

dictions are considered to be independent, each based on its separate, distinct needs. Thus, both criminal and College proceedings could result from the same violation. Civil or criminal action before or after College action shall in no way alter the College proceedings or findings, nor provide any right to immunity from College jurisdiction.

College authorities expedite their disciplinary proceedings, recognizing the advantage of a prompt hearing in the event of alleged infractions, while guaranteeing due process.

This policy recognizes that College disciplinary jurisdiction may not extend to off-campus activities unless such activities are sponsored by the College (e.g. athletic programs, band concerts). Alleged infractions taking place off the College campus may be left to civil jurisdiction, and no College action shall be initiated except in cases where individuals are representing the College or where the alleged actions give cause for concern that the presence of certain individuals on campus may endanger the College community.

There is a written document, "Administration of Student Conduct Code," which sets forth the specific procedures to be followed in the event of Code violations.

## **SEXUAL MISCONDUCT/HARASSMENT**

### **Sexual Misconduct**

Members of the College community are advised that coercive and unwelcome sexual contacts are unlawful and will not be tolerated. Sexual offenses will be immediately pursued through both criminal and campus disciplinary procedures. The College will not shield or protect its members from the legal consequences of these actions and will cooperate fully in the investigation and prosecution of these cases. College disciplinary sanctions shall be made independently for the same violation.

### **Sexual Harassment**

Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendment of 1972. These laws include prohibition of discrimination in employment and educational programs and services on the basis of sex. Consistent with SUNY policy, the following guidelines apply equally to students and employees.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to the conduct is either an explicit or implicit term or condition of employment, instruction, or participation in College activities.
2. Submission to or rejection of the conduct is used as a basis for making employment or academic decisions affecting the person rejecting or submitting to the conduct; or
3. The conduct has the purpose or effect of unreasonably interfering with an affected person's academic or work performance, or creating an intimidating, hostile, or offensive College environment.

Sexual harassment or sexual misconduct will not be tolerated within the College community either in the workplace, living environment, or any collegial setting involving faculty, staff, administrators, or students.

In support of this policy, the College affirms its right to take appropriate action if it or other duly constituted authority should determine that violation of federal and state laws pertaining to sexual harassment or sexual misconduct have occurred.

## **INCIDENT REVIEW POLICY**

Each year the College has incidents where students act in a manner that endangers their health and/or safety or that of other students. These incidents are varied and could include alcohol and drug overdoses, suicide attempts/gestures, risk taking (self-destructive behaviors and reckless endangerment or disregard for others), and aggressive/violent actions toward others.

In an effort to fully understand the seriousness of these incidents and deal appropriately with the students involved, the Incident Review Process has been established. The rationale of the process