individuals with disabilities may choose to self-disclose, to the appropriate campus office, information about their disability at any time. However, in order to ensure sufficient time to coordinate auxiliary aids and services, it is the responsibility of the individual to make the request in a timely manner.

Requests for accommodations should be made in advance, if possible, to allow for early planning and coordination. Untimely requests may result in delay of an accommodation.

3. The responsibility for requesting or initiating a request for accommodation lies with the individual with a disability. Students must register with Accessibility Resources every semester they wish to receive accommodations. Students with off-campus program requirements such as an internship or student teaching placement are encouraged to request accommodations at least one semester prior to the semester they will be participating in the off-campus program.
4. Verification of a disability is required. It is the responsibility of the individual with a disability to provide documentation to the designated campus office that supports the request for reasonable accommodation. Disability documentation must clearly indicate:
 - (a) the existence of a disability (as defined by state and federal regulations);
 - (b) that the disability substantially limits a major life activity, including a statement of the nature and extent of the limitations; and,
 - (c) a statement of what accommodation(s) is recommended

Additional information regarding documentation requirements may be obtained from the designated campus office.

5. Once a qualified individual with a disability has requested an accommodation, the designated campus office will take steps to determine an appropriate accommodation. The appropriateness of an accommodation is determined through a flexible, interactive process that involves the individual with a disability and the designated campus office. Early consultation is essential to allow adequate time to process the request.

Final responsibility for selection of the most appropriate accommodation rests with SUNY Oswego.

Reasonable Accommodations

1. Factors to determine whether a requested accommodation is considered reasonable include:
 - (a) the individual is "otherwise qualified"
 - (b) the request does not fundamentally alter the essential elements of a program
 - (c) the request does not create an undue financial or administrative burden
 - (d) the request does not create a danger to others
 - (e) the request is not of a "personal" nature
2. Students with disabilities will be expected to meet the academic and technical standards of a course or program with or without reasonable accommodations. The types of accommodations provided to students with disabilities may vary according to the nature of the disability and the physical environment or course content.

3. An employee with a disability must be able to perform the essential functions of the job with or without reasonable accommodations.

Non-Discrimination

SUNY Oswego values the contributions to learning for its members that result from maintaining a diverse student body, faculty and staff. SUNY Oswego does not discriminate on the basis of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction.

The goal of SUNY Oswego is to nurture members' abilities and capacities for appreciation of living and working together in a diverse learning environment. Members must not expose others to discriminatory acts of any form related to race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction since such acts, either active or passive, create a hostile environment.

Reporting

Members of the college community who experience or observe discrimination should immediately report their experience or observation to:

Reginald T. Braggs
Affirmative Action Officer
President's Office
708 Culkin Hall
reginald.braggs@oswego.edu
315-312-2213

TITLE IX

The Title IX Coordinator is responsible for monitoring overall Title IX implementation for the institution and coordinating compliance with all areas and departments covered under Title IX and other laws that regulate prevention and response to sexual and interpersonal violence. The Title IX Coordinator will meet with the complainant to explain the available options and processes and investigate the complaint. Inquiries concerning the application of Title IX and its implementing regulation may be referred to the Title IX Coordinator or to the Office of Civil Rights.

If the Institution's Title IX Coordinator finds an Auxiliary Services employee in violation of this policy, Management reserves the right to terminate employment.

Reporting

Members of the college community who experience or observe sexual or interpersonal violence should immediately report their experience or observation to:

Lisa Evaneski
Title IX Coordinator
202 Penfield Library
lisa.evaneski@oswego.edu
315-312-5604

Members of the college community may file a complaint as directed above and/or with the Office of Civil Rights, using OCR's online complaint form, or via mail:

Office for Civil Rights
New York Office
U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500
Telephone: 646-428-3800
Fax: 646-428-3843
Email: OCR.NewYork@ed.gov

Reports of discrimination that happen off campus may also be reported to the college or to the OCR.

Discrimination on the basis of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction is illegal and can be redressed through institutional procedures which conform to State and Federal statutes.

Pursuant to State University of New York policy, SUNY Oswego's Non-Discrimination Policy is in accordance with federal and state laws and regulations prohibiting discrimination and harassment including the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 as Amended by the Equal Employment Opportunity Act of 1972, and the New York State Human Rights Law.

Federal Legislation
Sections 503 and 504 of the Rehabilitation Act, 1973
Title VI of the Civil Rights Act of 1964
Title VII as amended by the Equal Employment Opportunity Act of 1972
Title IX of the 1972 Education Amendments

New York Legislation
New York State Human Rights Law
Governor's Executive Order 40.1 (1980)
State University of New York Board of Trustees

More information available in [SUNY Oswego's Complaint Procedure for the Review of Allegations of Unlawful Discrimination](#)

SUNY Oswego Service and Emotional Support Animal Policies

SECTION I: Introduction and Background

SUNY Oswego recognizes the importance of "Service Animals" as defined by the Americans with Disabilities Act (ADA) and the broader category of "Emotional Support Animals" under the Fair Housing Act that provides physical and/or emotional support to individuals with disabilities. SUNY Oswego is committed to allowing individuals with disabilities the use of a Service Animal on campus to facilitate their full-participation and equal access to the College's programs and activities. SUNY Oswego is also committed to allowing Emotional Support Animals necessary to provide individuals with disabilities an equal opportunity to use and enjoy campus housing. These Policies explain the specific requirements applicable to an individual's use of a Service Animal on campus, as well as requirements applicable to an individual's use of an Emotional Support Animal in campus housing.

SECTION II: Definitions

(a) Service Animal

A service animal is a dog that is individually trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the person's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks; alerting individuals who are deaf or hard of hearing to the presence of people or sounds; pulling a wheelchair; assisting an individual during a seizure; alerting individuals to the presence of allergens; retrieving items such as medicine or the telephone; providing physical support and assistance with balance and stability to individuals with mobility disabilities; and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and provision of emotional support, well-being, comfort or companionship does not constitute work or tasks for the purpose of this definition. Species other than dogs, or in some cases, miniature horses, are not considered service animals for the purpose of this definition of a service animal.

(b) Emotional Support Animal (ESA)

An emotional support animal (ESA) is an animal that provides emotional or other support that ameliorates one or more identified symptoms or effects of a person's disability, and are necessary to afford a person with a disability an equal opportunity to use and enjoy college housing. Unlike service animals, ESAs are not required to be trained to perform work or tasks and they include species other than dogs and miniature horses.

ESAs are generally not allowed to accompany persons with disabilities in all public areas of SUNY Oswego as a service animal is allowed to do, but an ESA may reside in college housing and are generally not permitted in any area other than the student's room.

SECTION III: Policy on Service Animals

Service Animals will be permitted to accompany people with disabilities in all areas of SUNY Oswego's facilities where students, members of the public, and other participants in services, programs, or activities are allowed to go, including college housing. SUNY Oswego does not require documentation, such as proof that the animal has been certified, trained, or licensed as a Service Animal. Individuals accompanied by a Service Animal on campus, but who do not need any disability accommodations are not required to register with Accessibility Resources, nor is such individual required to submit a request for reasonable accommodation to receive access to their Service Animal. Owners who wish to bring Service Animals to college housing, however, are encouraged to register with Residence Life and Housing (RL&H), complete an Animal Registration and Agreement form for Service and Emotional Support Animals and provide up-to-date health and vaccination records. Students and staff are requested to complete the Animal Registration and Agreement form prior to occupancy.

Service Animals must be housebroken (i.e. trained so that it controls waste elimination absent illness or accident) and must be kept under control by a harness, leash, or other tether, unless the person is unable to hold those or such use would interfere with the Service Animal's performance of work or tasks. In such instances, the Service Animal must be kept under control by voice, signals, or other effective means.

SUNY Oswego will assess the request for miniature horses by people with disabilities on a case-by-case basis and consistent with applicable laws. SUNY Oswego will make modifications in its policies to permit their use if they meet certain criteria and have been individually trained to do work or perform tasks for the benefit of people with disabilities. Requests by students should be submitted to Accessibility Resources; requests by faculty/staff should be submitted to Human Resources.

(A) Inquiries Regarding Service Animals

SUNY Oswego will not ask about the nature or the extent of a person's disability to determine whether a person's dog qualifies as a Service Animal. However, when it is not readily apparent, SUNY Oswego staff may make two inquiries to determine whether the dog qualifies as a Service Animal, which are:

- Is the dog required because of a disability?
- What work or task has the dog been trained to perform?

Students with a Service Animal are encouraged to register with Accessibility Resources who can provide information and support on having a Service Animal on campus, as well as other available accommodations.

(B) Responsibilities of Handlers

1. Service Animal Control Requirements

- (a) The animal should be on a leash when not providing a needed service to the person with a disability.
- (b) The animal should respond to voice or hand commands at all times, and be in full control of the handler.
- (c) To the extent possible, the animal should be unobtrusive to other individuals and the learning, living, and working environment.
- (d) Identification – It is recommended that the animal wear some type of commonly recognized identification symbol, identifying the animal as a working animal, but not disclosing the disability.

2. Animal Etiquette

To the extent possible, the handler should ensure that the animal does not:

- (a) Sniff people, restaurant tables or the personal belongings of others.
- (b) Display any behaviors or noises that are disruptive to others, unless part of the service being provided to the handler.
- (c) Block an aisle or passageway for fire egress.

3. Waste Cleanup Rule

- (a) Cleaning up after the animal is the sole responsibility of the handler. In the event that the handler is not physically able to clean up after the animal, it is then the responsibility of the handler to hire someone capable of cleaning up after the animal. The person cleaning up after the animal should abide by the following guidelines:
 - i. Always carry equipment sufficient to clean up the animal's feces whenever the animal is on campus.
 - ii. Properly dispose of waste and/or litter in appropriate containers.
 - iii. Contact staff if arrangements are needed to assist with cleanup. Any cost incurred for doing so is the sole responsibility of the handler.

(C) Service Animals for on-campus residents

Notifying RL&H

- (a) Students and staff with Service Animals in college housing are encouraged to register with RL&H and complete an Animal Registration and Agreement form for Service and Emotional Support Animals prior to occupancy so that appropriate accommodations and safety protocols can be arranged. Registration also allows for support during fire alarms, medical emergencies, etc.

(D) Removal of Service Animals

Service Animals may be ordered removed for the following reasons:

1. Out of control animal: A handler may be directed to remove an animal that is out of control and the handler does not take effective action to control it. If the improper animal behavior happens repeatedly, the handler may be prohibited from bringing the animal into any college facility until the handler can demonstrate that they have taken significant steps to mitigate the behavior.
2. Non-housebroken animal: A handler may be directed to remove an animal that is not housebroken.
3. Direct Threat: A handler may be directed to remove an animal that SUNY Oswego determines to be a substantial and direct threat to the health and safety of individuals. This may occur as a result of a very ill animal, a substantial lack of cleanliness of the animal, or the presence of an animal in a sensitive area like a medical facility, certain laboratories or mechanical or industrial areas.

When a service animal is properly removed pursuant to this policy, SUNY Oswego will work with the handler to determine reasonable alternative opportunities to participate in the service, program, or activity without having the service animal on the premises.

(E) Conflicting Disabilities

Some people may have allergic reactions to animals that are substantial enough to qualify as disabilities. SUNY Oswego will consider the needs of both persons in meeting its obligations to reasonably accommodate all disabilities and to resolve the problem as efficiently and expeditiously as possible. Students requesting allergy accommodations should contact Accessibility Resources, staff should contact Human Resources.

(F) Emergency Response

University Police will be notified of the location of service animals who reside on campus in the event of an emergency. The Service Animal will accompany the handler in the case of an emergency (including a personal medical emergency).

(G) Public Etiquette towards Service or Assistance Animals

It is permissible to ask someone if they would like assistance if there seems to be confusion, however, faculty, staff, students and visitors/members of the general public should avoid the following:

- (a) Petting a Service Animal, as it may distract them from the task at hand
- (b) Feeding a Service Animal
- (c) Deliberately startling a Service Animal, and
- (d) Separating or attempting to separate a handler from their Service Animal

SECTION IV: Policy on Emotional Support Animals (ESA) in College Housing

RL&H will allow an ESA if certain conditions are met. The animal must be necessary for a resident with a disability to have equal access to housing and the accommodation must also be reasonable. An accommodation is unreasonable if it presents an undue financial or administrative burden on the College, poses a substantial and direct threat to personal or public safety or constitutes a fundamental alteration of the nature of the service or program.

With advance approval, a person with a disability may have an ESA in their residence hall room as a reasonable accommodation.

(A) Requests for ESAs in residence hall

Students and staff requesting an ESA in college housing must complete a three-step interactive process:

1. Seek approval for ESA by submitting documentation of a disability to Accessibility Resources (for students) or Human Resources (for faculty or staff residing on campus) and discuss with Accessibility Resources or Human Resources staff prior to the start of the academic year or term.
2. Complete the Animal Registration and Agreement Form for Service and Emotional Support Animals in RL&H annually, and a picture of the animal and animal health records (with up-to-date vaccinations and veterinary contact information). For dogs, proof of licensing is also required. As a part of the registration process, the owner will be required to provide the contact information of a person (or facility) that will take responsibility for the animal, in an emergency, when the owner is not able to care for the animal.
3. Meet with RL&H central office professional staff to discuss expectations for the owner and the ESA in residence halls.

(B) Documentation guidelines for Emotional Support Animal in Residence Halls

1. Documentation must be submitted to Accessibility Resources (students) or Human Resources (staff).
2. Documentation must be on letterhead from a licensed mental health provider (e.g. licensed mental health counselor, licensed clinical social worker, licensed marriage and family therapist, psychologist, or psychiatrist) who can validate the existence of an established relationship with the student or staff member.
3. Licensed mental health providers must be from New York State or from the state of the owner's permanent residence. Documentation from online providers will not be accepted.
4. Documentation must include diagnosis, and specific reasons that an ESA is necessary (i.e. a nexus between the accommodation and the disability)

(C) Timing of Request

1. In order to adequately process a request for an ESA, students and staff are encouraged to begin the process at least 60 days prior to the start of the semester. Requests initiated during the semester will be considered for the start of the following semester.

(D) Conflicting Disabilities

1. Some people may have allergic reactions to animals that are substantial enough to qualify as disabilities. SUNY Oswego will consider the needs of both persons in meeting its obligations to reasonably accommodate all disabilities and to resolve the problem as efficiently and expeditiously as possible. Students and staff requesting allergy accommodations should contact Accessibility Resources or Human Resources.

(E) Compliance with state and local animal laws

1. Animals that are not allowed as pets in New York State, or in the Town of Oswego are not allowed as ESAs.

(F) Process once approved by Accessibility Resources or Human Resources

1. RL&H will notify roommate(s), and other residents as appropriate.

2. RL&H will address residents' concerns related to the Emotional Support Animal. Roommates will complete a Roommate Agreement with additional questions specific to ESA.
3. Emotional Support Animals may not enter the residence hall until the Animal Registration and Agreement form is approved by the Assistant Vice President for RL&H.
4. University Police (as first responders) will be notified of the presence of an ESA in the room for the safety of the officer.

(G) Expectations for animal care and control

1. Owner is solely expected to provide daily and necessary care and control of the ESA to include bathing, feeding and managing waste.
2. Owner is expected to minimize any disruption to the living/learning environment caused by animal odors or noises (including barking, whining, growling).
3. If the owner needs to take the animal outside for waste elimination, the owner is expected to keep the animal on a leash and in control at all times.
4. If the ESA can wear a collar, the owner is expected to have an identification tag on the animal that includes their contact information.
5. If the ESA is a dog, Owner is permitted to take the ESA outside for exercise and waste elimination. Otherwise, owner is expected to keep the ESA in their room at all times. ESAs are not permitted in dining centers, or other resident rooms or common spaces of the residence hall (such as lounges, laundry rooms, study rooms, game rooms, front desk area, etc.)
6. Owner is expected to clean up after the animal. If the owner is unable to, it is then the responsibility of the owner to hire someone capable of cleaning up after the animal. If necessary, contact staff if arrangements are needed to assist with cleanup. Any cost incurred for doing so is the sole responsibility of the owner.
7. Owner is expected to manage the behavior of the animal, while traveling to and from the outside. No playing or exercising of the animal is permitted outside of the owner's room (including in any common areas), with the exception noted in G5 above.
8. Owner is expected to keep food in airtight containers.
9. If the owner leaves campus for an extended period of time, that would impact the care of the animal, including overnight, they are expected to take the animal with them. The owner is not permitted to leave the ESA in the care of another student.
10. Owners need to anticipate that scheduled and unscheduled fire drills will occur in the residence hall and may bring their animal with them when they evacuate the building. Advance notice for fire drills will not be provided to ensure the integrity of the fire drill. In the event of an emergency evacuation of the building or if the fire alarm sounds, students can-not enter the building to retrieve their animal. Students must wait until given an all clear response from University Police to reenter the building.
11. If the owner experiences an emergency (e.g. hospitalization) and is unable to care for the animal, staff will contact the emergency contact (or facility) indicated on the Animal Registration and Agreement form, to remove the animal from the residence hall until the owner is able to provide care of the animal.
12. Failure of a student owner to comply with these expectations for animal care and control will result in a conversation with RL&H and possible referral to Student Conduct for disciplinary action.

(H) Removing an Emotional Support Animal

1. If concerns regarding the animal are reported to RL&H, the owner will be contacted in a timely manner and will be given the opportunity to address the concerns and or situation. This could include behavioral concerns or issues associated with sick and/or uncleanly animals.
2. Any persistent violation of the policies outlined in this document may be considered grounds for immediate removal of the ESA. The owner will be afforded all rights of due process and will have the case heard by a hearing officer as outlined in the Student Code of Conduct. Should the approved ESA be removed from the premises for any reason, the owner is expected to fulfill their housing obligations for the remainder of the housing contract period.
3. Failure to comply with expectations for direct care of the animal may also result in the Agreement being revoked. If this occurs, the owner will be given written notice to remove the animal within 10 days.
4. Appeal of a decision to remove an Emotional Support Animal from campus should be directed to

Sara Rebeor
Interim Director of Residence Life and Housing
303 Culkin Hall
315-312-2246
sara.rebeor@oswego.edu

(I) Damages

1. The owner is solely responsible for any damage to persons or property caused by the ESA. The student shall be financially responsible for the action of the approved ESA including bodily injury. The owner is responsible for any expenses incurred for cleaning above and beyond a standard cleaning or for repairs to the residential space that are assessed after the owner and the ESA vacate the residence including, but not limited to, replacement of furniture, carpet or floor tile, dry wall, and closet or room doors. If fleas, ticks, or other pests are detected in the residence hall as a result of the ESA, RL&H reserved the right to treat the building using approved fumigation methods and bill the owner for the expense of any necessary pest control treatments.

(J) Other Notifications/Information

1. The owner will notify RL&H if the animal is no longer residing in the room.
2. If the animal goes missing, the owner will notify RL&H immediately.
3. If the animal is no longer living in the residential room, or if the animal dies, the owner will notify RL&H within 2 weeks. Any new ESA must be re-registered with Residence Life, as the original agreement is terminated.
4. Guests are not allowed to bring ESAs into residence halls (including ESAs approved in other residence halls).
5. The ESA may not be transferred to another person not covered by the original agreement.

SECTION V: Appeals and Grievances

The College has adopted an internal grievance procedure for the provision of prompt and equitable resolution of complaints alleging discrimination. Individuals who believe they have experienced discrimination based on a disability may file a grievance with the Affirmative Action Officer. Procedures for students wishing to file a discrimination grievance are identified in the Student Handbook, section on Disabilities Accommodations. Additionally, procedures for employees and/or students wishing to file a complaint may also be obtained from the Affirmative Action Officer. The Affirmative Action

Officer shall receive any complaint of alleged discrimination, shall assist the complainant in defining the charge, and shall provide the complainant with information regarding the options for filing internal complaints or external complaints through the federal Office of Civil Rights and/or the New York State Division of Human Rights.

Questions or concerns regarding policy, services, or allegations of noncompliance should be directed to the designated campus contact:

Starr Wheeler
Coordinator of Accessibility Resources and the ADA/504 Coordinator
155 Marano Campus Center
315-312-3358
starr.wheeler@oswego.edu

Amy Plotner
Assistant Vice President of Human Resources
410 Culkin Hall
315-312-2215
amy.plotner@oswego.edu

Individuals who believe they have experienced discrimination on the basis of disability and have been unable to arrive at a mutually acceptable resolution with the designated campus contact and appropriate personnel may file a grievance with the Affirmative Action Officer:

Reginald T. Braggs
Affirmative Action Officer
President's Office
708 Culkin Hall
reginald.braggs@oswego.edu
315-312-2213

Use of Oswego State Name and Registered Trademark

The use of the College's name and registered trademarks are regulated in accordance with the following provisions:

- (a) No student shall indicate or imply that they have a relationship with the State University of New York at Oswego or the State University of New York beyond that of their officially enrolled status.
- (b) Only registered student organizations may indicate on their letterhead and in the routine course of business that the organization is located at the State University of New York at Oswego. Registered student organizations shall be referred to as "Name of Student Organization, a registered student organization at Oswego State." In no way shall a registered student organization indicate or imply that it has the authority to act in the name of the College or, in any way, make binding commitments on behalf of the College.
- (c) The use of the registered trademarks of the State University of New York at Oswego without prior written permission from the Chief Communication Officer in the College's Office of Communications and Marketing is strictly prohibited.
- (d) Requests for permission to use the SUNY Oswego logo, Intercollegiate Athletics identity and/or any registered trademark of the State University of New York at Oswego shall be directed to the Chief Communication Officer in the College's Office of Communications and Marketing.

Email as Official Mode of Communication

Email is the official, approved mode of communication at SUNY Oswego. Consequently, students, faculty and staff are expected to check their email on a frequent and consistent basis in order to stay current with college-related information, news and events. According to the approved policy, “failure to check one’s email, failure to maintain one’s email account resulting in mailbox storage limitations being reached, or forwarding errors will not constitute acceptable excuses for missing official college communications via email.”

An additional outlet for official communication includes the Oswego Today campus email – an informative message that is distributed to ALL students and college employees on weekday mornings throughout the academic year. These official Oswego Today emails feature important information including a variety of campus announcements, pertinent news stories, imminent calendar items and more.

Students wishing to receive emergency communication alerts and/or be notified of campus-wide cancellation of classes or the declaration of a remote instruction day due to severe winter weather are encouraged to register to receive [NY-Alerts](#) by indicating their preferences through myOswego, under personal information. New York Alert is an emergency messaging platform that allows the college to send critical communications/alerts via text [SMS] message, mobile phones and email to members of the Oswego campus community who have registered to receive the alerts.

At SUNY Oswego, we pride ourselves on being a campus committed to the welfare and safety of our students, faculty, staff and friends. At the heart of our efforts is the charge to all members of the community to work together to create a safe campus environment through education, collaboration, communication and community empowerment. As such, we have established security policies and educational programming dedicated to maintaining a safe and secure environment in which to live and study, and provide resources and communication outlets to ensure timely notification and greater community awareness. A key communication-based component of Oswego’s commitment to safety is its campus bulletin web page ([Campus bulletin | Safety on Campus](#)) that provides all members of the college community with direct access to campus notifications, NY-Alerts, messages from the president, as well as University Police’s daily incident report and the federally required Annual Security and Fire Safety Report. For more information, visit [Safety on Campus](#).

Computer Use Policies

1. Acceptable Use of Data and Information Systems Policy

Unless otherwise specifically detailed in writing, all College owned or controlled information technology resources (computers, networks, servers and other devices) and all data contained in any College owned or controlled information system (Banner, Adirondack, e-mail, and other systems) are the property of the College and exists expressly for the purpose of educational use and legitimate College-related business. Any other use of these resources or systems or release of data contained in them is prohibited.

Employees are expected to comply with this policy and the use of any system is considered an acknowledgement they will do so. Students are required to affirm their intent to comply with the Code of Student Rights, Responsibilities and Conduct prior to being given access to these systems. Employee violations of this policy may lead to disciplinary action in accordance with applicable collective bargaining agreements and SUNY and New York State policies. Student violations of this policy may lead to disciplinary charges as described in the Code of Student Rights, Responsibilities and Conduct. Misuse of these resources or systems or the data contained in them may also subject employees and students to prosecution consistent with New York State Law.

The College reserves the right to revoke an individual’s access to any and all information systems or data.

2. Acceptable Use of Data and Information Systems: Requirements and Procedures for Compliance

- (a) The College's network provides data and services in support of its educational mission. It is the responsibility of each member of the campus community to use these resources appropriately and in compliance with all campus policies and local, state, and federal laws and regulations. Access is a privilege that can be revoked due to misuse. By connecting to the campus network, users agree to the terms and conditions of the Acceptable Use of Data and Information Systems Policy as well as the policies in the Faculty and Professional Staff Handbook and the Student Handbook. The College will make every reasonable effort to protect the privacy and security of user data. The College reserves the right to examine user data in resolving computer or network malfunctions, investigating information security incidents, or responding to disciplinary or legal actions involving a user.
- (b) Users who administer computers on the campus network that are used as servers have the additional responsibility to respond to any use of their server(s) that is in violation of the Acceptable Use of Data and Information Systems Policy. Server administrators must take steps to prevent recurrence of such violations and report these violations to Campus Technology Services (CTS) Help Desk. Additionally, server administrators must fully cooperate with campus, local, state, and federal civil and criminal authorities investigating complaints of abuse of network services (e.g., by installing monitoring and tracking software, providing access to activity logs, etc.).
- (c) Campus units and individuals who configure computing systems to provide information retrieval services to the public at large must do so in a manner consistent with the College's mission. For any such services provided through the campus network the College's name must not be used in ways that suggest or imply endorsement of other organizations, their products, or services.
- (d) The campus network is a shared resource. Excessive use of network resources which inhibits or interferes with the use of the network by others is not permitted. Any person operating a network-intensive application, a defective computer, or other network-connected device which overloads the network will be notified and steps will be taken to protect the overall network. This may include disconnecting the offending system from the network until the problem is resolved. If the condition is an imminent hazard to the campus network or disrupts the activities of others, the offending system or the section of the network to which it is attached may be disconnected without prior notice.
- (e) The campus network may not be used for any illegal activities. Any receipt, transmission or retransmission of software or data must observe copyright laws, license restrictions, and College policies. Illegal activities include, but are not limited to, file-sharing in violation of the Digital Millennium Copyright Act (DMCA) and denial of service attacks.
- (f) Campus network resources may not be used to defame, harass, intimidate or threaten. College harassment policies cover all uses of the campus network including e-mail correspondence, distribution lists, and web pages.
- (g) A user may not view, copy, alter or destroy any data, or connect to a host on the network without explicit permission of the owner.
- (h) Campus network services, equipment, wiring or jacks may not be altered, removed, or extended beyond the location of their intended use.
- (i) The campus network may not be used to provide access to campus information systems for purposes other than those that are in support of the College's mission.
- (j) Access to the campus network may not be resold or otherwise provided to anyone not formally affiliated with the College unless prior written permission is obtained from Campus Technology Services.
- (k) College owned or controlled network resources, such as Penfield Library's digital resources and databases, may not be retransmitted outside of the College community.
- (l) Users may not forge or otherwise misrepresent another's identity through any form of communication.

- (m) The campus network may not be used to circumvent protection schemes or exercise security loopholes in any computer or network component.
- (n) The campus network may not be used for commercial or profit-making enterprises, except for those activities officially sanctioned by the College.
- (o) Violations of the Acceptable Use of Data and Information Systems Policy will be adjudicated by Campus Technology Services or other appropriate campus administrative units. Violations of local, state and federal law will be referred to the appropriate authorities. Violations of these regulations may result in disciplinary sanctions as prescribed by the Code of Student Rights, Responsibilities and Conduct such as:
 - Loss of access privileges
 - Monetary reimbursement to the College or other appropriate sources
 - Reassignment or removal from campus housing and/or the College
 - Prosecution under applicable civil or criminal laws

Further information on the campus Acceptable Use of Data and Information System Policy is available from the office of the Chief Technology Officer.

3. Copyright: Computer Software

It is the intent of the College to adhere to the provisions of copyright laws in the area of computer programs. In an effort to discourage violation of copyright laws and to prevent such illegal activities:

- (a) It is recommended that the ethical and practical problems caused by software piracy be taught in all classes involving the use of computers.
- (b) College employees will be expected to adhere to the provisions of Public Law 96-517, Section 7(b) which amends Section 117 of Title 17 of the United States Code to allow for the making of a backup copy of computer programs. This states that, "...it is not an infringement for the owner of a copy of a computer program to make or authorize the making of another copy or adaptation of that computer program provided that:
 1. Such a new copy or adaptation is created as an essential step in the utilization of the computer program in conjunction with a machine and that it is used in another manner, or
 2. Such a new copy and adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to the rightful."
- (c) When software is to be used on a disk sharing system, efforts will be made to secure this software from copying.
- (d) Illegal copies of copyrighted programs may not be made or used on College equipment.
- (e) No person shall use or cause to be used on the College's computer laboratories any software which does not fall into one of the following categories:
 1. It is in the public domain.
 2. It is covered by a licensing agreement with the software author(s), vendor or developer, whichever is applicable.
 3. It has been donated to the College and a written record of a bona fide contribution exists.
 4. It has been purchased by the College and a record of a bona fide purchase exists.

5. It has been purchased by the user and a record of a bona fide purchase exists and can be produced by the user upon demand.
 6. It has been written or developed by a University employee or student for the specific purpose of being used in a College computer laboratory or facility.
- (f) The employee or designated person in charge of each computing facility (or administrative officer(s) designated by the College administration) will be the person responsible for establishing and publishing clear descriptions of practices which will enforce this policy.

Library Use

Penfield Library provides a central place on campus for the college community to gather, study, conduct research, share ideas, and learn. The library has scholarly resources and expert staff who are here to help students with their research and succeed in their majors. Our collection includes research databases, book and journal literature in print and online formats, media (CDs, DVDs, Blu-ray, streaming), equipment (laptops, iPads, cameras, camcorders, etc.), and much more. We provide research help 24/7, offer 24/7 study space, access to many computers, and will borrow materials from other libraries if we don't have what you need.

To ensure that all members of our academic community are able to effectively use the facility and library resources, we have adopted the policies summarized below. For more information on library policies, please see our [About the Library](#) page.

(A) Study Areas in Penfield Library

The library offers both quiet and group study areas and values student help in maintaining appropriate use of these spaces. If there are problems, inform a library staff member at one of the service desks, who will help resolve reported issues. The library's quiet study area is the third floor, while group study is on the first and second floors. For details see our [study and work spaces](#) page.

(B) Computers

The library has many computer workstations available for student use, primarily on the first floor. We also loan laptops and Chromebooks for in-library use from our main service desk. Students can connect their personal devices to the library's wireless network. Computer use should conform to Campus Technology Services [Computer and Network Acceptable Use Policy](#).

(C) Food and Drink

Food and drink are welcome in the library but not in the computer lab or near other computers in the building. We ask that students use lidded containers for their beverages and that they report spills as soon as possible. Food should not be stored in the library's study carrels. Group meals should be eaten in the Lake Effect Cafe.

(D) Borrowing Materials

Loan periods vary by type of item; see our [Borrowing Policies](#) page for details. Students may borrow a maximum of 100 items at one time. Borrowed items are subject to recall if they are included in the required materials for a class. Any materials not returned by the end of the semester are subject to replacement fees.

(E) Overdue Material

When items are not returned by their due date or time, your fellow students are impacted. Starting in Fall 2022, Penfield Library will no longer issue overdue fines for late materials. Instead, students will accrue "demerits" for failing to return items on time. Once a specified number of demerits is accrued, the student will be automatically suspended from loaning materials for a specified period of time. Students will be responsible for paying replacement fees for lost or damaged materials. You can find more information about item checkout and fines on the Library's [Borrowing Services](#) page.

Health Policies

Good health enables students to focus on their educational and professional goals and their learning experiences. The College is committed to providing a learning environment that emphasizes good health care as both a foundational component of personal growth as well as an integral element of participating in a learning community. Primary health care, counseling and mental health and wellness education programs assist students in making positive choices about personal health and wellness. These programs and services are obtained through Health Services 315-312-4100; Counseling Services 315-312-4416; Office of the Dean of Students 315-312-5483.

1. Health and Mental Health Services

Students seeking services at Health Services and Counseling Services must comply with the following requirements:

- (a) All students, graduate and undergraduate, part-time and full-time, must submit a completed health history form and an immunization record to Health Services in order to register for orientation, enroll in classes, reside in residence halls, and receive services.
- (b) All students must present a valid student identification card at the reception desks for Health Services or Counseling Services.
- (c) All full-time students are required to provide evidence of health insurance coverage either through the student health insurance plan available from Auxiliary Services (315-312-2106) or as a dependent under a parent or guardian plan or as a subscriber to a personal insurance plan.
- (d) All graduate and undergraduate students enrolled as either part-time or full-time and registered for academic credit at the College shall pay the Student Health Fee that appears on the student bill each semester (including summer courses) of enrollment. The health fee provides the sole funding source for health services, counseling services and health/alcohol and other drug education and is reviewed annually by a student advisory committee.
- (e) A request for consideration of a student [health fee waiver](#) may be submitted to the [Dean of Students](#).

2. Immunization Requirements: Measles Mumps Rubella (MMR)

- (a) Public Health Law 2165 prohibits students from attending classes or living in residence halls unless they comply with state mandated immunization requirements. Therefore, every undergraduate and graduate student registered for six or more academic credits and meeting as a class or a subset of a class to fulfill class obligations is responsible for presenting proof of immunity to Measles, Mumps and Rubella (MMR) in accordance with New York State Public Health Law 2165. Proof of immunity is a completed Immunization Record signed by a medical practitioner and is to be submitted to Health Services. Certified immunization information can also be obtained by the student from their health care provider, their high school or from a previously attended college in New York.
- (b) Exemptions from the immunization requirement are persons born before 1957 and students registered for on-line course(s) that do not include group meetings in a classroom or group session during the semester, either on campus or at an alternate site. Waivers are also granted based on evidence of medical or religious reasons upon written request to the Director of Health Services (medical) or the Dean of Students (religious).

(c) Specifics of the MMR immunization requirements are:

- Measles (rubeola) – Documented proof of two inoculations with a live virus vaccine, the first given after the first birthday:
 - Health care provider documentation of the disease or
 - Serologic (blood test) proof of immunity to rubeola
- Mumps – Documented proof of 1 inoculation with a live virus vaccine on or after the first birthday:
 - Health care provider documentation of the disease or
 - Serologic proof of immunity to mumps
- Rubella – Documented proof of one inoculation with a live virus vaccine on or after the first birthday or Serologic proof of immunity to rubella

3. Immunization: Meningococcal Meningitis

Public Health Law 2167 requires colleges in New York State to distribute information about meningococcal disease and vaccinations and maintain a record of the following for each student enrolled for at least one credit hour per semester:

- A response to receipt of meningococcal disease and vaccine information signed by the student or student's parent or guardian and a vaccine record submitted to Health Services; or
- A vaccine record of 1 dose of meningococcal ACWY vaccine within the past 5 years or a 2 or 3 dose series of MenB without a response form; or
- Acknowledgment of meningococcal disease risks and refusal of meningococcal meningitis immunization signed by the student or student's parent or guardian.

4. Immunization: COVID-19

Per the SUNY COVID-19 Vaccination Policy, effective August 21, 2021, all students who intend to engage in-person at a SUNY campus or facility must receive a complete primary COVID-19 vaccination series. A full vaccine series consist of either 2 mRNA vaccines (Pfizer, Moderna) or 1 Johnson & Johnson vaccine (not strongly recommended). A person is considered fully vaccinated 2 weeks after they complete their vaccine series.

- (a) Vaccination cards or NYSIIS (New York State Immunization Information System) documents can be uploaded to the patient portal or submitted to whealth@oswego.edu.
- (b) Exemptions – Medical Exemption requests from the COVID vaccine can be submitted to Health Services. Religious Exemption requests can be submitted to the Office of the Dean of Students.
- (c) At this time Antibody testing for COVID-19 is not accepted as proof of immunity.

5. Mental Health Intervention

(a) Welfare Intervention

1. In some cases, a student may experience increasing psychological or physical distress and lose their ability to focus or to study due to the onset of physical or emotional conditions or relationship issues. Under stressful conditions, students can experience difficulty studying, sleeping, eating, interacting with others, or successfully completing their academic obligations, field experiences, or employment obligations. In some instances, the College, through the Residence Life staff or University Police, will visit a student's residence to check on their welfare.

2. Seeking support from on-campus or off-campus referral services can be important to successfully addressing emotional distress, psychological health, or health and personal safety issues. In cases where the student cannot focus on their studies, is anxious or disrupting class or campus activities, cannot sleep or eat properly, the student should contact Health Services or Counseling Services. Faculty, staff and students are encouraged to engage such students and help them seek services available on campus. College intervention in all such cases, when possible, will focus on mitigating the distress and the risk so that the student may return to the effective pursuit of their educational purposes, if possible.

(b) Mental Health Supports and Interventions

1. Occasionally, a student under stress may act in ways that are inconsistent with successful participation in classroom, field placement, residence hall, or other College activities. Faculty, staff, and students who encounter students that appear to be experiencing distress in their interpersonal interactions, daily activities, or academic performance should contact Counseling Services, Health Services, or the Residence Hall Director to discuss their concerns in a private setting. Often, the Counseling Services staff can advise the reporter on a specific strategy for referring the student to Counseling Services.
2. Concern for the welfare of a student that includes a perceived imminent threat of harm to the student or to others should be reported immediately to University Police at 315-312-5555. Counseling supports are available 24 hours per day and can be contacted by calling 315-312-4416, after hours press 2, for immediate referral, on site or in Counseling Services. Less imminent but serious concern for a student's welfare should be referred to Counseling Services at 315-312-4416, Health Services at 315-312-4100, the Associate Provost at 315-312-2232, and the Office of the Dean of Students at 315-312-5483.
3. Most students experiencing emotional distress can be served at the College's Counseling Services, or through a referral to local services through Residence Life staff, University Police or mobile crisis services.
4. Occasionally, students may experience an impairment in managing their health and safety due to distress or psychological concerns. In these cases, students are sometimes transported, voluntarily and involuntarily, to the Oswego Hospital for medical and psychological evaluation and to assess the need for psychiatric services. All students transported to the hospital for evaluation are expected to report to the College's Counseling Services on the next class day after discharge from the Oswego Hospital. Vouchers are available from the hospital Emergency Room and from the Behavioral Unit for taxi service for college students to return back to their residence. Students will, at that point, authorize the release of information to Counseling Services and Oswego Hospital so they can share information regarding the condition and needs of the student.

(c) Behavioral Intervention

The Behavioral Intervention team meets regularly to discuss students of concern in order to coordinate responses, resources, and management of relevant information so that campus professional staff can address student needs in a comprehensive manner. The group will also make recommendations to address any disruption or negative impact student issues may have on the student of concern, their peers, and others in the living and learning environment.

Any campus member can bring a concern forward to the Office of the Dean of Students and when greater coordination is needed, the BIT team will review and provide feedback and recommendations.

(d) Mandatory Evaluation and Medical Withdrawal

1. Whenever the behavior of a student appears to pose a serious threat to the health or safety of others or to the functioning of College activities, a mandatory referral for psychological or other health evaluations to assess a student's ability to continue to participate in College programs and activities may be made by the Dean of Students or designee as a result of a review done by the Behavioral Intervention Team. The student would be notified and the assessment may be conducted by a staff member at Counseling Services, or by an external evaluator with the approval of the Dean of Students or designee. The student must initiate the evaluation process within 48 hours of being informed that it is required.
2. The student may be directed to authorize the release of information from medical and/or psychological practitioners who have previously or are currently treating them. The student is required to provide a release of information so that counseling professionals and the Dean of Students or designee can share information and gather broader information regarding support received from caregivers outside the College.
3. The evaluation will assess the following:
 - a) The nature, duration, and severity of the risk that the student poses to the safety of others
 - b) The likelihood that a student constitutes a threat to the safety of others exists and will continue
 - c) Actions, if any, that could be taken to manage and/or reduce the student's risk to others and maintain enrollment
 - d) The likelihood that the student can regain and maintain academic success within the context of our social and residential environment
4. A student who has been directed by the Dean of Students or designee to participate in a psychological evaluation may be subject to interim separation from the College and/or interim revocation of their campus room and board agreement until the evaluation is completed. Upon completion of the psychological evaluation, the student will meet with the Dean of Students or designee. The student's ability to fully participate in the College curricular and extracurricular programs and services will be reviewed by the Dean of Students. The Behavioral Intervention/Care Team may provide feedback or recommendations. The final determination is made by the Vice President for Student Affairs or designee. This off-campus assessment may result in deregistration from enrollment or in establishing conditions for continued enrollment.
5. In cases where there is a violation of the Code of Student Rights, Responsibilities and Conduct, a Statement of Charges may be filed and the student will be subject to College disciplinary action. If a student withdraws from SUNY Oswego while disciplinary action or a mandatory evaluation is pending, that student is prohibited from access to College facilities and grounds and all College-sponsored activities and events, pending the completion and outcome of said disciplinary action or mandatory evaluation.

(e) Return to Enrolled Status

Students separated from the College under this policy may make a request to return by providing documentation from an appropriately licensed mental health professional that the distress and attendant conduct have been resolved. The [documentation should address](#):

1. Compliance with the student's provider's treatment recommendations, including any recommendations for medication evaluation/management, and progress with treatment plans. How well and how long the student has complied with treatment recommendations will be important information to be taken into consideration.
2. Assessment regarding ability to function socially and academically without disruption to others in the campus community and without supervision of the student's behavior.
3. Recommendations that have been made to the student for ongoing counseling and medical care.
4. A plan for the student's follow-up in the Oswego area that includes treatment by mental health professionals (off campus) that is coordinated and addresses treatment recommendations.

The documentation should be accompanied by a written request from the student and submitted to the [Dean of Students](#) or designee. The Dean of Students or designee may require the student to be assessed by a staff member at Counseling Services. The Dean of Students or designee will then recommend to the Vice President for Student Affairs or designee whether or not the separation will be reversed. The decision will be made by the Vice President for Student Affairs or designee and is final. Conditions for readmission may be required by the College prior to readmission. In addition, if the student was academically disqualified during the semester of their withdrawal, the student must also apply for academic reinstatement through the dean of the college or school that houses their major.

6. Student Health Insurance

- (a) Full-time students are automatically enrolled in the College's Student Health Insurance Plan and the health insurance charge appears on the student bill. Students will be covered under this policy if they pay the health insurance premium as part of their payment of tuition and other fees. If students wish to continue to be covered under their parent's or a personal health insurance plan, a waiver can be requested on the [Health Insurance Portal](#). Proof of health insurance must be provided.
- (b) If choosing to continue a parent or personal health insurance plan, please make sure this plan has coverage for out-patient services in Oswego. This is important for outpatient ordered tests such as x-rays or lab work. Insurance is not necessary for utilizing Health Services or Counseling Services.
- (c) Coverage begins on August 1 of the current academic year. Students purchasing the insurance for both semesters will have coverage through July 31 of the succeeding year. Full-time undergraduate and graduate students will see the charge for the insurance from August 1 - December 31 on the fall bill. This charge can be removed from your bill by completing the online waiver form no later than October 15 of the fall semester. If the insurance is waived for the fall semester, it will automatically be waived for the spring semester. The charge for the insurance from January 1 - July 31 will be on the spring bill if it was not waived the previous fall semester. In order to remove the charge for the spring semester the online waiver form must be completed no later than February 15 of the spring semester. Questions related to the Student Health Insurance Plan can be directed to Auxiliary Services, 506 Culkin Hall, 315-312-2107.

7. HIV (Human Immunodeficiency Virus) Testing

NYS law requires that all patients presenting to a health care facility be offered an HIV test. This law went into effect on September 1, 2010. Therefore ALL students receiving care at Health Services are offered the opportunity to have an HIV test. There is a minimal fee charged for in-house HIV testing. They may opt in or out. Students are encouraged by Health Services staff to be tested for HIV. The results are available in approximately twenty minutes. Students will receive information at the time of their visit about this policy and the benefits of testing for HIV.

8. Acquired Immune Deficiency Syndrome

- (a) The best current medical evidence indicates that restrictions need not be placed on the employment, enrollment, or residential status of people with AIDS, whether they are symptomatic or not, if their health enables them to perform the duties and activities required as students or employees. Special accommodations for people who are immunologically compromised will be made on an individual basis. Students seeking accommodations shall present documentation to the Director of Student Health Services and/or Accessibility Resources.
- (b) General principles in forming this policy are the health and safety of all individuals; the right to privacy; the need to respond flexibly on a case-by-case basis; and adherence to the recommendations of the Surgeon General of the U.S. Public Health Service and the Centers for Disease Control (CDC). The College considers AIDS a medical condition falling within the definition of a disability in the Human Rights Law. Discrimination based on AIDS will not be condoned in the Oswego community.

9. Infectious Disease Outbreak

In the event of an infectious disease outbreak, the College contingency plan will be implemented by the Director or designee of Student Health Services. Specific members of the college contingency team will be notified. Collaboration with Oswego County Health Department, NYS State Health Department, and/or Center for Disease Control (CDC) will follow research based protocols. Communication updates will be managed by SUNY Oswego Office of Communication and Marketing.

Emergency Evacuation for Individuals with Mobility Impairments or Special Needs

1. Emergency Evacuation Plan

In the event you smell smoke, see fire or the fire alarm activates, **Don't** assume it's a drill. Treat every alarm seriously.

- (a) **Do not** attempt to extinguish any fires. Remain calm.
- (b) Contact University Police by cell phone at 315-312-5555 or at x5555 from any campus phone giving the following information:
 - Your **name**
 - **Name** of the **building**
 - **Location** and type of Emergency (i.e. **medical** or **fire**)
- (c) **Activate** the nearest Fire Alarm **pull station**.
- (d) Exit the building **immediately** using stairwells.
 - **Never** use the elevators
 - Close and secure all doors behind you
- (e) Proceed to your designated **evacuation assembly area** quietly and follow directions issued by emergency responders.
- (f) **Notify** Emergency Responders of any disabled, trapped or injured occupants.
- (g) **Never** re-enter the building unless directed to by the Emergency Responders.

If a person with special needs requires evacuation during an Emergency situation, each stairway landing is a protected area and they should wait for assistance. They may call University Police at 315-312-5555 or if you see them tell the building staff or the University Police Officer who will have the assistance of the City of Oswego, Town of Oswego Fire Department to assist with the evacuation.

2. Fire Drill Procedure

During fire drills, emergency evacuations will be identical to the Emergency Evacuation Plan, with the exception of persons with special needs may be advised to remain in the building in the event there is a delay with the emergency responders or appropriate equipment.

3. Non-Emergency Evacuation Procedure

If a person with special needs requires evacuation during a 'Non-Emergency' situation (i.e., a power failure or elevator shut down), they may call University Police at 315-312-5555 or x5555 from any campus phone. University Police may summon the assistance of the City of Oswego, Town of Oswego Fire Department or Menter Ambulance Service to assist with any evacuation.

All students who have identified themselves as having special needs will be informed of emergency evacuation procedures by Accessibility Resources at the beginning of each academic year and periodically throughout the academic year as new individuals are identified.

Lost, Stolen or Damaged Personal Property

The College is not responsible for the loss of property of any student or other individual because of fire, theft, or other cause. It is strongly recommended that resident students and students living off campus obtain insurance against loss by fire, theft, or other causes. Students, faculty and staff should lock residence hall rooms and office doors when they leave, even for short periods of time.

Members of the College community and other persons visiting the campus who find another's property on the grounds or in the facilities of this campus are required to report finding such property to University Police. Items found should

be surrendered to University Police. Members of the College who have reason to believe that property they observe or receive is stolen property (including but not limited to textbooks, class notes, term paper, and computer equipment since they may contain student work or personal items) should notify University Police at 315-312-5555.

Missing Persons

Most reports of missing college students are caused by miscommunication between the student and those who are expressing concern for the student’s welfare. Students have the option through MyOswego to inform the College of the name and personal telephone contact information for a person the student would like to designate as a person to notify in case the student is reported missing.

The College will take a proactive approach to all reports of missing students. A missing student is defined by the NYS Campus Safety Act of 1999 as “a student of an institution (college or university) who resides in a facility owned or operated by such institution and who is reported as missing from their residence.” All reports of missing students should be made to University Police 315-312-5555) who, in turn, will initiate an immediate investigation. Depending on the circumstances surrounding the disappearance of the student, University Police may call on the assistance of, and work cooperatively with, other law enforcement agencies and other resources to locate the student. Any indication that a student, as defined above, was taken against their will or is otherwise in imminent jeopardy, should be brought to the attention of University Police without delay.

Reports that a student living off campus is missing should be directed to the law enforcement agency serving the area in which the student resides. The College will assist those agencies in their investigation wherever possible.

Nuclear Emergency Plan for the SUNY Oswego Community

Federal regulations require that counties located near nuclear power plants prepare emergency response plans. Oswego County has such an emergency response plan. The following summary of actions you may be required to take in the event of an emergency comes from Oswego County’s plan and its “Public Emergency Response Information” calendar, which is distributed to residents within 10 miles of the county’s nuclear power plants.

University Police will be responsible for coordinating the College’s response in the event of an emergency. Instructions about what actions people on campus should take in a particular emergency will come from them. We are advised that there is little likelihood of an emergency being so acute that seconds or even minutes are critical; therefore, there should be time for you to follow the directions issued by University Police in a calm and orderly fashion.

1. How You Will Be Notified

Sirens designed for this purpose will notify area residents, including the College community, of a nuclear emergency. These off-campus sirens will sound for about three (3) minutes. The College also will send messages via the NY-Alert system, mass emails, broadcast loudspeakers on some campus buildings and digital signage. If you hear the siren and/or receive the alert, you can get information about the emergency by tuning a radio or television to an Emergency Alert System (EAS) station. Primary EAS stations are:

WSYR	AM 570 kHz,	WBBS	FM 104.7 MHz,
WSYR	FM 106.9 MHz,	WWHT	FM 107.9 MHz,
WHEN	AM 620 kHz,	WSTM	TV Channel 3, On Campus 5.1 (25.1)
WYYY	FM 94.5 MHz,		

Other stations expected to carry EAS messages are:

WNYO FM 88.9 MHz, Oswego

WRVO FM 89.9 MHz, Oswego

WTVH TV Channel 5, On Campus 2.1 (23.2)

WSYR TV Channel 9, On Campus 1.1 (23.1)

WNYS TV Channel 43, On Campus 3.1 (24.1)

WSYT TV Channel 68, On Campus 4.1 (24.2)

Spectrum Cable News Channel 10, On Campus 7.1 (26.1)

2. Actions You May Be Instructed to Take

The types of actions you may be asked to take include:

Shelter-in-Place: If you are asked to shelter-in-place that means:

- (a) Stay indoors.
- (b) Close all outside doors and all windows and then stay away from windows.
- (c) Stay tuned to Emergency Alert stations and await further instructions from University Police.
- (d) Do NOT use the telephone, except in the case of a special emergency, so that the phone lines do not overload.

Evacuation: If you are instructed to evacuate:

- (a) Remain calm.
- (b) Plan to be gone at least three days and take with you any needed personal items.
- (c) If you have a vehicle, we encourage you to take as many other people as you can. Unless contrary directives are issued by University Police, leave campus on Route 104 and head west. Close the windows and air vents in your vehicle and do not operate the air conditioner until you have left the emergency zone. It is recommended you proceed to the reception center at the New York State Fairgrounds for registration and or radiological monitoring of yourself and your vehicle.
- (d) If you do not have transportation, proceed to the Marano Campus Center circle (south side of Marano Campus Center) and await the arrival of buses. All buses will take riders to the reception center at the New York State Fairgrounds north of Syracuse where you can either wait for someone to pick you up or be provided lodging at a congregate care center from there.

After evacuation, the campus will be officially closed until the emergency is over and public notice of reopening is given. The campus community will be patrolled to prevent fires, looting etc., unless/until it is deemed unsafe to remain according to emergency health and safety officials.

Parking

All motor vehicles (including motorcycles) that park on campus property must be registered with the University Police Parking Division and properly display an affixed valid parking permit. This regulation is in effect 24 hours a day, 365 days a year. This includes all students (full and part-time), faculty, staff, visitors, guest speakers and conferees to the campus.

It is the responsibility of every vehicle owner to avail themselves of the information regarding the parking rules and regulations at the College and to comply with the parking regulations. Information regarding parking rules is available at the University Police website at [Parking at SUNY Oswego | Parking](#).

Personal Safety and Campus Emergencies

The College publishes the "Annual Security Report: Your Guide to Personal Safety". The report outlines College reporting procedures, support services and prevention programs for a variety of personal safety issues. Throughout each academic year, prevention education and awareness programs are offered by the College to inform students about personal health and safety issues.

The College encourages students, faculty, staff and visitors to act responsibly and to be alert to suspicious acts or circumstances which may be harmful and/or illegal. Included in this would be any suspicious person, object or condition that gives rise to a safety concern. Students, faculty, and staff are asked to report incidents and hazards to University Police.

Notice

The College will provide timely notice to students when incidents or conditions occur that raise concern for personal safety and require students to be alert. There are three levels of urgent situations that will activate timely notice to students:

Timely Warning: A campus-wide announcement of an incident involving the safety of a member or members of the campus community where a possible threat to the campus community remains on-going.

Emergency Notification: For weather-related emergencies, maintenance emergencies, fire emergencies. At times, emergency warnings are issued selectively to only affected areas or populations.

Imminent Threat Warning: An immediate campus-wide announcement of a significant danger or immediate threat.

SUNY Oswego is one of many State University campuses that have adopted New York Alert, an emergency messaging service offered through the State Emergency Management Office. This system will only be used for emergency and imminent threat warnings and only SUNY Oswego University Police and Office of Communications and Marketing have the ability to send emergency alerts to the campus community. At Oswego, alerts will include campus-wide cancellation of classes due to severe weather conditions. For information on how to enroll in New York Alert visit: [New York Alert](#).

Fire Safety

Per the Fire Code of New York State, (NYSFC 408.3 and Table 405.2 & New York State Education Law, Article 17, Part 807) four fire drills shall be conducted in Residence Halls and three fire drills performed in an academic year in academic buildings to familiarize students, staff, and visitors with proper evacuation routes.

During all fire alarm activations, all building occupants shall evacuate immediately and follow the directions from University Police, Campus Fire Marshal/EHS or Emergency Responders (i.e., the City of Oswego or Town of Oswego Fire Department personnel). Please keep in mind, failure to evacuate immediately during any fire alarm activation shall result in referral to the Office of Student Conduct and may result in a student's removal from SUNY Oswego residence housing.

The following examples of misconduct are strictly PROHIBITED:

1. Smoke/Heat detectors may never be covered or otherwise disabled. This is a serious violation.
2. The installation of tapestries, posters, or other decorations. Students are not allowed to cover any electrical outlets, lights, lamps or ceilings. Any storage in residence halls shall be at a minimum of 2 feet from the ceiling.
3. Theft or improper use of firefighting equipment such as fire alarm equipment, smoke detectors, horn/strobes, fire hose cabinets, or standpipes.
4. Falsely reporting an emergency such as a fire or medical emergency.
5. Intentionally setting fires on campus property without prior approval from Campus Fire Marshal or University Police.

6. The daisy-chaining (two together) of electrical devices including extension cords or surge protectors is prohibited.
7. Shoes, bikes, or other personal items cannot be stored in the hallway at any time.
8. Privacy pop bed tents and mattress toppers are not allowed. They pose a major hazard to occupants when it comes to fire safety.

Open burning on campus is PROHIBITED except as authorized through the Department of Campus Events and Conference Services and Campus Fire Marshal/EHS. Authorized open burning must comply with the regulations of the Fire Code of New York State. Please reference the Lakeside Activities on Campus policy.

Annual Security Report

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (commonly referred to as the Clery Act), an annual security report (ASR) is published and includes campus crime statistics.

Any member of the campus community who has a concern about the College's compliance with provisions of the Federal Campus Security Act may address their concern to the Dean of Students, SUNY Oswego, 501 Culkin Hall, Oswego, NY, 13126, 315-312-5483, deanofstudents@oswego.edu, and further to the Director of the U. S. Department of Education, Office of Postsecondary Education, Regional Office, 75 Park Place, Room 1206, New York, NY 10007. Interested parties may access crime statistics on their website at [The Tools You Need for Campus Safety and Security Analysis](#).

Notice to students, staff, and visitors to campus of procedures related to Article 129-A of New York State Education Law is made available through the "Annual Security Report: Your Guide to Personal Safety", located at [Annual Security and Fire Safety Report](#) (updated and published on line annually) and through presentations at each new student orientation program. Responsibility for updating related information is the Office of the Dean of Students, 501 Culkin Hall, 315-312-5483 (deanofstudents@oswego.edu). Article 129-A also requires reporting procedures, support services, and campus information/education programs in each of the categories identified in the law: Alcohol and Other Drugs, Campus Crime, Domestic Violence, Hazing, Stalking, Sexual Assault, Felony Offenses, Bias Related Crime and Marketing of Credit Cards. Such educational programs are usually generated by Residence Life and Housing, Student Conduct, University Police, Campus Events and Conference Services, Student Engagement and Leadership, and the Office of the Dean of Students. Title IX resources can be found at [Sexual and interpersonal violence | Title IX](#).

In compliance with New York State Education Law Article 129-A; Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, and Title IX.

Preferred Name Policy

The SUNY Oswego preferred first name policy allows students and employees to officially notify the college of their preferred first names, and have this change reflected in on-campus communication systems, as long as the preferred first name is not used for purposes of misidentification, fraud or misrepresentation and that the preferred first name meets community standards (i.e. not profane, obscene, or derived from hate-speech; and conform to technical requirements).

This policy is consistent with current Title IX federal law protecting students against discrimination based on gender identity and expression, and is a best practice for supporting transgender and gender non-conforming members of college communities.

The preferred first name is used for internal communication and certain external communication (i.e. website staff bio pages, sports information). The use of approved preferred first name may not be limited to: class rosters (including Blackboard), advising lists, housing lists, and email. SUNY Oswego ID Cards (employee/student identification cards) will display both legal and preferred first name. The College is obligated to use the legal first name for many official records

and reports, including but not limited to: certain employment and payroll records, billing records, financial aid documents, official transcripts, diploma, medical records, employee benefits records, expense reimbursements, travel and purchasing authorizations, enrollment reporting, conduct hearing results, external reporting and federal immigration documents.

Requests for use of preferred first name shall be limited to one request per academic year. A preferred first name request [form](#) may be accessed online. Students may write to the deanofstudents@oswego.edu for additional information. [Preferred Name Policy | Title-IX](#).

Sexual and Interpersonal Violence Prevention, Policies and Procedures

The College prohibits sex discrimination, sexual assault, sexual harassment, stalking, domestic violence, dating violence or any form of interpersonal violence and encourages the reporting of these instances so that the College can investigate. The reason for this is that sexual and interpersonal violence is particularly harmful to the reporting individual and creates a hostile learning environment. Therefore, the College encourages reporting incidents of sex discrimination, including sexual and interpersonal violence so that the College can respond and maintain a safe learning environment through both prevention education and vigorous pursuit of a resolution to such a report.

In recent years, "Title IX" cases have become a short-hand for any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual assault. But under the Final Rule, SUNY Oswego must narrow both the geographic scope of its authority to act under Title IX and the types of "sexual harassment" that it must subject to its Title IX investigation and adjudication process. Only incidents falling within the Final Rule's definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the **Title IX Grievance Policy**: [Policies | Title IX](#). SUNY Oswego remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule. For cases that do not fall within the Title IX Grievance Policy, the **Sexual and Interpersonal Violence Response Policy** (below) will be used.

Although we will continue using the position title "Title IX Coordinator" students and employees can be assured that our Title IX Coordinator is also coordinating compliance with intersecting laws such as NYS Article 129A, NYS Article 129B, the Clery Act, Violence Against Women Act as well as other state and federal mandates, SUNY policies and SUNY Oswego policies.

Sexual and Interpersonal Violence Response Policy

In accordance with the Students' Bill of Rights, reporting individuals shall have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below:

1. Reporting:

To disclose confidentially the incident to one of the following college officials, who by law may maintain confidentiality, and can assist in obtaining services (more information on confidential report is available in the [Options for Confidentially Disclosing Sexual Violence Policy](#)): [Reporting an incident | Title-IX](#).

- Anonymously via an internet anonymous reporting system: [Sexual and Interpersonal Violence Anonymous Report | Title-IX](#)
- Counseling Services 315-312-4416. [Counseling Services](#)
- Health Services 315-312-4100. [Health Services](#)

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

- Services to Aid Families confidential victim advocates: 315-342-1600, [Crisis and Development Services](#)
- Legal Momentum: [Legal Momentum: Welcome](#);
- NYSCASA: [Get Help | NYSCASA](#);
- NYSCADV: [New York State Coalition Against Domestic Violence](#);
- RAINN: [Get Help](#); and
- Safe Horizons: [Safe Horizon | Homepage](#).

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

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

Lisa Evaneski, Title IX Coordinator*
202 Penfield Library
315-312-5604 (private voicemail)
lisa.evaneski@oswego.edu

Dr. Jennifer Knapp, Title IX Investigator
jennifer.knapp@oswego.edu

Dr. Corie Kohlbach, Title IX Investigator
corie.kohlbach@oswego.edu

Anneke McEvoy, Title IX Investigator
anneke.mcevoy@oswego.edu

Grace Maxon-Clarke, Title IX Investigator
grace.maxon@oswego.edu

Shawn Nies, Title IX Investigator
shawn.nies@oswego.edu

Amy Plotner, Title IX Investigator
amy.plotner@oswego.edu

Daniel Roberts, Title IX Investigator
daniel.roberts@oswego.edu

Michelle Sloan, Title IX Investigator
shelly.sloan@oswego.edu

Dr. Paul Tomascak, Title IX Investigator
paul.tomascak@oswego.edu

*Generally all sexual and interpersonal violence reports, investigations and interim remedies begin with the Title IX Coordinator who then assigns cases to the Title IX Investigators.

University Police
Pathfinder Hall (24 hours)
315-312-5555

To file a criminal complaint with University Police and/or with local law enforcement and/or state police:

University Police, Pathfinder Hall, 315-312-5555

Oswego City Police, 169 West Second St., 315-342-8120

State police 24-hour hotline to report sexual assault on a NY college campus: 1-844-845-7269.

[New York State Troopers](#).

To receive assistance from Lisa Evaneski, Title IX Coordinator, 315-312-5604, 202 Penfield Library in initiating legal proceedings in family court or civil court. You can also get assistance from Services to Aid Families 315-342-1600, [Crisis and Development Services](#).

To file a report of sex discrimination, sexual harassment, sexual assault, domestic violence, dating violence, and/or stalking, and/or talk to the Title IX Coordinator for information and assistance. Reports will be investigated in accordance with SUNY Oswego policy and the reporting individual's identity shall remain private at all times if said reporting individual wishes to maintain privacy. If a reporting individual wishes to keep their identity anonymous, they may call SUNY Oswego's Title IX Coordinator anonymously to discuss the situation and available options (see section III of this document for Protections and Accommodations):

Lisa Evaneski, Title IX Coordinator
202 Penfield Library
315-312-5604
lisa.evaneski@oswego.edu

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

Human Resources, 315-312-2230, 201 Culkin Hall.

You may withdraw your complaint or involvement from the SUNY Oswego process at any time.

The college shall ensure that, at a minimum, at the first instance of disclosure by a reporting individual to a college representative, the following information shall be presented to the reporting individual: "You have the right to make a report to University Police or Campus Security, local law enforcement, and/or State Police or choose not to report; to report the incident to SUNY Oswego; to be protected by SUNY Oswego from retaliation for reporting an incident; and to receive assistance and resources from SUNY Oswego." See the full Student's Bill of Rights for more information: [Students' Bill of Rights | Title IX](#).

The College will conduct a timely review of all complaints of sex discrimination, sexual harassment, sexual assault, domestic violence, dating violence, and/or stalking. Absent extenuating circumstances, review and resolution is expected to take place within 120 business days from receipt of the formal complaint. The preliminary review of all complaints, including any necessary interviews to be conducted and any necessary interim measures to be put in place, will usually be completed within twenty (20) days of receipt of the initial complaint. The subsequent, comprehensive review and investigation of the formal complaint, including interviews with all involved parties and gathering of evidence, is usually completed within sixty (60) days of receipt of the formal complaint. Results of the complaint, via either a formal hearing or waiver of hearing are typically issued within one hundred (100) days of receipt of the formal complaint. An appeal of the results must be submitted within (five) 5 days after days of receipt of the written result.

2. Resources:

To obtain effective intervention services.

Counseling Services, 150 Mary Walker, 315-312-4416. The resources are offered free of charge to registered SUNY Oswego students. [Counseling Services](#).

Health Services, 119 Mary Walker, 315-312-4100. Testing for STIs and emergency contraception is available at the Walker Health Center. The Mandatory Health Fee pays for the health care for registered SUNY Oswego students at Health Services. Pregnancy and urine tests are free, STD and HIV tests are provided at a reasonable cost. [Health Services](#).

OCO Reproductive Health, 315-342-0888, 10 George Street, Suite 100, Oswego, New York. For more information and to access information about payment options go to: [OHC](#).

Employees are encouraged to use their health care provider or contact the College's EAP (Employee Assistance Program) for more information on available services call 315-312-5546 or visit the website [Employee Assistance Program](#).

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

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

3. Protection and Accommodations:

When the accused/respondent is a student, to have the college issue a "No Contact Order," consistent with college policy and procedure, meaning that continuing to contact the protected individual is a violation of college policy subject to additional conduct charges; if the accused/respondent and a protected person observe each other in a public place, it is the responsibility of the accused/respondent to leave the area immediately and without directly contacting the protected person. Both the accused/respondent and reporting individual may request a prompt review of the need for and terms of a No Contact Order, consistent with SUNY Oswego policy. Parties may submit evidence in support of their request.

To have assistance from University Police or the Title IX Coordinator in initiating legal proceedings in family court or civil court, including but not limited to obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order. You can also get assistance from Services to Aid Families 315-342-1600, Crisis and Development Services

To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with the Title IX Coordinator or University Police who can explain the order and answer questions about it, including information from the Order about the accused/respondent's responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s). You can also get assistance from Services to Aid Families 315-342-1600, [Crisis and Development Services](#).

To receive an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension. Contact the Title IX Coordinator, Lisa Evaneski, 315-312-5604 or lisa.evaneski@oswego.edu for assistance. You can also contact University Police, 315-312-5555.

To have assistance from University Police in effecting an arrest when an individual violates an Order of Protection or, if outside of New York State, an equivalent protective or restraining order within the jurisdiction of University Police or, if outside of the jurisdiction to call on and assist local law enforcement in effecting an arrest for violating such an order.

When the accused/respondent is a student and presents a continuing threat to the health and safety of the community, to have the accused/respondent subject to interim suspension pending the outcome of a conduct process. Parties may request a prompt review of the need for and terms of an interim suspension by contacting the Dean of Students, deanofstudents@oswego.edu or by calling 315-312-5483. The Title IX Coordinator can assist with this request.

When the accused/respondent is not a student but is a member of the college community and presents a continuing threat to the health and safety of the community, to subject the accused/respondent to interim measures in accordance with applicable collective bargaining agreements, employee handbooks, and SUNY Oswego policies and rules.

When the accused/respondent is not a member of the college community, to have assistance from University Police or the Title IX Coordinator in obtaining a persona non grata letter, subject to legal requirements and college policy.

To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them. While reporting individuals may request accommodations through any of the offices referenced in this policy, the following office can serve as a point to assist with these measures:

Lisa Evaneski, Title IX Coordinator
202 Penfield Library
315-312-5604
lisa.evaneski@oswego.edu

4. Student Conduct Process:

To request that student conduct charges be filed against the accused/respondent. Conduct proceedings are governed by the procedures set forth in the SUNY Oswego Student Handbook as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.

Throughout conduct proceedings, the accused/respondent and the reporting individual will have:

- The same opportunity to be accompanied by an advisor of their choice who may assist and advise the parties throughout the conduct process and any related hearings or meetings. Participation of the advisor in any proceeding is governed by federal law and the Code of Conduct.

- The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial, timely, and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the accused/respondent, including the right to a presumption that the accused/respondent is “not responsible” until a finding of responsibility is made, and other issues related to sexual assault, domestic violence, dating violence, and stalking.
- The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality, and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest.
- The right to receive advance written or electronic notice of the date, time, and location of any meeting or hearing they are required to or are eligible to attend. Accused individuals (Respondent) will also be told the factual allegations concerning the violation, a reference to the specific code of conduct provisions alleged to have been violated, and possible sanctions.
- The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
- The right to offer evidence during an investigation and to review available relevant evidence in the case file (or otherwise held by SUNY Oswego).
- The right to present evidence and testimony at a hearing, where appropriate.
- The right to a range of options for providing testimony via alternative arrangements, including telephone/ videoconferencing or testifying with a room partition.
- The right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in college disciplinary stage that determines responsibility. Past findings of sex discrimination, sexual harassment, domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanction.
- The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.
- The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
- The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanctions, and the rationale for the decision and any sanctions.
- The right to written or electronic notice about the sanction(s) that may be imposed on the accused/ respondent based upon the outcome of the conduct proceeding. Students who are found responsible for sexual assault will be suspended (with additional requirements) or expelled. Students found in violation of dating violence, domestic violence, sex discrimination, sexual harassment or stalking will be either placed on disciplinary probation, placed on deferred suspension, suspended or expelled. Students that are placed on disciplinary probation, deferred suspension or suspended may be sanctioned intervention services, restrictions from accessing college or community buildings, and educational programs. For more information, review the [Code of Conduct](#). Details of sanctions are outlined in the [Annual Fire and Security Report](#).
- Access to at least one level of appeal of a determination before the Appeal Hearing Board, which may include one or more students, that is fair and impartial and does not include individuals with a conflict of interest.
- The right to have access to a full and fair record of a student conduct hearing, which shall be preserved and maintained in the Student Conduct office for at least five years.

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

Student Conduct - Office of the Dean of Students, 501 Culkin Hall, 315-312-3378

Options for Confidentially Disclosing Sexual Violence

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

In this Policy:

1. Privileged and Confidential Resources.
2. Non-Professional Counselors and Advocates.
3. Privacy versus Confidentiality.
4. Requesting Confidentiality: How the College/University Will Weigh the Request and Respond.
5. Public Awareness/Advocacy Events.
6. Anonymous Disclosure.
7. Institutional Crime Reporting.

1. Privileged and Confidential Resources

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

SUNY Oswego's Counseling Services
Counseling Services, 150 Mary Walker, 315-312-4416
[Counseling Services](#)

SUNY Oswego Health Services licensed medical professionals or supervised interns when they are engaged in a physician/patient relationship, 119 Mary Walker 315-312-4100. [Health Services | Health Services](#).

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

Off-campus counselors and advocates. Crisis services offices will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agencies.

Services to Aid Families (SAF) confidential victim advocates: 315-342-1600
9 4th Avenue (Hillside Commons) Oswego, NY 13126 [Crisis and Development Services](#).

SAF can assist victims/survivors of crimes with requests for compensation through the New York State Office of Victim Services for property lost or damaged during the crime as well as medical expenses.

Sexual Assault Victims Advocate Resource (SAVAR)
Cayuga Counseling Services
17 East Genesee Street Auburn, NY 13021
315-253-9795 Office
315-252-2112 Hotline
[Cayuga Counseling Services](#)

Off-campus healthcare providers:

Oswego Hospital, 110 West Sixth Street, Oswego, New York 13126, [Oswego Health](#)

The following hospitals have Sexual Assault Nurse Examiners (SANE):

Oswego Hospital
110 West Sixth Street
Oswego, New York 13126
[Oswego Health](#)

St. Joseph's Hospital
301 Prospect Avenue
Syracuse, NY 13203
1.888.STJOES1

SUNY Upstate Medical Center
750 East Adams Street
Syracuse, NY 13210
315-464-5540

Medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found here: [Victim Compensation](#) or by calling 1-800-247-8035.

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

2. Non-Professional Counselors and Advocates:

Non-professional counselors and advocates can also assist you without sharing information that could identify you. At SUNY Oswego, this includes staff members of Counseling Services 150 Mary Walker, 315-312-4416 and Health Services staff, 315-312-4100, who are not licensed. *For example: interns, clerical staff, student staff.* These individuals will report the nature, date, time, and general location of an incident to SUNY Oswego's Title IX Coordinator, but will consult with you to ensure no personally identifying details are shared without your consent. These individuals are not considered confidential resources as discussed above.

3. Privacy versus Confidentiality:

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

4. Requesting Confidentiality: How SUNY Oswego Will Weigh the Request and Respond:

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

We will assist you with academic, housing, transportation, employment, and other reasonable and available

accommodations regardless of your reporting choices. While reporting individuals may request accommodations through several college offices, the following office can serve as a primary point of contact to assist with these measures Lisa Evaneski, Title IX Coordinator, 202 Penfield Library, 315-312-5604 or lisa.evaneski@oswego.edu. We also may take proactive steps, such as training or awareness efforts, to combat sexual violence in a general way that does not identify you or the situation you disclosed.

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

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

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

If the SUNY Oswego determines that it must move forward with an investigation, the reporting individual will be notified and the SUNY Oswego will take immediate action as necessary to protect and assist them.

5. Public Awareness/Advocacy Events:

If you disclose a situation through a public awareness event such as "Take Back the Night," candlelight vigils, protests, Women's Center or Two and a Half events, or other public event, SUNY Oswego is not obligated to begin an investigation. SUNY Oswego may use the information you provide to inform the need for additional education and prevention efforts.

6. Anonymous Disclosure:

Services to Aid Families (SAF) abuse and assault hotline: 315-342-1600. (24 hours) The SAF Abuse and Assault Hotline is for crisis intervention, resources and referrals and is not a reporting mechanism.

Anonymously via an internet anonymous reporting system:

[Sexual and Interpersonal Violence Anonymous Report | Title-IX](#)

New York State Hotline for Sexual Assault and Domestic Violence: 1-800-942-6906.

7. Institutional Crime Reporting:

Reports of certain crimes occurring in certain geographic locations will be included in the SUNY Oswego Clery Act Annual Security and Fire Report in an anonymized manner that neither identifies the specifics of the crime or the identity of the reporting individual or victim/survivor. Contact Lisa Evaneski, Title IX Coordinator, for more information: 315-312-5604.

SUNY Oswego is obligated to issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to students and employees (subject to exceptions when potentially

compromising law enforcement efforts and when the warning itself could potentially identify the reporting individual or victim/survivor). A reporting individual will never be identified in a timely warning.

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

Reporting aggregate data to New York State Education Department (NYSED)

1. SUNY Oswego shall annually report to the department the following information about reports of domestic violence, dating violence, stalking and sexual assault:
 - (a) The number of such incidents that were reported to the Title IX Coordinator.
 - (b) Of those incidents in paragraph a. of this subdivision, the number of reporting individuals who sought the SUNY Oswego conduct process.
 - (c) Of those reporting individuals in paragraph b of this subdivision, the number of cases processed through the SUNY Oswego's conduct process.
 - (d) Of those cases in paragraph c of this subdivision, the number of respondents who were found responsible through the SUNY Oswego's conduct process.
 - (e) Of those cases in paragraph c of this subdivision, the number of respondents who were found not responsible through the SUNY Oswego's conduct process.
 - (f) A description of the final sanctions imposed by SUNY Oswego for each incident for which a respondent was found responsible, as provided in paragraph d of this subdivision, through the conduct process.
 - (g) The number of cases in the SUNY Oswego's conduct process that were closed prior to a final determination after the respondent withdrew from the College and declined to complete the disciplinary process.
 - (h) The number of cases in the SUNY Oswego's conduct process that were closed because the complaint was withdrawn by the reporting individual prior to a final determination.
2. The department shall create a reporting mechanism for institutions to efficiently and uniformly provide the information outlined in subdivision one of this section.

Students' Bill of Rights

The State University of New York and SUNY Oswego are committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in College/University-wide and campus programs, activities, and employment. All students of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad:

All students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the student conduct process and/or criminal justice process free from pressure from the College;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity

- to be heard;
5. Be treated with dignity and to receive from the College courteous, fair, and respectful health care and counseling services, where available;
 6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
 7. Describe the incident to as few College representatives as practicable and not to be required to unnecessarily repeat a description of the incident.
 8. Be free from retaliation by the College, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the College;
 9. Access to at least one level of appeal of a determination;
 10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the student conduct process including during all meetings and hearings related to such process;
 11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or student conduct process of the College.

Options in Brief:

Victims/survivors have many options that can be pursued simultaneously, including one or more of the following:

- Receive resources, such as counseling and medical attention;
- Confidentially or anonymously disclose a crime or violation (for detailed information on confidentiality and privacy, visit [Options for Confidentially Disclosing Sexual Violence](#)).
- Make a report to:
 - An employee with the authority to address complaints, including the Title IX Coordinator, a Student Conduct employee, or a Human Resources employee;
 - University Police
 - Local law enforcement; and/or
 - Family Court or Civil Court.

Copies of this Bill of Rights shall be distributed annually to students, made available on college website, and posted in each campus residence hall, dining hall, and student union or campus center and shall include links or information to access the [Sexual Violence Response Policy](#) and the [Options for Confidentially Disclosing Sexual Violence](#).

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

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

Policy/Instructions on How Parties Can Review the Case File/Evidence

SUNY Oswego ensures that every student be afforded the following rights. Throughout proceedings involving such an accusation of sexual assault, domestic violence, dating violence, stalking, or sexual activity that may otherwise violate SUNY Oswego's code of conduct, the right to review and present available evidence in the case file, or otherwise in the possession or control of the College, and relevant to the conduct case, consistent with college policies and procedures.

Policy for Review of Interim Measures/Accommodations

Both the accused/respondent and the reporting individual shall, upon request and consistent with SUNY Oswego policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any such interim measure and accommodation that directly affects them and shall be allowed to submit evidence in support of their request. Contact the [Title IX Coordinator](#) for assistance.

Policy for Review of an Interim Suspension

Both the accused or respondent and the reporting individual shall, upon request and consistent with SUNY Oswego policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of an interim suspension, including potential modification, and shall be allowed to submit evidence in support of their request. Contact the Dean of Students deanofstudents@oswego.edu.

Policy for the Review of No Contact Order

Both the accused or respondent and the reporting individual shall, upon request and consistent with SUNY Oswego policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of a no contact order, including potential modification, and shall be allowed to submit evidence in support of their request. SUNY Oswego may establish an appropriate schedule for the accused and respondents to access applicable buildings and property at a time when such buildings and property are not being accessed by the reporting individual. For No Contact Orders issued by the Title IX Coordinator, contact the [Title IX Coordinator](#) for assistance.

Policy for Transcript Notations

Generally, disciplinary actions are not noted on academic transcripts. However, if a student is suspended or expelled as a result of a disciplinary action, they will have an "NG" notation in the place of a grade on every course for which they are registered in the semester of the effective date of the suspension or expulsion. The credits attempted for that semester will be included in the total number of credits attempted. The "NG" notation will become a permanent part of the student's academic record (transcript).

Students with "NG" notations must have the approval of the Dean of Students, deanofstudents@oswego.edu before they can apply for readmission to the College. If the student is readmitted to the College, the courses with "NG" notation can be repeated. The "NG" notation, however, will remain on the academic transcript.

Conduct involving serious crimes, including, but not limited to arson, hazing, robbery/burglary, motor vehicle theft, murder/manslaughter, physical assault, sexual and interpersonal violence, and/or conduct that leads to death or serious physical injury of another person, shall result in a permanent transcript notation of suspension or expulsion from the College. The permanent transcript notation will read: "suspended after a finding of responsibility for a code of conduct violation on (date)." or "expelled after a finding of responsibility for a code of conduct violation on (date)."

For the respondent who withdraws, is not enrolled due to winter/summer break, or is interim suspended from the College while such conduct charges are pending, and declines to complete the disciplinary process, a notation will go

on the transcript of such students that they “withdrew with conduct charges pending.” Appropriate disciplinary action will be taken prior to the student’s return to SUNY Oswego. The comment is removed if the student is readmitted after completing the conduct process.

Appeals seeking removal of a transcript notation for a suspension, provided that such notation shall not be removed prior to one year after conclusion of the suspension, shall be directed to the Dean of Students, deanofstudents@oswego.edu. For suspensions related to serious crimes listed above, the notation will permanently remain on the transcript. Notations for expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

Definitions

Accused shall mean a person accused of a violation who has not yet entered the student conduct process.

Advisor is any individual who provides the accused/respondent or victim/survivor with support, guidance and/or advice.

Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression. 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.

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

Annual Fire and Security Report (Clery Act) requires colleges and universities that participate in federal financial aid programs to report annual statistics on crime, including sexual assault and rape, on or near the campus, and to develop and disseminate prevention policies.

Article 129-A (New York State Education Law) requires all New York State public colleges to maintain policies related to specific provisions of this Article. General provisions include the advisory committee on campus security, sexual assault, domestic violence and stalking prevention information, campus crime reporting and statistics, investigation of violent felony offenses, bias related crime prevention information, prohibition on the marketing of credit cards, and notification of fire safety standards and measures in all college-owned or college-operated housing.

Article 129B (Enough is Enough) requires all colleges in New York State to adopt a set of comprehensive procedures and guidelines to address sexual violence, including a uniform definition of affirmative consent, a statewide amnesty policy, and expanded access to law enforcement.

Bystander shall mean a person who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of the College's rules or policies.

Bystander intervention is when a bystander's safe and positive actions to prevent harm or intervene when there is a risk posed to another person. Bystander intervention includes recognizing situations of potential harm, identifying safe and effective intervention options, and taking action to intervene.

Clery Act: The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act is a federal statute (20 U.S.C. §1092(f)) that requires colleges and universities that participate in federal financial aid programs to keep and disclose statistics about crime on or near their campuses. Compliance is monitored by the U.S. Department of Education.

Code of Conduct shall mean the written policies adopted by SUNY Oswego governing student behavior, rights, and responsibilities while such student is matriculated.

Coercion is defined for purposes of this section as the application of unreasonable pressure to take part in sexual activity or in any of the prohibited conduct listed in this document. Unreasonable pressure can be exerted through physical or emotional force, intimidation, misuse of authority, or outright threats. When someone makes it clear that they do not want to engage in sexual activity or does not want to go beyond a certain point of sexual interaction, continued pressure beyond that point may be considered coercive. Ignoring or dismissing the objections of another person may also be a form of coercion. (See full Affirmative Consent definition above).

College means State University of New York at Oswego, Oswego, New York, and collectively, those persons responsible for its control and operation.

Confidentiality may be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to SUNY Oswego officials, in a manner consistent with State and Federal law, including but not limited to 20 U.S.C. 1092(f) and 20 U.S.C. 1681(a). Licensed mental health counselors and medical providers are examples of SUNY Oswego employees who may offer confidentiality.

Dating violence is any violent act or acts committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. The existence of a social relationship of a romantic or intimate nature with the victim is determined based on the reporting party's statement, the length of the relationship, the type of relationship, and frequency of interaction between the persons involved in the relationship.

Domestic violence is a felony or misdemeanor crime of violence committed by any of the following individuals: current or former spouse or intimate partner of the victim; or a person with whom the victim shares a child in common; or a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; or a person similarly situated to a spouse of the victim under the domestic or family laws of the jurisdiction in which the crime of violence occurred; New York domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of New York.

Incapacitation occurs when an individual lacks the ability to fully, knowingly choose to participate in sexual activity. Incapacitation includes impairment due to drugs or alcohol (whether such use is voluntary or involuntary), the lack of consciousness or being asleep, being involuntarily restrained, if any of the parties are under the age of 17, or if an individual otherwise cannot consent. (See full Affirmative Consent definition above).

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

Interim measures, remedies, supportive measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment.

Preponderance of the Evidence is the standard of proof in sexual and interpersonal violence cases, which asks whether it is “more likely than not” that the violence occurred. If the evidence presented meets this standard, then the accused/respondent should be found responsible.

Privacy may be offered by an individual when such individual is unable to offer confidentiality under the law but shall still not disclose information learned from a reporting individual or bystander to a crime or incident more than necessary to comply with this and other applicable laws, including informing appropriate College officials.

Proceeding refers to the activities related to a SUNY Oswego disciplinary complaint, including but not limited to fact finding investigations, formal or informal meetings, hearings and appeals.

Reporting individual shall encompass the terms victim, survivor, complainant, claimant, witness with victim status who brings forth a report of a violation.

Respondent shall mean a person accused of a violation who has entered the student conduct process.

Responsible employee is an employee with the authority to redress sexual and interpersonal violence; who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX Coordinator or other appropriate school designee; or whom a student could reasonably believe has this authority or duty.

Result means any initial, interim and final decision by any College official or entity authorized to resolve disciplinary matters within SUNY Oswego.

Retaliation is adverse action against another person for reporting a violation or for participating in any way in the investigation or conduct process. Retaliation includes harassment and intimidation, including but not limited to violence, threats of violence, property destruction, adverse educational or employment consequences, and bullying.

SaVE Act: The SaVE Act is an acronym for the Campus Sexual Violence Act provision of the 2013 reauthorized Violence Against Women Reauthorization Act (VAWA). The SaVE Act provision, Section 304, requires colleges and universities to report domestic violence, dating violence, and stalking beyond the crime categories the Clery Act already mandates; adopt certain student conduct procedures, such as for notifying victims of their rights; and adopt training protocols and policies to address and prevent campus sexual violence.

Sexual act means:

- (a) contact between the penis and the vulva or the penis and the anus, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however slight;
- (b) contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus;
- (c) the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or
- (d) the intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 17 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person;

Sexual activity shall have the same meaning as “sexual act” and “sexual contact” as provided in 18 U.S.C. 2246(2) and 18 U.S.C. 2246(3).

Sexual assault/violence is a physical sexual act perpetrated against a person’s will or where a person is incapable of giving consent. Such acts include, but are not limited to, rape, sexual battery and sexual coercion.

Sexual contact means the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

Sex discrimination includes all forms of: sexual harassment, sexual assault, and sexual violence by employees, students, or third parties against employees, students, or third parties. Students, College employees, and third parties are prohibited from harassing other students and/or employees whether or not the incidents of harassment occur on the College campus and whether or not the incidents occur during working hours. All acts of sex discrimination, including sexual harassment and sexual violence, are prohibited by SUNY Oswego policy.

Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another student;
- Non-consensual video or audio-taping of sexual activity;
- Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- Engaging in voyeurism;
- Knowingly transmitting an STI or HIV to another student;
- Exposing one's genitals in non-consensual circumstances;
- Inducing another to expose their genitals;
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

Sexual harassment is unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the university's educational program and/or activities, and is based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

Stalking means intentionally engaging in a course of conduct, directed at a specific person, which is likely to cause a reasonable person to fear for their safety or the safety of others or cause that person to suffer substantial emotional distress. Examples include, but are not limited to, repeatedly following such person(s), repeatedly committing acts that alarm, cause fear, or seriously annoy such other person(s) and that serve no legitimate purpose, and repeatedly communicating by any means, including electronic means, with such person(s) in a manner likely to intimidate, annoy, or alarm them.

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access our educational programs and opportunities.

Title IX Coordinator shall mean the Title IX Coordinator and/or their designee or designees.

Title IX Investigators assist the Title IX Coordinator in responding to reports of sex discrimination, sexual harassment, sexual assault/violence, stalking, dating violence, and domestic violence.

Violence Against Women Act (“VAWA”): Under The Violence Against Women Act, colleges and universities are required to:

1. report dating violence, domestic violence, sexual assault, and stalking, beyond crime categories the Clery Act already mandates;
2. adopt certain student discipline procedures, such as for notifying purported victims of their rights; and
3. adopt certain institutional policies to address and prevent campus sexual violence, such as to train in particular respects pertinent institutional personnel.

Victim/survivor: a person who suffers personal, physical, or psychological injury. These policies use “reporting individual” as encompassing the terms victim, survivor, complainant, claimant, witness with victim status, and any other term used by an institution to reference an individual who brings for a report of a violation.

Sanctions for the Sexual and Interpersonal Response Policy and the Title IX Grievance Policy include:

1. When an individual is found responsible for sexual assault or rape, the following sanctions are available:
 - (a) Expulsion
 - (b) Suspension for 1, 2, 3 or 4 semesters
(NOTE: In cases of sexual assault and rape, when an individual is found responsible, the College will impose a minimum sanction of suspension.)
 - (c) If re-admitted, deferred suspension through graduation upon return
 - (d) If re-admitted, deferred suspension upon return for 1, 2, 3, 4, 5, 6, 7, or 8 semesters upon return
 - (e) If re-admitted, residence hall dismissal upon return
 - (f) If re-admitted, loss of privileges upon return
 - (g) If re-admitted and applicable, extension of no contact with the reporting individual
 - (h) Mandated off-campus counseling assessment while suspended
2. When an individual is found responsible for sexual contact without consent sanctions are available:
 - (a) Expulsion
 - (b) Suspension for 1, 2, 3, or 4 semesters
 - (c) Deferred suspension through graduation
 - (d) Deferred suspension for 1, 2, 3, 4, 5, 6, 7, or 8 semesters
 - (e) If suspended and re-admitted, deferred suspension through graduation upon return
 - (f) If suspended and re-admitted, deferred suspension upon return for 1, 2, 3, 4, 5, 6, 7, or 8 semesters upon return
 - (g) If suspended and re-admitted, residence hall dismissal upon return
 - (h) If suspended and re-admitted, loss of privileges upon return
 - (i) If suspended and re-admitted and applicable, extension of restriction of contact with the reporting individual
 - (j) Mandated off-campus counseling assessment
 - (k) Disciplinary probation
 - (l) Removal/restriction from residence halls
3. When an individual is found responsible for dating violence or domestic violence, the following sanctions are available:
 - (a) Expulsion
 - (b) Suspension for 1, 2, 3, or 4 semesters
 - (c) Deferred suspension through graduation
 - (d) Deferred suspension for 1, 2, 3, 4, 5, 6, 7, or 8 semesters

- (e) If suspended and re-admitted, deferred suspension through graduation upon return
- (f) If suspended and re-admitted, deferred suspension upon return for 1, 2, 3, 4, 5, 6, 7, or 8 semesters upon returning.
- (g) If suspended and re-admitted, residence hall dismissal upon return
- (h) If suspended and re-admitted, loss of privileges upon return
- (i) If suspended and re-admitted and applicable, extension of restriction of contact with the reporting individual
- (j) Mandated counseling assessment
- (k) Disciplinary probation
- (l) Removal/restriction from residence halls

4. When an individual is found responsible for stalking, the following sanctions are available:

- (a) Expulsion
- (b) Suspension for 1, 2, 3, or 4 semesters
- (c) Deferred suspension through graduation
- (d) Deferred suspension for 1, 2, 3, 4, 5, 6, 7, or 8 semesters
- (e) If suspended and re-admitted, deferred suspension through graduation upon return
- (f) If suspended and re-admitted, deferred suspension upon return for 1, 2, 3, 4, 5, 6, 7, or 8 semesters upon return
- (g) If suspended and re-admitted, residence hall dismissal upon return
- (h) If suspended and re-admitted, loss of privileges upon return
- (i) If suspended and re-admitted and applicable, extension of restriction of contact with the reporting individual
- (j) Mandated counseling assessment
- (k) Disciplinary probation
- (l) Removal/restriction from residence halls

Legal Definitions and Consequences

New York State Education Law and Penal Law contain the following legal provisions defining the crimes related to sexual harassment and violence:

NYS Education law section 6432 – Sexual Assault Prevention Information. Each college shall inform incoming students about sexual assault prevention measures and available resources and services.

NYS Penal Law Article 130:

Section 130.20 – Sexual Misconduct. This offense includes sexual intercourse without consent and deviate sexual intercourse without consent. The penalty for violation of this section includes imprisonment for a definite period to be fixed by the court up to one year.

Section 130.25/.30/.35 – Rape. This series of offenses includes sexual intercourse with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes sexual intercourse with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to imprisonment for a period not to exceed 25 years.

Section 130.40/.45/.50 – Criminal Sexual Act. This series of offenses includes oral or anal sexual conduct with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes oral or anal sexual conduct with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to imprisonment for a period not to exceed 25 years.

Section 130.52 – Forcible Touching. This offense involves the forcible touching of the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor’s sexual desire. Forcible touching includes the squeezing, grabbing, or pinching of such other person’s sexual or other intimate parts. The penalty for violation of this section includes imprisonment for a period of up to one year in jail.

Section 130.55/.60/.65 – Sexual Abuse. This series of offenses includes sexual contact with a person by forcible compulsion, or with a person who is incapable of consent due to physical helplessness, or due to the person being under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed three months up to imprisonment for a period not to exceed seven years.

Section 130.65-a/.66/.67/.70 – Aggravated Sexual Abuse. This series of offenses occurs when a person inserts a finger or a foreign object in the vagina, urethra, penis or rectum of another person by forcible compulsion, when the other person is incapable of consent by reason of being physically helpless, or when the other person is under the age of consent. The level of this offense is enhanced if the insertion of a finger or foreign object causes injury to the other person. The penalties for violation of these sections range from imprisonment for a period not to exceed seven years up to imprisonment for a period not to exceed 25 years.

Section 130.90 – facilitating a sex offense with a controlled substance. This offense occurs when a person knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance without such person’s consent and with intent to commit against such person a sexual offense as defined in Article 130. Facilitating a sex offense is a class D felony punishable by a period of up to seven years.

Additional resources:

Annual Safety and Fire Report (Clery Act): [Annual Report | University Police](#)

Sexual and interpersonal prevention, policy and procedures*: [Sexual and interpersonal violence | Title IX](#)

**Includes Title IX Grievance Policy (2020)*

Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under the Title IX Regulations

1. Introduction

What is the purpose of the Title IX Grievance Policy?

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX’s prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student’s ability to equally access our educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that:

- Defines the meaning of “sexual harassment” (including forms of sex-based violence)
- Addresses how this institution **must** respond to reports of misconduct falling within that definition of sexual harassment, and
- Mandates a grievance process that this institution **must** follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.

See, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available here: [Title IX Reg.](#) Based on the Final Rule, State University of New York at Oswego (SUNY Oswego) will implement the following Title IX Grievance Policy, effective August 14, 2020.

How does the Title IX Grievance Policy impact other campus disciplinary policies?

In recent years, “Title IX” cases have become a short-hand for any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual assault. But under the Final Rule, SUNY Oswego must narrow both the geographic scope of its authority to act under Title IX and the types of “sexual harassment” that it must subject to its Title IX investigation and adjudication process. **Only** incidents falling within the Final Rule’s definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the Title IX Grievance Policy defined below.

SUNY Oswego remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule. Specifically, our campus has:

- A **Code of Conduct** that defines certain behavior as a violation of campus policy, and a separate **Sexual and Interpersonal Violence Response Policy** [Policies | Title IX](#) that addresses the types of sex-based offenses constituting a violation of campus policy, and the procedures for investigating and adjudicating those sex-based offenses.

To the extent that alleged misconduct falls outside the Title IX Grievance Policy, or misconduct falling outside the Title IX Grievance Policy is discovered in the course of investigating covered Title IX misconduct, the institution retains authority to investigate and adjudicate the allegations under the policies and procedures defined within the **Sexual and Interpersonal Violence Response Policy** through a separate grievance proceeding: [Policies | Title IX](#).

The elements established in the Title IX Grievance Policy under the Final Rule have no effect and are not transferable to any other policy of the College for any violation of the Code of Conduct, employment policies, or any civil rights violation except as narrowly defined in this Policy. This Policy does not set a precedent for other policies or processes of the College and may not be cited for or against any right or aspect of any other policy or process.

How does the Title IX Grievance Policy impact the handling of complaints?

Our existing Title IX office and reporting structure remains in place. What has changed is the way our Title IX office will handle different types of reports arising from sexual and interpersonal violence, including but not limited to sexual misconduct, as detailed in full throughout Section 2.

2. The Title IX Grievance Policy

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- (I) Investigation
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(A) General Rules of Application

Effective Date

This Title IX Grievance Policy will become effective on August 14, 2020, and will only apply to formal complaints of sexual harassment brought on or after August 14, 2020. Complaints brought prior to August 14, 2020 will be investigated and adjudicated according to the Sexual and Interpersonal Violence Response Policy.

Revocation by Operation of Law

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this policy, this policy, or the invalidated elements of this policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication. Should the Title IX Grievance Policy be revoked in this manner, any conduct covered under the Title IX Grievance Policy shall be investigated and adjudicated under the existing **Sexual and Interpersonal Violence Response Policy** [Policies | Title IX](#).

Non-Discrimination in Application

The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or state law. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant, Respondent, or Witness. Individuals who wish to file a complaint about the institution's policy or process may contact the Department of Education's Office for Civil Rights using contact information available at [Contact OCR](#).

(B) Definitions

Covered Sexual Harassment

For the purposes of this Title IX Grievance Policy, "covered sexual harassment" includes any conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity;
3. Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent;
4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person:
 - (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - (b) where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (i) The length of the relationship;
 - (ii) The type of relationship;
 - (iii) The frequency of interaction between the persons involved in the relationship.
5. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under New York domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of New York.

6. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - (a) fear for their safety or the safety of others; or
 - (b) suffer substantial emotional distress.

Note that conduct that does not meet one or more of these criteria may still be prohibited under the **Sexual and Interpersonal Violence Response Policy**: [Policies | Title IX](#)

Consent

For the purposes of this Title IX Grievance Policy, affirmative “consent” means is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression. 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.

Education Program or Activity

For the purposes of this Title IX Grievance Policy, SUNY Oswego’s “education program or activity” includes:

- Any on-campus premises
- Any off-campus premises that SUNY Oswego has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of SUNY Oswego’s programs and activities over which the SUNY Oswego has substantial control.

Formal Complaint

For the purposes of this Title IX Grievance Policy, “formal complaint” means a document – including an electronic submission - filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within SUNY Oswego’s education program or activity and requesting initiation of the procedures consistent with the Title IX Grievance Policy to investigate the allegation of sexual harassment.

Complainant

For the purposes of this Title IX Grievance Policy, Complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute covered sexual harassment as defined under this policy.

Relevant evidence and questions

“Relevant” evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

“Relevant” evidence and questions do not include the following types of evidence and questions, which are deemed “irrelevant” at all stages of the Title IX Grievance Process:

- Evidence and questions about the complainant’s sexual predisposition or prior sexual behavior unless:
 - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
 - They concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent. 34 C.F.R. § 106.45(6)(i).
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege.
- Any party’s medical, psychological, and similar records unless the party has given voluntary, written consent. 85 Fed. Reg. 30026, 30294 (May 19, 2020).

Respondent

For the purposes of this Title IX Grievance policy, Respondent means any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment as defined under this policy.

Privacy vs. Confidentiality

Consistent with [Sexual and Interpersonal Violence Response Policy Policies | Title IX](#), references made to *confidentiality* refer to the ability of identified confidential resources to not report crimes and violations to law enforcement or college officials without permission, except for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to privacy mean SUNY Oswego offices and employees who cannot guarantee confidentiality but will maintain *privacy* to the greatest extent possible, and information disclosed will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. SUNY Oswego will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

Disability Accommodations

This Policy does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX Grievance Process that do not fundamentally alter the Process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

(C) Making a Report Regarding Covered Sexual Harassment to the Institution

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.

Contact Information for the Title IX Coordinator:

Name: Lisa Evaneski

Title: Title IX Coordinator

Office Address: 202 Penfield Library

Email Address: lisa.evaneski@oswego.edu

Telephone Number: 315-312-5604

Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Confidential Reporting

The following Officials will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited under this policy:

- Title IX Coordinator or designee

The following Officials may provide confidentiality:

- Director of Student Health Services or designee
- Director of Counseling Services or designee

(D) Non-Investigatory Measures Available Under the Title IX Grievance Policy

Supportive Measures

Complainants (as defined above), who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from SUNY Oswego regardless of whether they desire to file a complaint. Supportive measures are non-disciplinary and non-punitive.

As appropriate, supportive measures may include, but not be limited to:

- Counseling
- extensions of deadlines or other course-related adjustments
- modifications of work or class schedules
- restrictions on contact between the parties (no contact orders)
- changes in work or housing locations
- leaves of absence

See 85 Fed. Reg. 30401.

Emergency Removal

SUNY Oswego retains the authority to remove a respondent from SUNY Oswego's program or activity on an emergency basis, where SUNY Oswego

1. undertakes an individualized safety and risk analysis and
2. determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual harassment justifies a removal.

If SUNY Oswego determines such removal is necessary, the respondent will be provided notice and an opportunity to challenge the decision immediately following the removal.

Interim Suspension may be implemented by the President or designee when:

- the presence or alleged action of a student or student organization may pose an imminent threat to the safety of the campus community or any of its members.

For cases falling outside the Title IX Grievance Policy, interim suspensions may also occur:

- to preserve College property,
- the student or student organization poses a threat of disruption or interference with the normal operations of the College, or
- can reasonably be deemed to expose the campus community or any of its members to additional harm in a future context.

The student may request access to campus and/or information on the basis to invoke interim suspension by writing to the Dean of Students. At the discretion of the Director of Student Conduct and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student.

Administrative Leave

SUNY Oswego retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Process, consistent with collective bargaining agreements, and/or applicable College policies.

(E) The Title IX Grievance Process

Filing a Formal Complaint

The time frame for the Title IX Grievance Process begins with the filing of a Formal Complaint. The Grievance Process will generally be concluded within a reasonably prompt manner, and no longer than 120 business days after the filing of the Formal Complaint, provided that the Process may be extended for a good reason, including but not limited to the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The procedure for applying for extensions is described below.

To file a Formal Complaint, a complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Policy if they are currently participating in, or attempting to participate in, the education programs or activities of SUNY Oswego, including as an employee. For complainants who do not meet this criteria, the College will utilize existing policy **Sexual and Interpersonal Violence Response Policy: [Policies | Title IX](#)**.

If a complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary. SUNY Oswego will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Policy and Process.

Nothing in the Title IX Grievance Policy, **Sexual and Interpersonal Violence Response Policy [Policies | Title IX](#)** policies prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

Multi-Party Situations

The institution may consolidate Formal Complaints alleging covered sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of covered sexual harassment arise out of the same facts or circumstances.

(F) Determining Jurisdiction

The Title IX Coordinator will determine if the Title IX Grievance Process should apply to a Formal Complaint. The Process will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred on or after August 14, 2020;
2. The conduct is alleged to have occurred in the United States;
3. The conduct is alleged to have occurred in SUNY Oswego's education program or activity; and
4. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

If all of the elements are met, SUNY Oswego will investigate the allegations according to the Grievance Process.

Allegations Potentially Falling Under Two Policies

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process will be applied to investigation and adjudication of only the allegations that constitute covered sexual harassment.

Mandatory Dismissal

If any one of these elements are not met, the Title IX Coordinator will notify the parties that the Formal Complaint is being dismissed for the purposes of the Title IX Grievance Policy. Each party may appeal this dismissal using the procedure outlined in "Appeals," below.

Discretionary Dismissal

The Title IX Coordinator may dismiss a Formal Complaint brought under the Title IX Grievance Policy, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
- The respondent is no longer enrolled or employed by SUNY Oswego or,
- If specific circumstances prevent SUNY Oswego from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

Any party may appeal a dismissal determination using the process set forth in "Appeals," below.

Notice of Dismissal

Upon reaching a decision that the Formal Complaint will be dismissed, the institution will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint, and the reason for the dismissal, simultaneously to the parties through their institutional email accounts. It is the responsibility of parties to maintain and regularly check their email accounts.

Notice of Removal

Upon dismissal for the purposes of Title IX, SUNY Oswego retains discretion to utilize [Sexual and Interpersonal Violence Response Policy Policies | Title IX](#) to determine if a violation of [Sexual and Interpersonal Violence Response Policy Policies | Title IX](#) has occurred. If so, SUNY Oswego will promptly send written notice of the dismissal of the Formal Complaint under the Title IX Grievance Process and removal of the allegations to the conduct process.

(G) Notice of Allegations

The Title IX Coordinator will draft and provide the Notice of Allegations to any party to the allegations of sexual harassment. Such notice will occur as soon as practicable after the institution receives a Formal Complaint of the allegations, if there are no extenuating circumstances.

The parties will be notified by their institutional email accounts if they are a student or employee, and by other reasonable means if they are neither.

The institution will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

The Title IX Coordinator may determine that the Formal Complaint must be dismissed on the mandatory grounds identified above, and will issue a Notice of Dismissal. If such a determination is made, any party to the allegations of sexual harassment identified in the Formal Complaint will receive the Notice of Dismissal in conjunction with, or in separate correspondence after, the Notice of Allegations.

Contents of Notice

The Notice of Allegations will include the following:

- Notice of the institution's Title IX Grievance Process and a hyperlink to a copy of the process.
- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, as required under 34 C.F.R. § 106.45(b)(5)(iv);
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source, as required under 34 C.F.R. § 106.45(b)(5)(vi);
- A statement that misrepresentation, as cited in the Code of Conduct, prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

Ongoing Notice

If, in the course of an investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered "sexual harassment" falling within the Title IX Grievance Policy, the institution will notify the parties whose identities are known of the additional allegations by their institutional email accounts or other reasonable means.

The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

(H) Advisor of Choice and Participation of Advisor of Choice

SUNY Oswego will provide the parties equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

SUNY Oswego has a long-standing practice of requiring students to participate in the process directly and not through an advocate or representative. Students participating as Complainant or Respondent in this process may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice shall not participate directly in the process as per standard policy and practice of SUNY Oswego.

SUNY Oswego will not intentionally schedule meetings or hearings on dates where the Advisors of Choice for all parties are not available, provided that the Advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

SUNY Oswego's obligations to investigate and adjudicate in a prompt time frame under Title IX and other college policies apply to matters governed under this Policy, and SUNY Oswego cannot agree to extensive delays solely to accommodate the schedule of an Advisor of Choice. The determination of what is reasonable shall be made by the Title IX Coordinator or designee. SUNY Oswego will not be obligated to delay a meeting or hearing under this process more than five (5) days due to the unavailability of an Advisor of Choice, and may offer the party the opportunity to obtain a different Advisor of Choice or utilize one provided by SUNY Oswego.

Notice of Meetings and Interviews

SUNY Oswego will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

Delays

Each party may request a one-time delay in the Grievance Process of up to five (5) days for good cause (granted or denied in the sole judgment of the Title IX Coordinator, Director of Student Conduct, or designee) provided that the requestor provides reasonable notice and the delay does not overly inconvenience other parties.

For example, a request to take a five day pause made an hour before a hearing for which multiple parties and their advisors have traveled to and prepared for shall generally not be granted, while a request for a five day pause in the middle of investigation interviews to allow a party to obtain certain documentary evidence shall generally be granted.

The Title IX Coordinator, or designee shall have sole judgment to grant further pauses in the investigative process. The Director of Student Conduct, or designee shall have sole judgment to grant further pauses in the hearing process.

(I) Investigation

General Rules of Investigations

Title IX Investigator(s) designated by the Title IX Coordinator will perform an investigation under a reasonably prompt time frame of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations.

SUNY Oswego and not the parties, has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from SUNY Oswego and does not indicate responsibility.

SUNY Oswego cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information SUNY Oswego will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations) as described below.

Inspection and Review of Evidence

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

1. Evidence that is relevant, even if that evidence does not end up being relied upon by the institution in making a determination regarding responsibility;
2. inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

The institution will send the evidence made available for each party and each party's advisor, if any, to inspect and review through an electronic format or a hard copy. The Institution is not under an obligation to use any specific process or technology to provide the evidence and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The parties will have ten (10) business days to inspect and review the evidence and submit a written response by email to the investigator. The investigator will consider the parties' written responses before completing the Investigative Report.

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

The parties and their advisors must sign an agreement not to disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX grievance process. See, 85 Fed. Reg. 30026, 30435 (May 19, 2020).

Inclusion of Evidence Not Directly Related to the Allegations

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will not be disclosed, or may be appropriately redacted before the parties' inspection to avoid disclosure of personally identifiable information of a student. Any evidence obtained in the investigation that is kept from disclosure or appropriately redacted will be documented in a "privilege log" that may be reviewed by the parties and their advisors, if any. See, 85 Fed. Reg. 30026, 30438 (May 19, 2020).

Investigative Report

The Title IX investigator(s) designated by the Title IX Coordinator will create an Investigative Report that fairly summarizes relevant evidence, and will provide that Report to the parties at least ten (10) business days prior the hearing in an electronic format or a hard copy for each party's review and written response. The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations - relevant evidence) will be referenced in the Investigative Report.

The investigator may redact irrelevant information from the Investigative Report when that information is contained in documents or evidence that is/are otherwise relevant. See, 85 Fed. Reg. 30026, 30304 (May 19, 2020).

(J) Hearing

General Rules of Hearings

SUNY Oswego will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at SUNY Oswego's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through Zoom or similar application. This technology will enable participants simultaneously to see and hear each other. At its discretion, SUNY Oswego may delay or adjourn a hearing based on technological errors not within a party's control.

All proceedings will be recorded through audio recording. That recording or transcript will be made available to the parties for inspection and review. Prior to obtaining access to any evidence, the parties and their advisors must sign an agreement not to disseminate any of the testimony heard or evidence obtained in the hearing or use such testimony or evidence for any purpose unrelated to the Title IX Grievance Process. Once signed, this Agreement may not be withdrawn See, 85 Fed. Reg. 30026, 30435 (May 19, 2020).

Continuances or Granting Extensions

SUNY Oswego may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, SUNY Oswego will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

Participants in the live hearing

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

Complainant and Respondent (The Parties)

- The parties cannot waive the right to a live hearing.
- The institution may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence, including through any evidence gathered that does not constitute a "statement" by that party. 85 Fed. Reg. 30026, 30361 (May 19, 2020).
 - For example, A verbal or written statement constituting part or all of the sexual harassment itself is not a "prior statement" that must be excluded if the maker of the statement does not submit to cross-examination about that statement. In other words, a prior statement would not include a document, audio recording, audiovisual reading, and digital media, including but not limited to text messages, emails, and social media postings, that constitute the conduct alleged to have been the act of sexual harassment under the formal complaint. See, OCR Blog (May 22, 2020), available at [Office for Civil Rights Blog](#).

- SUNY Oswego will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the party's participation. See 34 C.F.R. § 106.71; see also 85 Fed. Reg. 30026, 30216 (May 19, 2020).
- If a party does not submit to cross-examination, the decision-maker cannot rely on any prior statements made by that party in reaching a determination regarding responsibility, but may reach a determination regarding responsibility based on evidence that does not constitute a "statement" by that party.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's absence from the live hearing or refusal to answer cross examination or other questions. See 34 C.F.R. §106.45(b)(6)(i).
- The parties shall be subject to the institution's Rules of Decorum [Student Conduct](#).

The Decision-maker

- The hearing body will consist of a panel of three to five members; at no time will there be less than three members on a Board.
- No member of the hearing body will also have served as the Title IX Coordinator, Title IX investigator, or advisor to any party in the case, nor may any member of the hearing body serve on the appeals body in the case.
- No member of the hearing body will have a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The hearing body will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.
- The parties will have an opportunity to raise any objections regarding a decision-maker's actual or perceived conflicts of interest or bias at the commencement of the live hearing.

Advisor of choice

- The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
- The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the institution will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.
- The advisor is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The advisor is not prohibited from being a witness in the matter.
- If a party does not attend the live hearing, the party's advisor may appear and conduct cross-examination on their behalf. 85 Fed. Reg. 30026, 30340 (May 19, 2020).
- If neither a party nor their advisor appear at the hearing, SUNY Oswego will provide an advisor to appear on behalf of the non-appearing party. See, 85 Fed. Reg. 30026, 30339-40 (May 19, 2020).
- Advisors shall be subject to the institution's Rules of Decorum, and may be removed upon violation of those Rules [Student Conduct](#).

Witnesses

- Witnesses cannot be compelled to participate in the live hearing, and have the right not to participate in the hearing free from retaliation. See, 85 Fed. Reg. 30026, 30360 (May 19, 2020).
- If a witness does not submit to cross-examination, as described below, the decision-maker cannot rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a witness or party who testifies at the live hearing. 85 Fed. Reg. 30026, 30347 (May 19, 2020).
- Witnesses shall be subject to the institution's Rules of Decorum [Student Conduct](#).

Hearing Procedures

For all live hearings conducted under this Title IX Grievance Process, the procedure will be as follows:

- The Chair will open and establish rules and expectations for the hearing;
- The Parties will each be given the opportunity to provide opening statements;
- The Board will ask questions of the Parties and Witnesses;
- Parties will be given the opportunity for live cross-examination after the Board conducts its initial round of questioning; During the Parties' cross-examination, the Board will have the authority to pause cross-examination at any time for the purposes of asking the Board's own follow up questions; and any time necessary in order to enforce the established rules of decorum.
- Should a Party or the Party's Advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the Chair. A Party's waiver of cross-examination does not eliminate the ability of the Board to use statements made by the Party.

Live Cross-Examination Procedure

Each party's advisor will conduct live cross-examination of the other party or parties and witnesses. During this live-cross examination the advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.

Before any cross-examination question is answered, the Chair and the Board will determine if the question is relevant. Cross-examination questions that are duplicative of those already asked, including by the Board may be deemed irrelevant if they have been asked and answered.

Review of Transcript or Recording

The recording or transcript of the hearing will be available for review by the parties within 10 business days, unless there are any extenuating circumstances. The recording or transcript of the hearing will not be provided to parties or advisors of choice.

Determination Regarding Responsibility

Standard of Proof

SUNY Oswego uses the preponderance of the evidence standard for investigations and determinations regarding responsibility of formal complaints covered under this Policy. This means that the investigation and hearing determines whether it is more likely than not that a violation of the Policy occurred.

General Considerations for Evaluating Testimony and Evidence

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Decision-maker.

Decision-makers shall not draw inferences regarding a party or witness' credibility based on the party or witness' status as a complainant, respondent, or witness, nor shall it base its judgments in stereotypes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.

Still, credibility judgments should not rest on whether a party or witness' testimony is non-linear or incomplete, or if the party or witness is displaying stress or anxiety.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by the Title IX Final Rule, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed, but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

The Final Rule requires that SUNY Oswego allow parties to call "expert witnesses" for direct and cross examination. SUNY Oswego does not provide for expert witnesses in other proceedings. While the expert witness will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.

The Final Rule requires that SUNY Oswego allow parties to call character witnesses to testify. SUNY Oswego does not provide for character witnesses in other proceedings. While the character witnesses will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford very low weight to any non-factual character testimony of any witness.

The Final Rule requires that SUNY Oswego admit and allow testimony regarding polygraph tests ("lie detector tests") and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to such processes relative to the testimony of fact witnesses.

Where a party or witness' conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the {Decision-maker} may draw an adverse inference as to that party or witness' credibility.

Components of the Determination Regarding Responsibility

The written Determination Regarding Responsibility will be issued simultaneously to all parties through their institution email account, or other reasonable means as necessary. The Determination will include:

1. Identification of the allegations potentially constituting covered sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding which section of the Code of Conduct, if any, the respondent has or has not violated.
5. For each allegation:
 - (a) A statement of, and rationale for, a determination regarding responsibility;
 - (b) A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
 - (c) A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
6. The recipient's procedures and the permitted reasons for the complainant and respondent to appeal (described below in "Appeal").

Timeline of Determination Regarding Responsibility

If there are no extenuating circumstances, the determination regarding responsibility will be issued by SUNY Oswego within five (5) business days of the completion of the hearing.

Finality

The determination regarding responsibility becomes final either on the date that the institution provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in "Appeals" below, or if an appeal is not filed, the date on which the opportunity to appeal expires.

(K) Appeals

Each party may appeal

1. the dismissal of a formal complaint or any included allegations and/or
2. a determination regarding responsibility. To appeal, a party must submit their written appeal within five (5) business days of being notified of the decision, indicating the grounds for the appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow the institution's own procedures);
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.

The submission of appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal.

If a party appeals, the institution will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12 point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Appeals will be decided by the Appeal Hearing Board, who will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or hearing decision-maker in the same matter.

Outcome of appeal will be provided in writing simultaneously to both parties, and include rationale for the decision.

(L) Retaliation

SUNY Oswego will keep the identity of any individual who has made a report or complaint of sex discrimination confidential, including the identity of any individual who has made a report or filed a Formal Complaint of sexual harassment under this Title IX Grievance Policy, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding under this Title IX Grievance Policy.

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under this Title IX Grievance Policy.

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or Formal Complaint of sexual harassment.

Policy for alcohol and/or drug use amnesty in sexual and interpersonal violence cases: [Policies | Title-IX](#).

Complaints alleging retaliation may be filed according to the **Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under the Title IX Regulations.** [Policies | Title-IX](#).

Smoke Free/Tobacco Free Policy

Health risks associated with smoking are well documented. Since 1990 when the College first restricted smoking, additional studies have indicated that exposure to environmental tobacco smoke (secondhand smoke) is a significant risk for the non-smoker. The College is responsible for providing a safe environment for its students, faculty, staff and visitors. Consequently, we have implemented a rigorous campus-wide policy on smoking.

SUNY Oswego is tobacco free and smoke free. Smoking of any kind and other uses of tobacco products will be prohibited on campus, at extension campuses, at all indoor and outdoor events, College sponsored programs and activities off campus, in personally owned vehicles parked on campus, and all vehicles and equipment owned, leased or operated by the College and its affiliate organizations. Use of tobacco products other than smoking products and other smoking apparatus such as pipes, hookahs and e-cigarettes, etc., is also prohibited.

Sale of tobacco products on campus is prohibited. Concerns regarding this policy may be directed to the Office of Human Resources or the Dean of Students.

More information can be found at our website [Human Resources](#).

Compliance

This policy relies on the thoughtfulness, consideration, and cooperation of smokers and non-smokers for success. It is the responsibility of ALL members of the College community to observe the policy and to remind others, including visitors, of their responsibility to comply with this policy. Any person who fails to comply with the requirements of this policy may be in violation of Article 13E of the New York State Public Health Law as amended July 24, 2003. Complaints regarding individual violations of this policy should be referred to the appropriate Academic Dean, Vice President or the Dean of Students. If a determination is made that a violation of the policy has occurred, a warning will be issued to the individual in violation of the policy. Should continued violations occur, the matter will be referred to the Human Resources Office (faculty and staff) or the Office of the Dean of Students (students) for disciplinary action.

Education, Cessation and Support

The College recognizes that tobacco is an addictive substance, that use of tobacco adversely affects physical health and productivity, that ceasing the use of tobacco may be difficult, and that persons wishing to cease the use of tobacco often need support. The prevention of tobacco use provides positive health and community benefits. Prevention is best

served through organized and consistent programming across the entire campus community. The College is committed to providing access to cessation services and prevention programming for all members of the campus community.

Students – Tobacco cessation services and prevention programming are offered for students during the fall and spring semester. Prevention programming occurs through active and passive methodologies. Students interested in cessation programs are encouraged to contact the Walker Health Center at whealth@oswego.edu or 315-312-4100.

Faculty and Staff – Tobacco cessation services and prevention programming are offered for faculty and staff on a year-round basis. Prevention programming occurs through active and passive methodologies. Faculty and staff interested in cessation programs are encouraged to contact the New York State Employee Assistance Program at 1-800-822-0244 or the Office of Human Resources at 315-312-2230.

Weapons and Dangerous Materials

Firearms and Weapons

The Penal Law of New York and the Rules of the Board of Trustees [Section 535.3(j)] of the Official Compilations of Codes, Rules, and Regulations of the State of New York prohibits the possession of any firearm or weapon on property controlled by the State University of New York, including SUNY Oswego, without the written authorization of the College. Weapons include, but are not limited to, any dagger, dangerous knife (other than table service utensils or pocket knife), stiletto, imitation firearm or any other dangerous or deadly instrument, including any loaded weapon from which a shot may be discharged by gunpowder, or a billy, blackjack, bludgeon, plastic knuckles, metal knuckles, rapier, cane sword, sand club, or slingshot. Firearms include, but are not limited to, a pistol, revolver, shotgun, rifle, machine gun, pellet gun, air gun, spring gun, and paintball gun. The fact that a person is in possession of a valid New York State pistol permit does not authorize that person to have a firearm on campus property without written authorization from the College.

In order to provide for the legitimate use by students of weapons for sporting purposes off College property as permitted by law, University Police have been authorized to establish a repository for the storage of these firearms in situations where students may desire to bring them to Oswego. Further, University Police may establish protocols for the use and storage of weapons in consultation with the College's Intramural and Recreation program for student organization recreational purposes and related portage of weapons on campus.

Students who wish to take advantage of this service are required to immediately transport such firearms to University Police when they are brought on College property. After such firearms are withdrawn from University Police, students are required to transport them immediately to the boundaries of College property. Members of the University Police force will be available 24 hours a day to assist students in taking advantage of this service.

Fireworks, Explosives, Flammables, and Self Defense Spray Devices

The use of fireworks, explosives and other dangerous or flammable materials such as gasoline, kerosene, propane, chemicals etc., is prohibited on the campus except when properly supervised in connection with curricular offerings.

In accordance with New York State Penal Law, Section 265.20 (14), the College permits the possession of a single self-defense spray device, meaning a pocket-sized spray device which contains and releases a chemical or organic substance which is intended to produce temporary physical discomfort or disability through being vaporized or otherwise dispensed in the air. All such devices possessed on campus must be consistent with standards established by New York State pursuant to New York State Penal Law Section 265.20 (14) for that purpose and shall only be used for the purpose of self-defense.

Hazardous Substances

Possession, distribution and/or use of hazardous substances for other than purposes sanctioned by the College are prohibited. A hazardous substance is any physical, chemical, microbiological or radiological substance or matter which,

because of its quantity, concentration, or physical, chemical or infectious characteristics, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or pose a substantial present or potential hazard to human health.

Projectiles

Members of the College community have a mutual responsibility to act in a manner which does not jeopardize the health and safety of others. **Students should be aware that anyone who throws or otherwise causes to launch projectiles of any nature at other persons on campus grounds or in campus facilities may be in violation of the Code of Student Rights, Responsibilities and Conduct and may be subject to a disciplinary hearing which may result in suspension from the College.**

Weapon Storage

The weapon needs to be unloaded and in a carrying case while being transported to the University Police Department.

Winter Weather

Inclement Weather May Prompt Oswego to Cancel Classes or Declare a “Remote” Instruction Day

Classes at SUNY Oswego’s main campus in Oswego and Syracuse campus may be canceled due to adverse winter weather or prompt the college to declare a “remote” instruction day. When classes are canceled at the college or a remote instruction day is declared, faculty and commuting students are advised not to come to campus. In the case of a remote instruction day, all face-to-face and hybrid classes will be taught online according to your faculty member’s instructions. Online courses will continue as normal.

The college cancels classes or will declare a remote instruction day when the entire campus community (thousands of students and faculty on and off campus) is affected. To find out if classes are canceled or a remote instruction day has been announced, members of the campus community have several options: [Check the SUNY Oswego homepage](#), visit the [Campus Bulletin webpage](#) or review Syracuse.com. You are also encouraged to listen to television or radio stations: TV Channels 3, 5, 9 and 10 in Syracuse, the WRVO Stations (FM 89.9 to 91.9 throughout Central/Upstate New York); and WHAM 1180 in Rochester.

You may receive direct notification via email or text message as well if you have signed up to receive [campus alerts](#) through New York Alert.

Day vs. Evening Classes

Day classes begin at 8 a.m., evening classes begin at 4:30 p.m. and after. Classes beginning before 4:30 p.m. are day classes regardless of when they end.

Individual Class Cancellations

The public announcement of class cancellations or the declaration of a remote instruction day only occurs when the entire campus community of thousands of students and faculty are affected. Individual class cancellations do not require broadcast across Central New York. Faculty members wishing to cancel their own classes should follow the same procedure used when they are ill.

Personal Safety

Individual students and employees are responsible for their own personal safety to a large extent. If you feel it is unsafe in your area to travel to class or work, you should not travel, regardless of whether classes are canceled or a remote instruction day has been announced. These resources can help you make that determination:

- Live Doppler Radar at 9WSYR
- Travel Info New York
- SUNY Oswego Webcam

Campus Closing

Only the governor has the authority to close a state agency such as SUNY Oswego. Unless the governor closes the college, employees who choose not to come to work or to leave work early are required to charge their time. The only exception is for instructional faculty when classes have been canceled or a remote instruction day has been declared.

State of Emergency Declarations

Cities and counties in Central New York may declare a state of emergency in order to qualify for state or federal aid. They may also declare states of emergency that require the public to cease normal activities, such as parking in city streets or possibly even driving on streets and highways. It is important for commuters to determine if a “state of emergency” is aimed at prohibiting their travel or not.

Lake Hazards: Lake Ontario and Glimmerglass Lagoon

Lake Ontario’s shoreline is a desirable place to visit, fish and play but also can be very dangerous due to hazards such as flooding, erosion, dynamic movement of beaches and water disruptions. To protect public safety, students must be aware that the lake is not a vehicle for recreation or entertainment and that they should not go in the water.

During the winter months, Lake Ontario is powerful and unpredictable and those who visit her frozen shoreline are wise to marvel at her grandeur from a safe distance. This lake is certainly an awesome sight in winter with towering ice sculptures adorning her shoreline but the ice, as incredible and alluring as it may seem, is dangerous. The ice floes are extremely hazardous and are made more so by the wind and waves. *The shore of the lake should be avoided entirely during the winter months.*

Do not walk out onto the ice floes or break walls. The footing is treacherous; the wind is strong; the ice can be unpredictably thin and covered with snow; the waves are overpowering; and the water is freezing.

With the freezing, thawing and refreezing, the ice on Glimmerglass Lagoon is also hazardous and should be avoided as well.

Snow Removal on Campus

The Facilities Services staff at the college is experienced with snow removal and when it is snowing, keeping roadways and walkways safely cleared for both pedestrians and vehicular traffic is a priority. Staff and students who see walkways or roadways that are difficult to traverse where snow is quickly and deeply drifting back in should contact the Maintenance Office at 315-312-3200 and report the location to them.

Snow Removal in Resident Student Parking Lots

Plowing of student lots requires the full cooperation of all students. Students can generally expect their lot to be plowed three to four days after a heavy snow storm. Emergency snow removal signs indicating the date and time that certain lots will be plowed will be posted on the main doors of the residence halls. Students are expected to move their cars to a designated lot before the time of plowing. University Police will assist students who are at their cars and have difficulty starting them. Unattended cars will be towed — at the owner’s expense — at the hour of plowing. After plowing, students

must move their cars back to their original lot. Failure to do so will result in towing. If a student is unavailable to move their car during the announced time, they should make arrangements to have a friend move it for them. Students going away for the weekend should leave their keys with a friend to avoid possible towing costs.

Residence Life and Housing

The residence life program at SUNY Oswego is an integral part of the overall educational experience at the College. Living in a residential environment is a unique and rich experience providing the opportunity for students to live and work in close proximity to others whose backgrounds, goals, values and lifestyles often differ from their own; this is critical to students' preparation for their future lives professionally, personally and civically. Students in residence benefit from ready access to opportunities for active involvement in the intellectual and social events and organizations which contribute greatly to the vibrant life of our campus. Success at college depends on students' ability to become engaged actively in both the academic and co-curricular aspects of campus life. Our residential communities are living/learning environments.

College Housing Policy

SUNY Oswego believes, based on our own and national research, that living in the residence halls:

- provides students with crucial connections to campus resources,
- supports their successful transition to college and
- allows students to find important engagement opportunities that are both fun, but also supplement to learning that occurs in the classroom.

Therefore, all full-time undergraduate students are required to live on campus, as directed by the College Housing Policy.

Students who first enroll at SUNY Oswego as first-year students are required to live on campus at SUNY Oswego for four (4) consecutive semesters (fall and spring) if admitted in the fall or three (3) semesters if admitted in the spring.

Students who first enroll at SUNY Oswego as transfer students are required to live on campus at SUNY Oswego for two (2) consecutive semesters (fall and spring) if admitted in the fall or one (1) semester if admitted in the spring.

Students should complete their housing application online at myhousing.oswego.edu beginning March 1 for fall enrollment and November 1 for spring enrollment.

Students may request an exemption from the requirements of the College Housing policy when they can provide evidence that they:

- Will continue to reside with their parent(s) or legal guardian(s) within 30 miles of campus;
- Will continue to reside in their official residence within 30 miles of campus, which is separate from that of their parent(s) or legal guardian(s). and at which they had resided for at least three consecutive months prior to their acceptance of the admissions offer from the college;
- Are married; or
- Are twenty-one (21) years of age as of September 1 for fall admission or January 1 for spring admission.

Students that meet one or more of the above criteria may request an exemption from the college housing policy by submitting a formal request at myhousing.oswego.edu. Exemption requests should be submitted within 48 hours of committing to attend SUNY Oswego, or as soon as possible. Late requests may result in students being assigned to on-campus housing during which time housing charges may accrue.

Minimum Living Condition Standards for University Residence Halls

In accordance with Chapter 416 of the Laws of 1988 and the State University Board of Trustees' Resolution 89-130 adopted June 21, 1989, SUNY Oswego has developed procedures to assure compliance with the standards and guidelines prescribed by the trustees. Listed in order below are the five standards, followed by the implementation guidelines developed by the SUNY Committee on Minimum Living Condition Standards. The SUNY Oswego procedures established to meet those standards and guidelines are in bold print.

Standard I

The residential communities shall be constructed and maintained to conform to all applicable safety codes and health standards.

1. All furnishings and equipment supplied by the University meet applicable fire and safety code standards promulgated by the State of New York.

SUNY Oswego follows the NYS Uniform Fire Prevention and Building Code. Questions and concerns are forwarded to the campus Fire Marshal. All buildings are inspected at least once each year by local maintenance personnel and New York State fire inspectors. Minor deficiencies are repaired by maintenance personnel; major problems are prioritized on the capital budget request for life safety. All College-supplied furnishings meet the applicable fire and safety standard extant at time of purchase.

2. Each resident's sleeping room will have an operational smoke detector.

Each student bedroom is equipped with a smoke detector that is tested annually.

3. Student residents are required to adhere to all applicable safety codes and health standards in the use of private equipment and appliances (where permitted).

To live in campus housing, SUNY Oswego students are required to sign a *Housing and Dining License* which includes information about College safety regulations regarding the use of individual appliances and equipment. Residence Life staff members are instructed to enforce those conditions. (See *SUNY Oswego Housing and Dining License*.)

4. Access to residence hall living on each campus that operates residence halls will be provided for the differently-abled in accordance with applicable codes and standards (e.g., section 504 of the Rehabilitation Act of 1973).

Many campus residential communities are accessible to differently-abled individuals. Most residential communities have grade-level entrances, are equipped with elevator service and feature modified toilet stalls with grab bars.

5. Inspection and assessment of the physical facility and its components (e.g., water, electricity, and heating systems), will be conducted annually by appropriate campus personnel. The report of this inspection should be distributed to appropriate campus personnel. A priority list (as viewed by appropriate campus personnel) of repairs/refurbishment should be part of this report, with recommended timetables for completion. Backlogs from earlier reports should be noted.

SUNY Oswego completes a thorough inspection of each residential community at least once each year. The inspection team consists of the director and assistant director of the community, a resident representative, supervising janitor, facilities staff and the Associate Director for Residence Life and Housing operations. Facilities needs are prioritized for repair, rehabilitation and/or refurbishing, as appropriate. Rehabilitation and/or refurbishment lists are reviewed by Residence Life and Housing and prioritized project lists become part of the budget request. Project Lists are available for review by students upon request to their RHD/AHD/VCD and/or the Residence Life and Housing Office. Other inspections are currently performed annually by the Dormitory Authority and SUNY Systems Administration.

Standard II

The campus maintenance plan shall provide for a regular schedule of cleaning and repair for all common areas in residence halls.

1. A regular schedule for cleaning of common areas including lounges, hallways, bathrooms and areas used by all residents should be established. Copies of the schedule should be posted.

Under normal circumstances, common area bathrooms, lounges, hallways, stairwells, laundry rooms and other public areas are cleaned on a daily basis between 7:00 a.m. and 3:30 p.m. A daily custodial cleaning documentation sheet is posted in each residential and public bathroom. Employees performing this bathroom cleaning are required to sign, date and initial this sheet upon completion of the cleaning. Cleaning routines for all other areas of the residential community are available at each front desk upon request.

2. Every reasonable effort by the campus administration and resident students should be made to keep residential communities sanitary and vermin free, and all appliances provided by the University in working order or removed from service.

SUNY Oswego maintains a relationship with a licensed pest control company to provide treatment when necessary.

College-supplied appliances such as microwaves, stoves, televisions, and DVD players are serviced as soon as possible and labeled "out of order" or "removed until repairs are accomplished".

3. Campuses should have an established procedure, developed in conjunction with the Central Administration Offices of Finance and Business, Capital Facilities, and Student Affairs for declaring student rooms unlivable and for removing them from service until conditions are corrected.

The Assistant Vice President for Residence Life and Housing or designee, in consultation with the maintenance supervisor, custodial supervisor, Residence Hall Director/Village Community Director and residents of the room determine whether or not a student room is unlivable due to substandard conditions including health and safety concerns that cannot be corrected in a reasonable period of time. If the room is determined to be unlivable, students are reassigned until the conditions are corrected.

Standard III

The campus shall provide each student resident with adequate living space, furniture, and appropriate and sufficient heat, light, and hot water.

1. The campus will provide each resident student with adequate living and lounge furniture. As a minimum, except in the case of tripling, each student resident will be provided with: a bed, adequate area illumination, chair, dresser/chest, desk/carrel unit, closet or wardrobe. All such equipment should be clean, sturdy, free from major scarring and of acceptable appearance.

Resident bedrooms are furnished with closets/armoires, beds, mattresses, desks, desk chairs, dressers, floor lamps, mirrors, and wastebaskets. Each item is inventoried and assigned to the room. On an annual basis all rooms are inspected to determine the condition of each piece of furniture/equipment. Pieces identified as unacceptable are removed from service.

2. Campuses should provide for a planned replacement or rehabilitation of residence hall furnishings.

An equipment replacement list is updated yearly, reviewed by Residence Life and Housing and becomes part of the budget request.

Standard IV

The campus shall establish procedures for routine and emergency repairs to residence hall facilities.

1. Protocols will be established to address promptly inquiries, requests and complaints regarding routine repairs and maintenance for the provision of heat, lights and hot water. The student resident should also be apprised periodically of the status of their request. These protocols, along with appropriate telephone numbers should be provided in writing to each student resident. All repairs, especially those involving heat, light and hot water, should be accomplished within a reasonable amount of time.

Routine maintenance and custodial concerns should be reported through the Facilities Maintenance and Operations electronic work order link [Service Requests | Facilities](#).

iServiceDesk will provide:

- Immediate email confirmation of your request
- E-mail confirmation once the request is reviewed and converted to a work order
- An automatic email notification when your work order status changes

Residents may need to make an appointment, as maintenance staff will be unable to enter the room without the resident present or without prior consent from the resident and any roommate(s). Although we strive to deal with each report effectively, errors do occur. Residents should persist in reporting problems until they are resolved and maintenance emergencies should be reported to the front desk. If the desk is closed, contact the RSS on duty or University Police 315-312-5555).

Routine work orders generated for student rooms generally will be completed within 72 hours of the request. Loss of heat or electric service is considered an urgent situation and is addressed as soon as staff and materials are available, 24 hours a day, seven days a week. If a repair of this type cannot be completed in a reasonable and safe period of time, the resident(s) are temporarily reassigned until the problem is corrected.

In order to determine the sufficiency of repairs, a Facilities, Maintenance and Operations representative follows up on all resident-initiated repairs, including timeliness and quality by contacting the resident(s). Complaints may be addressed to the Residence Life and Housing Office.

Note: Residential community temperatures should not drop below 68 degrees. If the room seems cold, residents are to check to be certain that windows are tightly closed and that there is one to two feet clearance between the baseboard heating unit and furniture and bedding. If neither of these two items seem to be causing the problem, the RHD/VCD is contacted so that they can take a temperature reading. If the temperature is below 68 degrees, maintenance personnel are contacted. If the problem cannot be quickly resolved, Residence Life and Housing provides a special heater for the room until 68 degrees can be maintained.

2. To the extent possible, major rehabilitation or other capital projects should take place at times when students are not in occupancy of the residence halls. Major construction projects which are disruptive to ongoing programming should not continue during scheduled examination periods. If this is impossible, arrangements should be made to house residents elsewhere.

All major rehabilitation projects, whenever possible, are scheduled and completed during times of recess or in a manner that results in the least disruption to the residents of the building.

Standard V

The campus shall establish procedures for redress for student residents in the event of the loss of services such as heat, light, and hot water in residence halls for extended periods that are within the control of the campus.

1. These procedures will include a plan for reassignment on campus if conditions continue for an unreasonable time, which involve the loss of heat, light, or hot water or the creation of any other condition which is detrimental to the life, health or safety of the student residents.

In the event of the complete loss of heat, light, or electricity, the situation is considered urgent. Maintenance personnel are dispatched as soon as possible. If the problem cannot be resolved within a reasonable amount of time, the student(s) are temporarily reassigned until the problem is corrected. Such reassignments may be to another resident bedroom, a lounge, or other space not designated as a resident bedroom depending upon levels of occupancy at the time of the incident.

In the event of a minor loss of heat, light or electricity or other deteriorated physical condition (i.e. leaks), maintenance personnel are dispatched to repair the problem in a reasonable amount of time. If the College cannot complete the repair in a reasonable amount of time, the resident(s) is/are offered reassignment. If the resident(s) choose(s) to remain in the room, they must sign a waiver absolving the College from any liability.

2. If reassignment on campus is not possible, the procedures should also include a plan for the provision of alternate housing at no additional charge to student residents and/or refund of a portion of room rental charges where applicable.

Every effort is made to reassign students to rooms or other temporary housing accommodations in the event of loss of utilities. If it is impossible to reassign the resident(s) due to loss of heat, light, or electricity, the resident(s) may request a refund of room rent in writing to the Assistant Vice President for Residence Life and Housing. Refunds are based on the College's per diem rate for on-campus facilities for each day that the College was unable to reassign the resident(s). The Assistant Vice President for Residence Life and Housing in consultation with the maintenance supervisor, custodial supervisor and the Associate Director of Residence Life and Housing for the area will determine a refund (if any).

