

UNION

C O L L E G E
FOUNDED 1795

Student Handbook

2024-2025

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Union College Student Handbook

The material in this Student Handbook is designed to inform students of the College's expectations for students' behavior, the community, and services available to students. This Student Handbook is not a contract. It merely presents the College's policies in effect at the time of publication and in no way guarantees that the policies will not change. The policies of Union College are under continual examination and revision, and the College reserves the right to make changes in its policies as educational considerations demand. Such changes may occur from time to time without prior notice, and will be posted to the College's website.

If a physical copy is preferred, the Handbook can be requested from the Dean of Students Office, located in Reamer Campus Center 306. Please note, however, that changes to applicable policies following publication of the print version of this Handbook will take precedence over those set forth in the print version, and students are responsible for keeping themselves informed of changes in policy that may occur over time.

Questions may arise from time to time as to the scope and meaning of policies set forth or described in this Handbook, the applicability of specific policies or provisions to particular situations, the relationship between and priority of multiple policies or provisions potentially applicable to the same situation, and similar matters. The College President, Vice President for Student Affairs and Dean of Students and/or other responsible College officials have discretionary authority to interpret College policy and resolve any and all such questions that may arise from time to time.

Rights and Responsibilities of Students and Student Organizations

The Statement on the Rights and Responsibilities of Students at Union College and the Code of Student Conduct sets forth the philosophical basis for the governing of student conduct at Union and specify regulations in support of the general welfare of the community. It also delineates areas of responsibility for the students. In all matters of personal conduct, whether in academic work or social life, students are expected to be responsible members of the College community and contribute to the best development of other students and the College.

Statement of rights and responsibilities of students

Preamble

Union College provides a rigorous, holistic, and immersive residential liberal education emphasizing integration, innovation, inclusion, and reflection for every student.

Freedom of inquiry and expression are indispensable to achieving Union College's goals and educational mission. All College community members share the responsibility to cultivate and respect general conditions conducive to enjoying these freedoms. As members of this community, students are encouraged to develop their capacity for critical judgment and for the independent search for truth. They should exercise their freedom in such a way as to preserve the freedom of others and with regard for the good of the whole community.

Freedom of Access to Education

The College will not discriminate against any person in admission, employment, or administration of its programs and activities, and prohibits such discrimination, on the basis of race, creed, color, sex (including pregnancy), gender identity or expression, age, national origin, ancestry, citizenship status, religion, physical or mental disability, genetic predisposition, veteran or military status, marital or domestic partnership status, affectional or sexual orientation, familial status, status as a victim of domestic violence, and/or other characteristics protected by applicable law. By matriculating at Union, the student signifies a willingness to contribute to the learning of others, to promote the welfare of the College, and to adhere to the regulations established by the College. The student facilities and services of the College are available to all Union students on a nondiscriminatory basis.

Freedom of Association, Inquiry, and Expression

In The Classroom

Union College is committed to the free and vigorous discussion of ideas and issues. Union College is committed to protecting the academic freedom and freedom of expression of all members of the College community. Policies shall be applied in a manner that protects the academic freedom and freedom of expression of all parties. Academic freedom and freedom of expression include, but are not limited to, the expression of ideas, however controversial, in the classroom, residence hall, and, in keeping with different responsibilities, in workplaces elsewhere in the College community. However, rights of academic freedom and freedom of expression are not without boundaries, and speech or other expression that rises to the level of harassment, threat, defamation or similar misconduct will be addressed as provided in applicable College policies. See also the Rules of Public Order.

The expression of ideas offered in the course of respectful, responsible teaching, learning, working, and academic debate are not violations of this policy. Thus, if the conduct in question is legally protected by academic freedom in accordance with the Academic Freedom Policy statement contained in the Faculty Manual (FM V.II), which is adapted from the AAUP “1940 Statement of Principles on Academic Freedom and Tenure,” it is incapable of legally creating a hostile environment in and of itself. To the extent allowed by applicable law, a determination of whether speech serves a pedagogical purpose is initially guided by the faculty speaker and his/her faculty peers (defined as members of the Faculty Executive Committee).

Student Affairs

Students are free to organize and join various groups to promote their common interests. This includes student clubs and organizations recognized by Student Forum as well as groups such as Greek letter, theme house or athletic teams. Student groups may use College facilities and resources when available so long as their interests and use are compatible with the purposes and function of the College. If student organizations are affiliated with organizations outside Union College, the relationships must not interfere with objectives and activities of the College. Any club, organization or group that recruits or selects students for its membership must operate in accordance with all College policies.

Any organized student club, organization or group on campus must be recognized by the Student Forum. Only recognized clubs are eligible for funding through Student Forum. Any club receiving funding must be open to all members of the student body. This includes participation in activities, meetings, and all functions of said club. No

student organization or group will receive funding if they are exclusive in nature. While organizations and groups that are exclusive, such as Greek organizations, may be recognized by the Student Forum they will not be eligible for funding as long as they are exclusive or selective in nature. All policies regarding the expenditure of activity fee dollars can be found in the presidents and treasurers handbook which is available in the Office of Student Activities. By federal Title IX allowances, Greek-letter organizations and athletic teams are exempt from the prohibition on gender discrimination.

Students are free to examine and discuss all questions of interest to them and to express opinions publicly and privately. They are free to support causes by orderly means, including any means of peaceful assembly or advocacy that do not interfere with or disrupt the College's operations, are not defamatory, and do not violate College non-discrimination policies. The College reserves the right to limit the time, place, and manner of such activity.

Actions by individuals or groups to prevent speakers invited to the campus from speaking, to disrupt the operations of the College, or to obstruct or restrain other members of the College community and campus visitors by physical force or impediment are destructive of the pursuit of learning and of a free society. All members of the Union College community are under a strong obligation to protect its processes from these tactics.

Student clubs, organizations and groups may invite speakers of their choosing. Students and student clubs, organizations and groups are not authorized to sign contracts on behalf of Union College. In issuing invitations to speakers student clubs, organizations and groups must adhere to the College's [scheduling policies](#) including allowing appropriate advance notice to allow for adequate preparation for the event. Student clubs, organizations and groups are urged to consult with the Office of Student Activities early in the planning process for programs and/or speakers. While students are expected to follow procedures prescribed by the College with respect to requesting facilities for their programs, the College shall not use its control of facilities as a device for censorship. The College does, however, reserve the right to decline to permit programs and/or speakers under circumstances where the College determines that it is unable to provide adequate safety and security in light of the anticipated nature of the event and/or associated circumstances. The College has affirmed that faculty members and students shall enjoy freedom in their teaching, learning, and research. Speakers are brought to campus to allow consideration of a wide range of opinions in a forum of free inquiry; the appearance of a speaker on campus in no way indicates agreement with their views or endorsement of their position by the College.

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

Pursuant to a 1999 resolution by the Union College Board of Trustees, no student may rush, pledge, perpetuate, engage in initiation activities, or be a member of a fraternal or social organization not recognized by the College. Anyone engaging in those activities, either as a member, recruiter, or potential pledge, will be suspended for a minimum of one year and may be subject to additional penalties that could include expulsion.

A fraternal or social organization shall be covered by this rule only if its leadership and/or a significant number of its members are Union College students. Any student who is uncertain about the legitimacy of any group is encouraged to inquire with Student Activities or the Dean of Students Office.

Student Participation in Institutional Government

Students are free, as individuals and as groups, to express their views on matters of College policy and on other issues of interest to them. The Student Forum, the campus newspaper, and other organizations provide forums for discussion

and orderly means for the communication of opinion to the College authorities. Other avenues for expression and communication may be developed as the need arises.

Student Publications

Union College regards student publications as valuable aids in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. They are a means of bringing student concerns to the attention of the College community and of formulating student opinions on campus issues and world affairs.

The freedom of student editors and managers entails corollary responsibilities to be governed by the canons of responsible journalism, such as avoiding libel, slander, obscenity, undocumented allegations, and the techniques of harassment and innuendo. For the protection of the editorial freedom of student publications, the College subscribes to the following safeguards:

The student press is free of censorship and advance approval of copy, and its editors and managers are free to develop their own editorial policies and news coverage.

Editors and managers of student publications are protected from arbitrary suspension, removal or other discipline because of student, faculty, administrative, or public disapproval of editorial policy or content. Only for the causes mentioned above are editors and managers subject to discipline.

CODE OF STUDENT CONDUCT

UNION COLLEGE POLICY ON ALCOHOL AND DRUG USE

Introduction

Union College is primarily a community of underage students, and experience teaches that the abuse of alcohol can often interfere with the productive pursuit of a College education. Therefore, Union prohibits the unlawful use, possession, or distribution of drugs and alcohol by students and employees on the Union College campus, or while engaged in Union College-sponsored activities or employment. For information about the risks of drug and alcohol use, see Appendix IV. For information about amnesty policies, see the Medical Amnesty and Responsible Citizen Policy.

The College maintains that inebriation and/or ignorance of applicable laws or College policies governing the use of alcohol and drugs are not acceptable or justifiable excuses for disruptive or dangerous behavior and do not release the individual from responsibility to the College community. Behavior that endangers mental and/or physical health puts lives at risk and creates the potential for legal liability, and will not be tolerated.

Union College observes all laws governing the use of alcoholic beverages within the State of New York and prohibits any violations of these laws. Students are responsible for complying with all aspects of federal, state, and local laws as well as College policy. All students, regardless of housing assignment, are subject to the College's Alcohol and Drug

Policies. For more about Union College's expectations involving Social Events with Alcohol, please see the Social Events With Alcohol Policy.

The Counseling Center and Student Health Services offer confidential consultation and referrals related to alcohol and/or drug use. Information about substance abuse and treatment programs is also available in the Office of the Dean of Students.

The Drug-Free Schools and Communities Act of 1989 (20 U.S.C. 1145g) requires Colleges who receive federal financial assistance to certify the United States Department of Education documentation of a prevention program on the illicit use of drugs and the abuse of alcohol by members of the College community. This policy (including the associated appendices) implements portions of the Drug Free School and Communities Act requirements applicable to the College.

Alcohol in Residential Spaces

Residential spaces are defined as all College-owned or administered living units. The following actions relating to alcohol are prohibited:

- Possessing or consuming alcohol in any public area outside the residence halls.
- Possessing or consuming alcohol outside individual bedrooms or suites within the residence halls.
- Possessing any binge-drinking device including, but not limited to, funnels, tap systems or regulators, or beer pong tables.
- Possessing any common source, as defined below.
- Participating in flip cup, beer pong, or any other organized games intended for rapid personal consumption.

Students over the age of 21 are allowed alcohol in their residence for their own personal consumption. The amount of alcohol allowed per student over the age of 21 is as follows:

- One 12-pack (twelve 12 oz. bottles/cans) of beer, hard seltzer or similar beverage (e.g., cider, mead, etc.) OR
- Two 750 ml bottles of wine OR
- One 750 ml bottle of hard alcohol.

Hard Alcohol

Evidence shows the irresponsible use of hard alcohol (liquor) by college students greatly increases the risk of harm to themselves and others. Therefore, more significant sanctions may be imposed if a student is found responsible for distributing hard alcohol or consuming it in excess.

Sanctions for Alcohol and Drug Related Infractions

Union College requires its students to comply with local, state and federal laws regarding alcohol and drugs. As a matter of personal safety and well-being, the College also regards violations of the College Alcohol and Drug Policy as a health concern, a hindrance to academic performance, and a disciplinary matter. The College will hold individuals responsible for such violations. Additionally, possible referral to law enforcement officials for investigation may result in criminal prosecution. See Appendix VI for information on state and federal law, including penalties.

Sanctions for violations of the Alcohol and Drug Policy range from a formal warning to expulsion from the College, and typically include at least one educational experience. Educational experiences include but are not limited to substance abuse assessments, campus service, parental notification, and/or meeting(s) with the Health Educator to discuss alcohol and/or other drug use.

- Students or organizations found selling, manufacturing, or possessing drugs in amounts that indicate drug sales or distribution will face suspension, expulsion or (in the case of organizations) temporary or permanent deactivation.
- Students or organizations found illegally selling, manufacturing, or distributing alcohol will face disciplinary action up to and including expulsion or (in the case of organizations) temporary or permanent deactivation.
- Repeat violations of the Alcohol and Drug policy will result in escalated sanctions which may include progressive educational experiences, suspension, expulsion or (in the case of organizations) temporary or permanent deactivation. However, the College reserves the right to impose any applicable sanction for a first violation, and is not required to apply progressive discipline in circumstances involving significant misconduct.

STANDARDS OF CONDUCT: ALCOHOL

Union College holds a fundamental commitment to the safety of its community and has amnesty policies in place to ensure students can access help without fear of undue punishment. For information about amnesty policies, please see the Amnesty Policies section.

NY State Law: Pursuant to New York State law, the following are prohibited:

Providing to Minors:

Providing alcohol to persons under the age of 21 years.

Underage Possession

Underage person possessing any alcoholic beverage with the intent to consume.

False Identification

An underage person misrepresenting their age, or using false identification for the purpose of buying or otherwise obtaining alcohol.

Selling Alcohol Without a License

Selling alcohol without an Alcoholic Beverage Control license (this includes charging admission at the door of an event at which alcohol is distributed free of charge).

Provider Responsibility

Under New York State law, the provider of alcohol may be held liable for any damages or injuries caused by an intoxicated person.

Campus Policy: Additional campus policies prohibit the following:

Underage Consumption

Possessing, consuming or distributing alcoholic beverages by a student under the age of 21 years.

Excessive or Unlawful Use

Excessively consuming alcohol and/or the unlawful use of controlled substances.

Failure to Uphold Duties as Responsible Person

Students who assume the role of Responsible Persons as defined in the Social Events with Alcohol Policy are expected to fully comply with their obligations under that Policy. Failure to uphold these duties and obligations will result in referral to the Office of Student Conduct and Conflict Resolution.

Irresponsible Distribution

Irresponsible distribution of alcohol, which includes, but is not limited to, any occasion when the atmosphere or circumstances are such that the intended or likely outcome is either abuse of alcohol or to cause rapid or extreme intoxication. Examples of irresponsible distribution of alcohol include, but are not limited to: use of funnels, shot parties, beer pong, chugging contests, or other organized drinking games.

Common Sources

Possessing (even if empty), or distributing or consuming alcohol from, common sources including, but not limited to kegs, pony kegs, beer balls, commercial dispensers, wine boxes, punch bowls, or the amount of alcohol equivalent to another common source alcohol beverage container.

Social Events with Alcohol Policy

Violations of the Social Events with Alcohol Policy.

STANDARDS OF CONDUCT: DRUGS

Union College holds a fundamental commitment to the safety of its community and has amnesty policies in place to ensure students can access help without fear of undue punishment. For information about amnesty policies, please see the Amnesty Policies section.

NY State and Federal Law: Pursuant to New York State and federal law, the following are prohibited:

Possession or Use

The use, possession, sale, or distribution of illegal drugs, or of prescription drugs in an unauthorized manner.

Cannabis

Cannabis: The use, possession, or cultivation of cannabis products for recreational or medical purposes is not allowed on College property, nor is it allowed at any College-sponsored event or activity off campus. Federal laws (including the Controlled Substances Act and the Drug Free Schools and Communities Act) prohibit cannabis products at educational institutions and on the premises of other recipients of federal funds, even if otherwise permitted under state or local law. Therefore, students, including students with valid medical cannabis prescriptions, are prohibited from possessing or using cannabis products on the Union College campus.

Campus Policy

Additional campus policies prohibit the following:

Paraphernalia

The possession or use of drug paraphernalia (i.e., pipes, bong, etc.), including those that are homemade. Drug paraphernalia includes any device, used or unused.

Distribution

The unlawful manufacturing, distribution, or intended distribution of drugs. This includes the unauthorized distribution or intended distribution of prescription medication.

Prescription Medication

The possession or use of prescription medication in a manner other than is described on the prescription label including, but not limited to, being in possession of or using prescription medication without a prescription.

STANDARDS OF CONDUCT: GENERAL

Aiding and Abetting

Helping or encouraging another person to engage in violations of College policy or being in the presence of policy violations.

Abuse of the Conduct System or Academic Honor Code

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

- Falsification, distortion, or misrepresentation of information before a student disciplinary body, official or administrator.
- Disruption or interference with the orderly conduct of a Student Conduct or Academic Honor Code proceeding.
- Attempting to discourage an individual from participating in, or using, the Student Conduct or Academic Honor Code process.
- Attempting to influence the impartiality of a member of a student disciplinary body, official or administrator prior to and/or during the course of a Student Conduct or Academic Honor Code proceeding.

- Harassment (verbal and/or physical) and/or intimidation of a member of a student disciplinary body, official or administrator, prior to, during, and/or after a Student Conduct Academic Honor Code proceeding.
- Influencing, or attempting to influence, another person to commit an abuse of the Student Conduct System or Academic Honor Code.
- Retaliation against any individual making a good faith report of a policy violation or for participating in, or cooperating with, the Student Conduct or Academic Honor Code process as a complainant, respondent, witness, decisionmaker, or in any other capacity.
- Inappropriate sharing of information from a Code of Student Conduct or Academic Honor Code process.

Abuse of Technology

Theft, misuse, or other abuse of technology facilities, technological systems, and resources belonging to the College or any individual, or any other violation of the College's [Policy on Acceptable Use of Information Technology Resources](#).

Bullying, Threatening, and/or Abusive Behavior

This includes, but is not limited to, threatening, tormenting, mocking, intimidating, maliciously or inappropriately ridiculing another or another's work or comments beyond the scope of scholarly inquiry, or exploiting known psychological or physical vulnerabilities or impairment, including, but not limited to:

- Abusive behavior toward a College employee or agent acting in the performance of their duties.
- Physical violence, actual or threatened, against any individual or group of persons. This includes but is not limited to pushing, shoving, punching, hitting (directly or with an object), kicking, poking, and/or tripping another person; assaulting or threatening a physical assault; intentionally damaging a person's work area or personal property; and/or intentionally damaging or destroying a person's work product.
- Verbal/written behavior such as ridiculing, insulting, instigating, spreading rumors about, or maligning a person either verbally or in writing; addressing abusive, threatening, derogatory, or offensive remarks to a person.
- Nonverbal behavior such as directing threatening gestures toward a person, or invading personal space after being asked to move or leave or under circumstances where the individual initiating proximity should reasonably know it is unwelcome.
- "Cyber" behavior, defined as bullying an individual using any electronic form, including, but not limited to the Internet, interactive and digital technologies, social media, or mobile phones.
- Abuse, neglect, or unjustified violence toward an animal.

Doxing

Union College prohibits the electronic distribution of personally identifying information about a member of the Union community for the purpose of subjecting that person, or their family or friends, to harassment or placing them in reasonable fear for their safety by or from a third party, or under circumstances in which a reasonable person would reasonably expect such consequences to ensue. Similar actions that are intended to or can reasonably be expected to incite or produce unlawful action through the dissemination of personal, private information about another person without their permission are also prohibited.

Dishonesty

Acts of dishonesty include, but are not limited to:

- Furnishing false information or identification to any College official, faculty member, or office.
- Forgery, alteration, or misuse of any College document, key or other access control device, or instrument of identification.

Disorderly Conduct

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

Failure to Comply

Failure to comply with the proper requests of College officials, including but not limited to members of the Campus Safety Department, or emergency personnel performing their duties, and/or failure to identify oneself to these persons when requested to do so. Students employed to act on behalf of the College are considered College officials when acting in furtherance of their job duties.

Guests

Host student(s) or student organization(s) assume responsibility for the conduct of their guests.

Hazing

Hazing is a violation of College policy and New York State law and is expressly prohibited.

Identification

Failure to carry, or to produce when requested to do so by a College official acting in their official capacity, a Union College ID.

Property Theft, Damage, and Vandalism

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

Smoking

Union College prohibits:

- Smoking, vaping or the use of any other tobacco product in all College campus buildings, on the College grounds, and on properties owned, leased, or rented by the College.
- Smoking, vaping and the use of any tobacco product in all College owned, leased, or rented vehicles.
- The sale of tobacco or vaping products on campus.
- The free distribution of tobacco or vaping products on campus.
- Tobacco or vaping advertisements in College-produced (run) publications.

Violations of College Policy

Violation of any College policy, procedure, rule, or regulation published in hard copy or available electronically on the College website.

Violations of Law

Violation of any local, state, national or federal law, code, regulation or ordinance.

Weapons and Dangerous Materials

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

THE CONDUCT PROCESS

This section of the Code of Student Conduct is designed to provide students and student organizations with information regarding the procedures that can be expected in response to a possible violation of College policy. This information will instruct and guide students, faculty, and staff involved in the various stages of the conduct process. These procedures are intended to ensure a safe, fair, and equitable process for all students and student organizations.

Rights of Students and Organizations

Union College respects the dignity and rights of each of its students. In all disciplinary processes, students are asked to review their rights and are given the opportunity to ask questions. These rights include:

- The right to be advised of the information compiled, including the nature of the alleged violations, the documentation of those violations, and the information provided by witnesses.
- The right to present one’s case and to rebut unfavorable inferences that might be drawn, including the right to pose questions for participating witnesses and participating Complainants (if applicable) as and to the extent described below.
- Individuals providing information have the right to remain anonymous, however, anonymous information may have limited uses in the disciplinary process.
- The right to present the information of any witness who has direct, personal knowledge of the incident or conduct in question.
- The right to have an Advisor. An advisor must be a member of the College community and may not be an attorney unless otherwise required by federal or state law.
- The right to delay a hearing for up to five (5) days if a legitimate excuse has been established in the opinion of the Director of Student Conduct & Conflict Resolution or designee.
- The right to be absent from a hearing, in which case the hearing will proceed and a decision will be rendered based upon the information available.
- The right to be presumed not responsible until the matter is adjudicated and a decision is reached.
- The right to submit an impact statement to be considered in determining final sanctions, if applicable.
- The right to be advised of the result of the process and the rationale for the decision.

Collective Responsibility of Clubs, Organizations and Groups

If allegations of violations of College policy involve a club, organization or other group (including Greek organizations and athletic teams) the College will apply collective responsibility (i.e., the club, organization or group will be subject to organizational discipline) if it is reasonable to attribute the actions of at least some of the members to the club, organization or group, including without limitation if any of the following conditions apply:

1. The alleged violation of policy was encouraged or occurred with the explicit or implicit consent of one or more of the club, organization, group officers.
2. The alleged violation of policy occurred due to a failure to fulfill the reasonable expectation that the officers oversee the conduct of the club, organization or group.
3. Failure of the officers to ensure the adoption of reasonable precautions to avoid the alleged violation of policy.
4. Any practice or policy of the group that results in violation of any College policy or provision of the Code of Conduct.

Students with Accommodation Needs

If a student needs a reasonable accommodation in order to participate in any aspect of the judicial process, then the student must submit a request through Accommodative Services (518.388.8785).

Jurisdiction

College jurisdiction and discipline are limited to the conduct of students and student club, organizations, groups and their guests, that constitute Code of Student Conduct violations (including but not limited to violation of policies, rules, and regulations established in the Student Handbook, or any other College publication, as well as in the operating regulations of academic and non-academic offices, laboratories, classrooms and departments of the College).

Where the Code of Student Conduct is violated, a student or student club, organization or group may also be in violation of civil or criminal law. Where College and civil laws overlap, or where criminal prosecution is pending or foreseen, the College may initiate disciplinary proceedings on the same infraction and may impose penalties independent of those imposed by civil and/or criminal authorities. Disciplinary proceedings may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus, at the discretion of the College. Because of the different standards applicable in civil or criminal proceedings and College disciplinary proceedings, disciplinary action will not be altered or precluded on the grounds that civil or criminal charges involving the same incident have been dismissed or reduced.

Reporting Procedure

Members of the College community are encouraged to report incidents as soon after their occurrence as possible, as the passage of time will impede efforts to investigate allegations and gather evidence.

Potential violations of the Code of Student Conduct can be reported in the following ways:

- By any member of the College community submitting an account of an incident to the College via the [Incident Reporting Form](#). Reports may be filed anonymously however anonymous reports prevent follow up and support to be offered to the reporting party and may be of limited use in hearings.
- In person by sharing the details of an incident with Campus Safety or the Conduct Office.
- By individuals external to the College community by submitting an account of an incident to the College.

Reports of alleged violations of the Title IX, Gender-Based Misconduct, or Hazing Policies may also be made anonymously by using a hotline (see the Title IX, Gender-Based Misconduct, and Hazing Policies) or via the [Anonymous Hazing Reporting Form](#) or the [Title IX/Gender-Based Misconduct Form](#).

The Director of Student Conduct & Conflict Resolution (or designee), in consultation with other staff as needed, shall review all incident reports and determine the appropriate response. Available options for response include:

- Determination that no further action is warranted,
- Authorization of an investigation to gather more information,
- Proceed with charges for potential violations of the Code of Student Conduct, and/or
- Refer the allegations to an Informal Resolution process, with the consent of all parties and on a basis acceptable to the Director of Student Conduct & Conflict Resolution.

If charges proceed after a report and/or an investigation, the Director of Student Conduct & Conflict Resolution or designee) may refer matters to one of the following judicial processes:

- Informal Resolution,
- Administrative Review, or
- Judicial Board Hearing.

Decisions about response to reports and referrals to judicial processes are final; there is no appeal process.

Interim Restrictions

In certain circumstances, the Director of Student Conduct & Conflict Resolution, or designee, may impose interim restrictions on a respondent, including, but not limited to, a College or residence hall suspension, pending completion of the conduct process.

Interim restrictions may be imposed only to ensure the safety of members of the Union community or preservation of College property; to ensure the student's own physical or emotional safety; or if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the College.

If a respondent feels an interim restriction has been put in place inappropriately, the respondent may appeal to the Vice President for Student Affairs and Dean of Students in writing.

The interim restriction process does not replace the regular conduct process, which shall proceed on the normal schedule, up to and including the appeals process, if applicable.

Withdrawal with pending conduct

Students who withdraw from Union while allegations of misconduct are pending may have a notation placed in the disciplinary record that indicates the student withdrew with pending conduct charges. Students will be required to complete the conduct process prior to being reinstated at Union and the College may report that there are unresolved conduct charges if a student grants another institution or entity access to their educational record, or as otherwise permitted by law. Alternatively, the College may decline to process the withdrawal, and may proceed in absentia to a

reasonable resolution; in the event the student is found responsible, the student will not be permitted to return to Union unless all sanctions have been satisfied.

Withholding Of Diploma; Commencement Participation

The College may withhold a student's diploma for a specified period of time and/or deny a student's participation in commencement activities if the student has disciplinary charges pending.

Investigation

The College will investigate reports regarding potential violations of policy to the extent reasonably possible with the information provided. Investigations may be completed by the Office of Campus Safety, Director of Student Conduct & Conflict Resolution or their designee.

Any Union College student identified as a potential witness must cooperate fully in the course of the investigation or disposition of possible violations of the Code of Student Conduct. Cooperation includes, but is not limited to, meeting or communicating with Campus Safety, the Associate Director of Residential Education for Greek Leadership, the Office of Student Activities, Deans, or other College officials as requested, and providing truthful and accurate information.

It is an expectation of citizenship in this community that students with information about possible violations of community standards respond and participate when called. Failure to do so may result in disciplinary action.

Investigators may serve as witnesses.

Disciplinary Procedures

Types of Resolution

Administrative Reviews

In an administrative review, a designated administrator determines the responsibility of the respondent for a violation of the Code of Student Conduct based on the information available to them. Administrative reviews are used when the case would not in the judgment of the Director of Student Conduct & Conflict Resolution normally result in a suspension or more severe sanction if the student were found responsible. Possible designated administrators typically include the Director of Student Conduct & Conflict Resolution, Community Directors, Deans, and Directors. For issues involving multiple students, the Director of Student Conduct & Conflict Resolution can approve a single review when he/she/they deem(s) consolidation to be appropriate.

Administrative Reviews are informal discussions. Respondents are notified in advance, via their Union College email, of the specific charges under consideration. If a student fails to attend an Administrative Review, the administrator will resolve the case based on the information available to them, without the benefit of the student's input.

During the review, the administrator will go over the charges with the complainant and give them an opportunity to respond. The administrator will then determine, by a preponderance of the evidence, whether the respondent is responsible for each charge and, if the student is found responsible, will assess appropriate sanctions.

In determining sanctions, the Director, or their designee, will take into account the factors described in the Sanctions section of this Code. If multiple students are subject to the same Administrative Review, each student may be subject to different sanctions as the result of different considerations or circumstances. Outcomes from Administrative Reviews are eligible for appeal.

Informal Resolution

Informal Resolution is used when the case would not in the judgment of the Director of Student Conduct & Conflict Resolution normally result in a suspension or more severe sanction if the student were found responsible and when the respondent may agree they are responsible for a violation.

Informal Resolution meetings are informal discussions with a designated administrator. Possible designated administrators typically include the Director of Student Conduct & Conflict Resolution, Community Directors, Deans, and Directors. For issues involving multiple students, the Director of Student Conduct & Conflict Resolution can approve a single resolution meeting when he/she/they deem(s) consolidation to be appropriate .

Respondents are notified in advance, via their Union College email, of the specific charges under consideration. If a student fails to attend an Informal Resolution meeting, the administrator may refer the case based to either an Administrative Review or Judicial Hearing.

During the Informal Resolution meeting, the respondent and a designated administrator discuss the reported violations of the Code of Student Conduct. If they are in agreement that the respondent is responsible for a violation, the administrator will issue appropriate sanctions. If the respondent does not accept responsibility for a violation, the administrator will either find them not responsible or refer the case to an Administrative Review or a Hearing.

Outcomes from Informal Resolutions are not subject to appeal.

Judicial Board Hearings

The Judicial Board adjudicates cases involving allegations of the Code of Student Conduct that could potentially result in suspension or expulsion, and other cases as referred by the Director of Student Conduct & Conflict Resolution. The Judicial Board is a pool of faculty and staff approved by the Vice President of Student Affairs and trained to participate in hearings.

All Judicial Board members are volunteers and are trained in FERPA, confidentiality, judicial procedures, applicable policies and rules, and the philosophy of the Code of Student Conduct at Union College. Hearings before the Judicial Board need not conform to formal rules of criminal or civil procedure and/or proof requirements. The intent of the procedure is to provide the respondent(s) with a fundamentally fair process, including notice of the charges against them and a reasonable opportunity to respond. Within this framework, the Board may conduct hearings as it sees fit and can make modifications to these procedures as it deems appropriate while preserving a fundamentally fair process.

Hearing panels are composed of three (3) members of the Judicial Board. They will determine responsibility for reported violations. In addition, the Director of Student Conduct & Conflict Resolution or their designee will serve as a non-voting Chair of each hearing.

Judicial Board Hearing Procedures

Notice of Charges

If charges proceed after a report and/or an investigation, all charges shall be presented to the respondent (or permitted organizational representative(s)) in written form. The hearing date and time will be set not less than one (1) nor more

than seven (7) business days after the student or organization has been notified. Maximum time limits for scheduling of hearings may be extended at the discretion of the Director of Student Conduct & Conflict Resolution.

Standard of Proof

Determinations of responsibility are found using the preponderance of the evidence standard. If a “preponderance of evidence” is found, that means the panel believes it is more likely than not that a violation occurred and the respondent(s) will be found responsible. If a panel believes it is not more likely than not that a violation occurred, then the respondent(s) will be found not responsible.

Advisors

The complainant and the respondent (or permitted organizational representative(s)) have the right to be assisted by an advisor of their choosing.

- The advisor must be a member of the College community, and may not be an attorney.
- The complainant and/or the respondent (or permitted organizational representative(s)) is/are responsible for presenting their own information, and therefore, advisors are not permitted to speak or to participate directly in the hearing.
- Parties should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Hearing. Delays will not normally be allowed due to the scheduling conflicts of an advisor.

Witnesses

The complainant, the respondent (or permitted organizational representative(s)), and the hearing panel may arrange for witnesses to present pertinent information to the panel.

- The College will try to arrange the attendance of witnesses, if reasonably possible.
- Witnesses must be identified by the complainant and/or respondent at least two business days prior to the Hearing.
- Investigators may be called as witnesses.
- Parties and witnesses may be asked to provide information to and answer questions from the hearing panel.
- The Hearing Chair determines whether specific witnesses or information will be heard and/or considered, and whether specific questions will be permitted.

Hearing Procedures

Hearings shall be conducted by the hearing panel according to the following guidelines:

- Hearings shall be conducted in private.
- There shall be a single verbatim record, such as an audio and/or audiovisual recording, of all hearings before a hearing panel. Deliberations shall not be recorded. The record shall be the sole property of the College. Administrative reviews and informal resolution meetings are not recorded.
- The complainant, respondent, or permitted organizational representative(s) (as applicable), and their advisors, if any, are permitted to attend the entire portion of the Hearing at which information is received, except for deliberations.
- Admission of any other person to the hearing is at the discretion of the Director of Student Conduct & Conflict Resolution or their designee.
- In hearings involving more than one respondent, the hearings may be conducted separately or jointly, at the discretion of the Director of Student Conduct & Conflict Resolution or their designee.
- In order to preserve the educational tone of the Hearing and to avoid creation of an adversarial environment, questions from the respondent (or permitted organizational representative(s)) and/or complainant will be directed to the Hearing Chair, rather than to the party or witness directly; the Hearing Chair will then pose questions they deem to be appropriate.

- The hearing panel may accommodate concerns for personal safety, well-being, and/or fears of confrontation by providing separate facilities, using a visual screen, and/or participation by telephone, video conference, closed circuit television, audio and/or audiovisual recording, written statement, or other means. Such measures are applied when appropriate, as determined by the Director of Student Conduct & Conflict Resolution.
- Pertinent records, exhibits, and written statements (including impact statements) may be accepted as information for consideration at the discretion of the Hearing Chair or Director of Student Conduct & Conflict Resolution or designee.
- Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Code proceedings. All procedural questions are subject to the final decision of the Hearing Chair.
- After all pertinent information has been received, the hearing panel shall deliberate privately and determine whether the respondent has violated the Code of Student Conduct.
- In order to determine that a student or student organization violated the Code of Student Conduct, it must be determined by a preponderance of the evidence that BOTH a violation has occurred AND that the student or student organization committed that violation.
- Hearing panels make their decisions based on the majority vote of the votes cast.

Following the hearing, the respondent will be notified in writing that based on the information presented:

- A violation of the Code of Student Conduct was determined to have occurred, and that the respondent was found responsible; or
- A determination was reached that a violation of the Code of Student Conduct did not occur, and/or that the respondent was found not responsible.

When the allegations in a case include a crime of violence as defined by FERPA, the complainant will also be notified of these outcomes with respect to such allegation(s).

In the event that the respondent is found responsible following a Judicial Board hearing, it is the responsibility of the Director of Student Conduct & Conflict Resolution or their designee, to determine reasonable sanctions to impose as a result of the decision of responsibility.

Sanctions

Union College utilizes hearing outcomes as opportunities for introspection, understanding, growth, and learning. Deliberate consideration is paid to the assessment of appropriate and meaningful sanctions in order to provide the best opportunity for students to understand the ramifications and effects that their behavior may have on them, their peers, and the Union College community.

The designated administrator or, in the case of Judicial Board hearings, the Director of Student Conduct & Conflict Resolution, will assess sanctions that carefully consider a number of factors, including but not limited to, the following:

- Impact of sanctioning (including impact statements),
- Proportionality and consistency (including the nature, severity of, and circumstances surrounding, the violation, and sanctions in previous cases involving similar conduct),
- Prior conduct history (if any),
- Any other information deemed relevant.

Considerations

Impact of Sanctions & Impact Statements

The impact of the sanction on the student or organization, the complainant (if applicable) and the College community may be considered when determining appropriate sanctions. Complainants and respondents may submit a written statement explaining their conduct to the decision-maker. These statements are open-ended and are intended to help the decision-maker determine sanctions that are most appropriate for the situation and person.

Impact statements are to be submitted to the Director of Student Conduct & Conflict Resolution or the designated administrator, prior to the start of the hearing, administrative review or informal resolution meeting (as applicable).

Proportionality and Consistency

Sanctions will be proportional to the nature and severity of the violation, the circumstances surrounding the violation, and will be consistent with sanctions imposed in prior cases at the College arising from similar facts and circumstances.

Prior Disciplinary History

A student's or organization's disciplinary history will not be considered when determining responsibility but is evaluated for relevance and may be considered when determining appropriate sanctions.

Other Relevant Information

Decision-makers may consider other information deemed relevant by the Director of Student Conduct & Conflict Resolution or their designee when determining appropriate sanctions.

Notification

When a student or organization is assigned sanctions, notification will include a rationale detailing how and why the sanctions that are assigned were determined.

Possible Sanctions

Individuals

Sanctions that may be imposed upon any student found to have violated the Code of Student Conduct include but are not limited to those listed below. More than one of the sanctions listed may be imposed for any single violation.

- Warning - A notice in writing to the student that the student has violated or is violating the Code of Student Conduct. Warnings may be considered in any further disciplinary proceedings.
- Probation - A written reprimand for violation of the Code of Student Conduct. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate the Code of Student Conduct during the probationary period. Probation may be imposed with or without restrictions. Probation will be considered in any further disciplinary proceedings. Restrictions associated with College probation may include, but are not limited to, ineligibility for participation in specified College-sponsored programs or activities, and/or other appropriate actions.
- Restriction of privileges - Denial of specified privileges permanently or for a designated period of time. These privileges can include, but are not limited to: attending College events, club or organization membership, athletic participation, visitation of certain buildings or residential facilities, etc.
- Fines – In some circumstances, reasonable fines may be imposed. Such fines are in addition to costs of restitution that are deemed appropriate.

- Restitution - Restitution may be billed by the College for services employed or damages resulting from a student's behavior. The College will not facilitate restitution between individual students or private citizens. Such issues will need to be resolved by filing civil legal proceedings and/or a criminal complaint with police.
- Educational and/or developmental requirements - Educational and/or developmental requirements are meant to provide individual development, improvement or education.
- No Contact Order - A written directive prohibiting contact with another person, either directly or through a third party.
- College suspension - Separation of the student from the College for a definite period of time, after which the student is eligible for return. Conditions for return may be specified.
- College expulsion - Permanent separation of the student from the College.
- Revocation of Degree - A degree awarded from the College may be revoked for fraud, misrepresentation, or other violation of College standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- Withholding degree and/or diploma - The College may withhold awarding a degree and/or diploma otherwise earned for a specified period of time.
- Special Action - Other actions appropriate to particular circumstances, but not included in the preceding list. Some examples include, but are not limited to loss of standing in the College's housing lottery, alteration of housing arrangements, and/or other appropriate actions.

In addition to sanctions, the designated administrator or, in the case of Judicial Board hearings, the Director of Student Conduct & Conflict Resolution may require a student to undertake a behavioral and/or mental health assessment conducted by a qualified practitioner, as well as the completion of all recommendations made as a result of the assessment.

In the event that a student is found responsible for a violation constituting a crime of violence reportable under the Clery Act, the following shall apply:

- Students suspended after a finding of responsibility for said violations will have the following noted on the transcript: "Suspended after a finding of responsibility for a code of conduct violation."
- Students expelled after a finding of responsibility for said violations will have the following noted on the transcript: "Expelled after a finding of responsibility for a code of conduct violation."

Students withdrawing from the College any time prior to the completion of judicial procedures (including an appeal process) with respect to allegations of said violations will have the following noted on the transcript: "Withdrew with conduct charges pending."

Organizations

Sanctions that may be imposed upon any student organization found to have violated the Code of Student Conduct include but are not limited to those listed below. More than one of the sanctions listed may be imposed for any single violation.

- Warning - A notice in writing to the organization that the organization has violated or is violating the Code of Student Conduct. Warnings may be considered in any further disciplinary proceedings.
- Probation - A written reprimand for violation of the Code of Student Conduct. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the organization is found to violate the Code of Student Conduct during the probationary period. Probation may be imposed with or without restrictions. Probation will be considered in any further disciplinary proceedings. Restrictions associated with College probation may include, but are not limited to, loss of privileges of College-associated organizations, ineligibility for participation in specified College-sponsored programs or activities, and/or other appropriate actions.

- Restriction of privileges - Denial of specified privileges permanently or for a designated period of time. These privileges can include, but are not limited to: approval to register and host social events, the ability to conduct recruitment activities, participation as an organization in College events and/or activities, etc.
- Fines - In some circumstances, reasonable fines may be imposed. Such fines are in addition to costs of restitution that are deemed appropriate.
- Restitution - Restitution may be billed by the College for services employed or damages resulting from an organization's behavior. The College will not facilitate restitution between individual students or private citizens or organizations. Such issues will need to be resolved by filing civil legal proceedings and/or a criminal complaint with police.
- Educational and/or developmental requirements – Educational and/or developmental requirements are meant to provide individual and organizational development, improvement or education.
- Loss of Housing Status - Loss of privilege to be assigned to a particular residential area. Conditions for return (if permitted) may be specified.
- The organization may be deactivated. Deactivation includes the loss of all College-recognized privileges, including College recognition. Organizational deactivation may be for a specified period of time or permanent.
 - In the event of deactivation of a fraternity, sorority or other social organization, students must abide by the Board of Trustees Statement on Membership in a Non-Recognized Fraternity or Sorority. Any student who is uncertain about the legitimacy of any group is encouraged to inquire with the Offices for Greek Leadership or Student Activities.

Appeals

The purpose of an appeal is not to provide a new adjudication. A student or organization found responsible has the right to appeal any decision based only upon the grounds outlined below with respect to the violation(s) found to have occurred. The appeal is to be submitted by the party seeking the appeal, and no other individual on their behalf. There is no option for an appeal of sanctions issued through an Informal Resolution. Appeals of decisions must be submitted within five (5) business days of receiving the determination being appealed. While an appeal is pending, the sanctions imposed will remain in effect unless the Director of Student Conduct & Conflict Resolution decides otherwise.

The Appellate Body, made up of three members of the Judicial Board not involved in the original hearing, may review all materials presented at the hearing and may consult with the Hearing Chair and/or the Director of Student Conduct & Conflict Resolution (or their designee) on questions of appropriateness of the sanctions and/or of judicial procedure. Appeals may be based only on one of the following:

- The hearing or administrative resolution was materially inconsistent with the established judicial procedure, and such inconsistency had a material impact on the outcome;
- New information was discovered after the hearing or administrative resolution that could not have been readily discovered previously, and which might have had a material impact on the outcome;
- Sanctions are grossly disproportionate to the nature or severity of the conduct violation.

An appeal must set forth concisely the grounds for appeal, as well as any supporting material submitted by the appealing student or organization. A written decision will be rendered and communicated by the Appellate Body within a reasonable time after receipt of the appeal.

The Appellate Body may:

- Uphold the original decision,
- Alter the decision as to responsibility,
- Remove or alter a sanction,
- Remand the case to the hearing panel or administrator, or a new hearing panel or administrator, for rehearing/reconsideration in whole or in part,
- Remand the case to the hearing panel or administrator, or a new hearing panel or administrator, to reconsider the sanction.

Appeal outcomes are final, except to the extent that a party seeks review of proceedings ordered on remand.

Maintenance and Retention of Disciplinary Records

Other than College expulsion or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's disciplinary record. Upon graduation, the student's disciplinary record may be expunged of disciplinary actions other than residence hall expulsion, College suspension, College expulsion, or revocation or withholding of a degree, upon application to the Director of Student Conduct & Conflict Resolution.

GENERAL CAMPUS POLICIES

Academic Integrity

The Academic Honor Code was established in 2012 and reaffirmed by the Faculty in 2016. By joining the Union community every student agrees to understand and uphold the Academic Honor Code. Information about the Honor Code and Procedures for resolving allegations related to academic misconduct can be found [here](#).

Amnesty Policies

Medical Amnesty & Responsible Citizen

The College holds a fundamental commitment to the safety of its community. As a result, the College seeks to advance through the system two fundamental responsibilities of students – respect and appreciation for the safety of self and others, and for the law and College policy. It is vital for students to call Campus Safety when an intoxicated student needs medical help.

The Responsible Citizen and Medical Amnesty Policies offer a clear message to students that they should report any potentially dangerous cases of alcohol or drug intoxication; they should not be concerned about disciplinary consequences at such a time. These exemptions are not viewed as an avenue through which a student or organization may escape responsibility, but rather, the means by which they will be challenged and supported to discern their responsibilities and to be accountable as members of the Union community.

Responsible Citizen and Medical Amnesty

In instances where students or student organizations assist a Union College student whom the reporter believes is intoxicated or is experiencing a drug overdose in contacting Campus Safety and/or professional medical assistance,

neither the student who is intoxicated or experiencing the drug overdose nor the individual or group who provides assistance for that individual will be subject to College disciplinary action for (1) being intoxicated, (2) using drugs, or (3) having provided that person with alcohol. Students calling for assistance for themselves also will be covered under this policy. This policy does not excuse or protect those who flagrantly and/or repeatedly violate the College's Policies on Alcohol or Drugs. It does not extend to related infractions such as hazing, assault or property damage. It should be noted that this policy refers only to the application of the Code of Conduct and does not preclude other College or non-College entities from applying their own policies, procedures, and outcomes to the situation.

The policy applies to the student or organization reporting their concern including students who call for assistance for themselves. When students encounter another who may be dangerously intoxicated, they should call Campus Safety immediately at 518.388.6911. The policy reflects the College's priority on safety and does not rule out an educational response to the incident.

The student's educational record will reflect no formal disciplinary action. The College may contact the student's parents as a health precaution, and may require a professional alcohol/drug evaluation and/or referral to the Counseling Center.

Amnesty for Minor Violations and Title IX and/or Gender-based Misconduct

The health and safety of every student at the College is of utmost importance. Union College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Union College strongly encourages students to report 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 College officials or law enforcement will not be subject to Union College'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.

Bias Policy

Union College is committed to providing a safe living and learning environment in which every person is valued and respected, inclusion is assured, and free expression and debate are encouraged. The College accepts the task of educating the next generation of leaders to understand and appreciate the ideas and opinions generated by an increasingly global community. The Bias Acts Policy establishes a mechanism for addressing situations involving a real or perceived bias act. In such an instance, the College desires to proceed thoughtfully, providing support to all of those affected, while also affirming that Union values differences, free expression, and debate as sources of strength for the College community.

Purpose

This policy outlines guidelines for reports and responding to bias acts for students, the Student Affairs Office, and others in the College community. With this policy in place, administrators and staff will be better prepared to provide leadership in effectively addressing bias acts. The goal of the policy is to set forth the procedures to be followed when

bias acts (or perceived bias acts) occur and to promote a climate of respect. This policy is not intended to be used as a means of censorship or to limit in any way dialogue and the free expression of opinions and ideas that do not violate College policy. Specifically, this policy establishes:

- A reporting process for any student who believes that he/she/they has/have experienced or observed a bias act.
- Mechanisms for delivering a rapid response to reported bias acts.
- A clearly defined consultation process to ensure broad collaboration for assessing incidents and allegations.
- A statement conveying Union College's commitment to creating a respectful and civil environment.

Definitions of Bias Acts

At Union College, a bias act is an action taken that is motivated, in whole or in part, by bias against an actual or perceived aspect of diversity, including, but not limited to, age, ancestry or ethnicity, color, creed, physical or mental disability, gender, pregnancy, gender identity or expression, height, immigration or citizenship status, marital or domestic partnership status, national origin, race, religion, religious practice, sexual orientation, socioeconomic status, weight, familial status, genetic predisposition, veteran or military status, status as a victim of domestic violence, or any other category protected by applicable law.

Union College may respond to bias acts through education, discipline, or both. Bias acts (or perceived bias acts) will be addressed by the College on a case-by-case basis.

What is a Hate Crime?

Under federal, state, and local laws, a hate crime is defined as any criminal offense or attempted criminal offense that is motivated, in whole or in part, by the alleged offender's bias against an individual's actual or perceived age, ancestry or ethnicity, color, creed, physical or medical disability, gender, gender identity or expression, height, immigration or citizenship status, marital or domestic partnership status, national origin, race, religion, religious practice, sexual orientation, socioeconomic status, weight, familial status, genetic predisposition, veteran or military status, status as a victim of domestic violence, or any other category protected by applicable law.

Guiding Principles for Responding to Reported Bias Acts

Students with Disabilities

If a student with a disability needs reasonable accommodation in order to participate in any aspect of the bias response process, then the student should submit a request through the Accommodative Services Office located in Schaffer Library Room 202.

Attention to the complainant and community impacted by a bias act:

When a bias act (or perceived bias act) has occurred, immediate attention will focus on the well-being of the complainant and the College community members impacted by the incident.

Attention to the respondent:

When a bias act has occurred and a student has been identified as the respondent (*i.e.*, the person alleged to be responsible for committing the act), they will be treated fairly in accordance with the College's disciplinary procedures.

If referred to Law Enforcement Agency:

If the matter has been referred to a law enforcement agency (e.g., Schenectady Police Department), Union College will cooperate with that agency as reasonably requested. Referral to a law enforcement agency will not preclude Union College from following its own policies and procedures to address student conduct.

Procedures for Reporting

The following procedures, to the extent reasonably practicable under the circumstances, are to be applied upon the occurrence of a bias act (or perceived bias act):

- Determine whether emergency medical treatment is necessary. If medical attention is necessary, immediately contact 911 and Campus Safety (518.388.6911 or 518.388.6178) for assistance.
- **Fill out a Bias Incident Report Form. This form is anonymous, and reporters are encouraged to include as much information as possible so as to enable the College to effectively respond to issues on campus.**
 - Reporters may also include photos and other visual evidence. Reports are sent to the Director of Student Conduct & Conflict Resolution and the Chief Diversity Officer, or designee.
- If applicable, the Campus Safety Officer responding to the incident is to, if possible, photograph physical injuries, offensive graffiti, evidence of vandalism, and/or similar evidence that may aid in determining whether a bias incident or hate crime occurred, and facilitating a response. In addition, he/she/they should record where and when the activity occurred and document names of witnesses if applicable. Further, the Campus Safety Officer should document detailed information about the alleged perpetrator(s), if available. Officers should also retain any physical evidence of the incident, if possible. In the case of a hate crime, the officer should turn the incident over to public law enforcement officials in accordance with New York State law and the terms of the College's Memoranda of Understanding with law enforcement authorities.
- Reasonable efforts will be made by Union College to preserve privacy and confidentiality in the course of the investigation and/or adjudication of the matter.

Union College's Response

All reported bias acts will be responded to in an efficient and professional manner, taking into account the impact on the complainant and/or victim and the Union College community. Incident response will incorporate, to the extent appropriate, input from the complainant and/or victim and other community members affected on their needs, safety concerns, and/or thoughts about how harm(s) can best be repaired.

At any point, the Director of Student Conduct & Conflict Resolution, or any other official referred to in this policy, may delegate their authority to another, more appropriate person. Further, the Director of Student Conduct & Conflict Resolution may determine that a particular complaint or situation is best addressed pursuant to another of the College's policies. In those cases, the matter will be handled pursuant to the policy the Director of Student Conduct & Conflict Resolution, in consultation with the Vice President for Student Affairs and Dean of Students, determines is most appropriate.

Addressing the Needs of the Complainant and the Respondent:

The Director of Student Conduct & Conflict Resolution (or designee) will take primary responsibility for understanding and working to meet the needs of the complainant and/or victim, as well as the needs of the respondent. The Director (or designee) will make referrals to applicable College resources.

Addressing the Needs of the Union College Community:

The Director of Student Conduct & Conflict Resolution (or designee) will work with the Office of Intercultural Affairs, the Vice President for Student Affairs and Dean of Students, the Residential Education staff, and other community members as appropriate to assess and address the needs of the communities affected by a bias act or perceived bias act. Options for response include but are not limited to supportive measures, referrals to confidential and other supportive resources, and engaging students in peer dialogue and reflection on issues regarding inclusiveness and civility.

Investigation of Bias Acts

By a Law Enforcement Agency

If an incident has been referred to a law enforcement agency (e.g., Schenectady Police Department, District Attorney, etc.), Union will respect the jurisdiction of the agency and will cooperate as reasonably requested.

By Union College

Independent of a law enforcement investigation (if any), the Director of Student Conduct & Conflict Resolution, in consultation with other staff as appropriate, will determine if an internal investigation is appropriate. If so, a College staff member will be appointed to conduct the investigation and will report back in a timely fashion to the Director of Student Conduct & Conflict Resolution, who will proceed according to the procedures outlined in the Code of Student Conduct.

Statement of Student Rights Related to Bias Reports

Complainants and Victims

The complainant, a student who reports an incident of bias, and the victim, the student who experienced the incident (if different from the complainant), are entitled:

- To be treated with respect by College officials,
- To take advantage of campus support resources,
- To experience a safe living and educational environment,
- To have an advisor during a hearing in accordance with the Code of Student Conduct,
- To refuse to have an allegation resolved through informal resolution procedures,
- To be heard in accordance with the Code of Student Conduct, and
- To be free from retaliation.

Respondents

The respondent, a student who is accused of responsibility for an incident of bias, is entitled:

- To be treated with respect by College officials,
- To take advantage of campus support resources,
- To experience a safe living and educational environment,
- To have an advisor during a hearing in accordance with the Code of Student Conduct,
- To refuse to have an allegation resolved through informal resolution procedures,
- To be heard in accordance with the Code of Student Conduct, and
- To be free from retaliation.

Retaliation

Union College prohibits retaliation against any person who files a good-faith report of a bias incident or perceived bias incident, participates in an investigation, or opposes an alleged act of bias. Further information about the College’s policy regarding retaliation, please see the Code of Student Conduct.

False Reports

It is a violation of these procedures to file a false bias activity complaint for the purpose of injuring the reputation or causing harm to another person. Without minimizing the injury that can be suffered by the complainant, the College also recognizes that the filing of a bias activity complaint can have serious consequences for the respondent. That person, too, has rights that must be preserved and protected. Any person who abuses these procedures by knowingly filing a false complaint will be subject to referral for disciplinary action if the Chief Diversity Officer determines that the complaint was filed in bad faith. This provision is not meant in any way to discourage legitimate complaints.

CAMPUS SAFETY POLICIES

Introduction

The Campus Safety Department is the College's authorized security force tasked with enforcing its rules, regulations and policies. Enforcement procedures include issuing parking tickets and summary fines, filing conduct charges, performing citizen's arrests and providing vehicle registration and ID card services.

The Campus Safety Department works closely with federal, state, county and local authorities in the investigation and prosecution of crimes and in fire, safety and health-related issues.

Bicycles

It is recommended that all bicycles that are brought on campus be registered with the Campus Safety Department. There is no fee required. The Department has bicycle safety and lock information available that can be picked up at the office during business hours. (See Housing Policies and General Information)

Parking and Traffic Regulations

Union College requires that all motor vehicles (including motorbikes and/or motorcycles) using the campus be registered with the Campus Safety Department. First-year students are not permitted to have any vehicle on campus without permission from the Dean of First-Year Students. If permitted, first-year students will be restricted to parking in the Nott/Seward and Roger Hull parking lots only. All other areas on campus will be off limits at all times of the day and night. Traffic enforcement will apply to those who violate this rule.

Union College assumes no responsibility or risk for any vehicle, its occupants or property contained therein or thereon, while parked or driven on Union College property. Parking on Union College property is a privilege, not a right, and parking space is not guaranteed for each vehicle in any parking area.

The Campus Safety Department will issue tickets to illegally parked vehicles, and if necessary, will tow vehicles at the owner's expense. No one is exempt from campus traffic enforcement. Parking is allowed in approved lots within approved mark spaces.

For a complete list of regulations governing parking and driving on campus, including possible sanctions for violations, you may consult the [Campus Safety Website](#) or go to the Campus Safety Office for a hard copy, which you will receive when you register your vehicle.

*Compliance issues may also be addressed through the Code of Student Conduct.

Emergency Notification and Alerts

(Updated July 12, 2017)

The Campus Crime Alert (“Alert”) is provided to give students, faculty, and staff timely notification of crimes that may represent a serious or continuing threat to the campus community and to heighten safety awareness. The Alert also seeks information that may lead to arrest and conviction of the offender when violent crimes against persons or substantial crimes against property have been reported.

Campus Safety is responsible for issuing a Campus Crime Alert when a crime is reported to or brought to the attention of the Campus Safety or other campus security authorities and that crime represents a serious or continuing threat to the safety of members of the campus community. Information for Alerts also comes from other law enforcement agencies. Every attempt will be made to distribute the Alert promptly; however, the release is subject to the availability of accurate facts concerning the incident. Alerts are created and distributed by Campus Safety and/or the Vice President for Student Affairs and Dean of Students or his/her designee with the assistance of Telecommunications and/or Communications.

A student may add an additional family member to the RAVE Emergency Text Messaging System by visiting the Office of the Registrar.

Timely Warning Procedure

Campus Safety will prepare a Campus Crime Alert whenever a report is received of a Clery Act reportable crime against a person or property on the College’s Clery Act geography that represents a serious or continuing threat to the

safety of students, faculty, and staff. Alerts are assigned the same number as the corresponding Campus Safety report and provide details of the crime, a description of the suspect (if known), information on whom to contact with information, and safety tips.

Campus Crime Alerts will be emailed as quickly as possible to faculty, staff, and students, and may also be distributed throughout the campus, provided to campus media, posted on the Union College website, texted and, if appropriate, posted in off-campus areas frequented by students.

Whenever the Schenectady Police issue a news release about an off-campus crime that represents a serious or continuing threat to the safety of students, faculty, and staff, the College will assist in publicizing the crime on campus.

Campus Crime Alerts typically include the following information:

- A succinct statement of the incident.
- Any connection to previous incidents.
- Physical description and/or composite drawing of the suspect, if appropriate.
- Date and time the Alert was released.
- Other relevant and important information.
- Appropriate safety tips.

Emergency Text Messaging System

Rave Emergency Alert System

Union College has partnered with Rave Wireless to provide an emergency alert system capable of delivering messages to your Union and personal email addresses, as well as your mobile number and personal landline.

As a student or employee of Union College your “@union.edu” email account is automatically registered and will receive notifications along with your registered cell phone number if provided to the College. You may add or manage contact information by using your Union College login username and password at: GetRave and using your Union College login username and password. A student may add an additional family member to the RAVE Emergency Text Messaging System by visiting the Office of the Registrar.

Messages may be used for situations that pose immediate danger or the closing of the entire campus. Messages about Campus Crime Alerts generally will not be sent unless it is decided there is an imminent threat of danger. This notification service is provided in addition to existing emergency reporting procedures and does not replace or eliminate any emergency notification system.

Emergency Evacuation Procedures/Persons with Special Needs

The mission of the Union College Office of Campus Safety and Emergency Management is to enable, promote, and support the preparedness, responsiveness, and sustainability of all the elements of Union College.

Union College is committed to providing an environment where all students, faculty, staff or visitors have equal access to safe egress and to effectively alert, evacuate and/or shelter them during an emergency.

Please refer to the “[Emergency Evacuation Voluntary Referral Form](#).”

Campus Identification

ID cards are issued to all members of the Union College community. This is done, among other reasons, to identify you as a member of the community, as proof of your authorization to be on campus, and to allow you access to dining services and to your residence hall.

All College community members must carry their ID card with them and must produce it upon request of a member of the Campus Safety Department or other authorized agents of the College. Refusal or failure to produce an ID card may result in conduct charges.

The Access Control office located in the Campus Safety Office issues all Union College identification cards.

Lost cards must be reported to the Campus Safety Department in person. Dining Services must also be notified. A fee of \$25 is assessed for each occasion a card is reported as lost or stolen. Any malfunctioning ID card can be returned to the Campus Safety office for a replacement at no cost to you.

The Union College ID card is the property of Union College and is to be used for purposes of identification and transacting College business only. Any ID card which has been replaced is no longer valid and should be destroyed.

Environmental Health & Safety – Fire Safety Reporting Information

The Office of Environmental Health & Safety at Union College is responsible for programs related to fire safety. EHS works closely with the Department of Campus Safety in obtaining its data with respect to fire alarms and actual fire conditions reported. Since Union College maintains and provides student housing, we provide these data in our [Annual Security and Fire Report](#) as required under the Higher Education Opportunity Act.

Missing Persons Policy

The following policies and procedures are to be followed in the event that a student or other individual is reported missing from campus.

Upon receipt of a report of a missing person, the Campus Safety Department will conduct a thorough and timely investigation to determine the safety and current location of the person. If the missing person is a student, the investigating officer will contact and help coordinate the investigation with the Schenectady Police Department no later than 24 hours after the student is determined missing. The Campus Safety department will also notify the student's emergency contact no later than 24 hours after the student is determined to be missing.

In addition to registering an emergency contact, students have the option to identify a confidential contact to be contacted by Union College Campus Safety in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Union College Campus Safety will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential contact may do so by coming to the Campus Safety Office and filling out a missing student contact form. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement as appropriate. In addition, the College will notify the custodial parent or guardian of a student who is under 18 years of

age and not emancipated within 24 hours of a determination that the student is missing.

An individual will be considered missing if a roommate, classmate, faculty member, family member, or other campus person has not seen the person in a reasonable amount of time. A reasonable amount of time may vary with the time of day and information available regarding the missing person's daily schedule, habits, punctuality, and reliability. Individuals will also be considered missing immediately if their absence has occurred under circumstances that are suspicious or cause concerns for their safety. If the initial report that a person is missing is made to a department other than the Campus Safety Department, the staff member receiving the report will ensure that the Campus Safety Department is contacted immediately.

Detailed procedures for the implementation of these policies by the College through the Campus Safety Department are available for review upon request.

No later than 24 hours after determining a student is missing, the Campus Safety Department will notify the following College officials:

- Vice President for Student Affairs and Dean of Students
- Director of Residential Education
- Director of Campus Safety

Student Right-To Know Information (Crime Statistics – CLERY)

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is the federal law, originally known as the Campus Security Act, that requires colleges and universities across the United States to disclose information about crime on and around their campuses.

Union College has been a contributor to the Uniform Crime Reporting System since 1991. [Union College's Clery Act Annual Security Report](#) includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Union College; and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, and other matters. Individuals can obtain a print copy of this report by contacting the Department of Campus Safety.

Violent Felony Offense and Hate Crime Investigations

As required by New York State law, upon receipt of a complaint or report that a violent felony or a hate crime has occurred on campus, the Campus Safety Department will immediately respond, thoroughly investigate, and document a report of their findings. The responding officers will verify the nature of the incident and determine if the incident occurred on the Union College campus or during an off-campus event sponsored by the College. The Campus Safety Department will notify and coordinate further investigation of the criminal incident with the Schenectady Police Department. Victims of crimes, especially violent felony crimes and hate crimes, will be assisted, if requested, in making a report of the incident to the Schenectady Police Department.

Weapons on Campus

Possession or use of any type of firearm or any other potentially dangerous weapon on College owned/controlled

property is prohibited. Weapons of any kind are dangerous and have no place in a college community. All instruments which can be construed as weapons including, but not limited to, Airsoft guns, BB guns, pellet guns, handguns, rifles, pistols, knives (blade length over 3”), bows and arrows, swords, brass knuckles, night sticks, and handcuffs may not be brought onto College property.

Club & Organization Policy

Any organized student group, club, or organization on campus must be recognized by the Student Forum. Any club receiving funding must be open to all members of the student body. This includes participation in activities, meetings, and all functions of said club. No student group will receive funding if they are exclusive in nature. While groups that are exclusive may be recognized by the Student Forum they will not be eligible for funding as long as they are exclusive or selective in nature. All policies regarding the expenditure of activity fee dollars can be found in the presidents and treasures handbook which is available in the Office of Student Activities.

Hazing Policy

(Updated August 4, 2017)

Hazing is strictly prohibited at Union College by this Hazing Policy, the Rules of Public Order, Athletic Code of Conduct, and Greek Recognition Policy (violations of the College policies and the Rules of Public Order constitute a violation of the Union College Code of Student Conduct) as well as New York State law.

Union College is first and foremost an educational institution. College hazing prevention policies and response procedures for hazing incidents are based on that educational mission. Groups that engage in hazing may also be subject to consequences imposed by sponsoring departments (e.g., Athletic Department, Student Forum). Fraternity and sorority chapters, in addition to or in lieu of College action, may also be subject to national / international organization sanctions.

Hazing Definitions and Policy

Definition

Union College’s definition of hazing includes, but is not limited to, activities that would fall within the New York State Penal Law definition of hazing as set forth below. In accordance with Union College policy, hazing means any action taken or situation created as an explicit or implicit condition for initiation into, admission into, affiliation with, or continued membership in or association with a group, club, organization, fraternity or sorority, or athletic team (hereinafter collectively referred to as “organization” unless otherwise noted) that:

1. could be seen by a reasonable person as endangering the physical health of an individual or causing mental distress to an individual through, for example, humiliating, intimidating, or demeaning treatment
2. destroys or removes public or private property
3. involves the consumption of alcohol or drugs, or the consumption of other substances
4. disrupts College or community activities
5. consists of degrading or humiliating games or activities; or
6. violates any College policies.

Such activities may include, but are not limited to:

- Line ups
- Wearing of apparel in public which is conspicuous and not in good taste
- Forced chores
- Forced, or strongly encouraged drinking
- Keeping individuals awake
- Paddling in any form
- Branding
- Kidnapping

Acceptance of an Activity; “Voluntary” Behavior

The definition of hazing applies regardless of whether the participants or others perceive the behavior as “voluntary.” The implied or expressed consent of any person toward whom an act of hazing is directed is not a defense.

Assertions that the conduct or activity was not part of an official organizational event or was not officially sanctioned or approved by the organization are also not a defense. This definition applies to behavior on or off College property or organization premises.

Retaliation

Retaliating directly or indirectly against a person who has in good faith filed, supported, or participated in an investigation of a complaint of hazing as defined above is prohibited. Retaliation includes but is not limited to ostracizing the person, pressuring the person to drop or not support the complaint or provide false or misleading information, or otherwise engaging in conduct that may reasonably be perceived to adversely affect that person's educational, living, or work environment. Depending on the circumstances, retaliation may also be unlawful, regardless of whether the complaint is ultimately found to have merit.

New York State Definitions and Penalties

According to New York State Penal Law:

120.16 Hazing in the First Degree

A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, he intentionally or recklessly engages in conduct, including, but not limited to, making physical contact with or requiring physical activity of such other person, which creates a substantial risk of physical injury to such other person or a third person and **thereby causes such injury**. Hazing in the first degree is a class A misdemeanor.

120.17 Hazing in the Second Degree

A person is guilty of hazing in the second degree when, in the course of another person's initiation or affiliation with any organization, he intentionally or recklessly engages in conduct, including, but not limited to, making physical contact with or requiring physical activity of such other person, which creates a substantial risk of physical injury to such other person or a third person. Hazing in the second degree is a violation.

The College's definition of hazing includes, but is not limited to, hazing as defined by the Penal Law; accordingly, the College reserves the right to impose discipline for violations of its Hazing Policy even when such violations do not constitute a criminal offense.

Group Accountability

As outlined in the Collective Responsibility of Clubs, Organizations and Groups Collective Statement as set forth in the Code of Student Conduct, clubs organizations and groups have an obligation to uphold the Code of Student Conduct and applicable policies, including the Hazing Policy. Individuals who join together to share common interests, whether in a club, a Greek organization, a theme house, or another group or organization, collectively share a common responsibility. They must ensure that individual members or groups of members uphold the values of their organization. An organization cannot ignore or escape its responsibility for the actions of its members. Moreover, it must be understood that while special interest groups are worthwhile components of the educational experience, Union College will encourage and recognize such groups only so long as the actions of their members are consistent with the College's purposes, expectations, and policies. Both individuals and organizations that engage in hazing can expect to be held accountable for that activity.

Additional sanctions may apply to an organization and/or individual(s) who retaliates against anyone who acts to stop or report hazing activity.

Hazing Education

Hazing is an unproductive and hazardous custom that is incongruous with organizational and community values. It has no place in College life, either on or off campus. No policy can address, in specific fashion, all possible situations which may take place. Students and organizations are expected to conduct themselves and their activities in a spirit of social responsibility and respect for others.

Even when demeaning or embarrassing behaviors do not appear overtly harmful in themselves, as where the participants appear to engage in them willingly, they may constitute hazing if they are part of an organization's initiation or activities involving members and if they are likely to produce mental or physical discomfort, stress, embarrassment, harassment, or ridicule. The determination of whether a particular activity constitutes hazing will depend on the circumstances and context in which that activity is occurring.

Students should ask themselves if they could satisfactorily explain a questionable activity to their parents, the parents of a fellow student, a College official, a police officer, or a judge. If not, then the activity probably constitutes hazing. When in doubt about an activity, students should ask a Dean, coach, or other College employee who works with student organizations, groups or teams. They can provide additional examples of behaviors that might constitute hazing, examples of positive group-building activities, assistance with organizing non-hazing

events to foster teamwork and cohesiveness, and other relevant information and support.

Hazing Reports

Allegations of hazing, including anonymous allegations, may be reported 24 hours a day through the anonymous report form accessible at the Fraternity and Sorority Life, Athletics, Dean of Students, or Campus Safety websites. Union College students and employees are encouraged to notify appropriate College officials of any perceived instance of hazing, as defined by College policy and/or New York State law.

Reports may be made directly to Campus Safety (518-388-6911) or local law enforcement (518-382-5200) or to the Associate Director of Residential Education for Greek Leadership, Athletic Director, coaches, advisors, Deans or other College officials who have responsibilities for student organizations. Reports can also be made electronically and anonymously via our [Anonymous Hazing Report Form](#).

Employees receiving such reports must share them with Campus Safety, which is responsible for determining whether the alleged behavior must be reported to law enforcement authorities.

The Associate Director of Residential Education for Greek Leadership, upon notification of an allegation of hazing involving a fraternity or sorority chapter, will notify the national or international Headquarters of the fraternity or sorority and/or the alumni advisor.

Hazing Outcomes and Accountability

Students and organizations may be subject to criminal prosecution for violation of New York State law prohibiting hazing. In addition, conduct or events that may constitute hazing and that could result in disciplinary sanctions will be referred to the Student Affairs Office for possible adjudication according to the Code of Student Conduct. The Judicial Board is responsible for adjudicating cases involving organizations alleged of Hazing Policy violations.

Organizations found responsible for violations of this Policy should be prepared for organizational sanctions in accordance with our procedures. Depending upon the nature and severity of the violation, sanctions may include, but are not limited to: educational programming, being placed on probation, loss of member recruitment privileges, loss of the privilege to host social events with alcohol, removal from chapter house and/or loss of housing privileges, and/or deactivation.

The full range of possible sanctions for clubs, organizations and groups violating this Policy and the Code of Student Conduct can be found in the section of the Handbook that describes the conduct process. Allegations of hazing will be investigated and if charges against individuals or clubs, organizations or groups are filed the conduct processes described in this handbook will apply.

Civil Penalties

Hazing harms individuals, limits the development of genuine and trusting relationships within an organization, and is a violation of College policy and state law. Additionally, responsible individuals can be sued in civil court for damages that result from the mental and/or physical harm caused by hazing. According to the Fraternal Information and Programming Group, most fraternity and sorority insurance policies exclude damages caused by hazing from coverage.

Positive Member Activities

There are member activities that are positive and educationally valid. There is a wide array of activities in which members of College-affiliated groups, organizations, and teams can engage that positively nurture camaraderie and team building, promote the development of self-esteem, and develop unity, connectedness, and a sense of belonging.

Because it is not always clear to individuals which activities are unacceptable and constitute hazing, student leaders and members of student groups are required to consult with groups' advisors, coaches, or other College officials responsible for any program or activity in advance of the planned event. Activities which detract from the goal of fostering the personal and intellectual development of our students have no place on our campus.

HEALTH SERVICES POLICIES

Health Insurance

Union requires that all students have health and accident insurance. Information regarding the health insurance requirements can be found [here](#).

Immunization

Purpose

- To comply with New York State Public Health Law §2165, which requires all students taking six (6) semester hours or more in a degree granting program to provide proof of immunization to measles, mumps, and rubella;
- To comply with New York State Public Health Law §2167, which requires the distribution of information to students regarding meningitis and all students taking six (6) credits or more in a degree granting program to provide a signed response regarding receipt of such information.
- To comply with New York State Public Health Law §2165, which requires all students taking six (6) semester hours or more in a degree-granting program to provide proof of immunization with the Meningococcal quadrivalent (MCV4) vaccination.

This policy applies to all newly admitted students and transfer students.

Policy Statement

New York State law and/or Union College requires that all newly admitted students and transfers:

- Provide the College with certification from a health care provider or other acceptable evidence that they have received immunization against measles, mumps, and rubella; or evidence of immunity by history of disease or serological evidence.
- Been immunized with the Meningococcal conjugate vaccine, quadrivalent (MCV4). They will have received either 2 doses, the first at age 13-15 with a booster at age 16-18 or a single dose at age 16 or older.
- Complete the health requirements listed [here](#).

Compliance Deadlines

Any student entering the College who has failed to complete the Health Center forms listed on the Health Requirements checklist by August 1 before the fall term, by week five of the fall term for the winter term, and by week five of the winter term for the spring term, will be notified of the necessity to comply with both the immunization laws and the College policy. Those students will be informed of how they can come into compliance with these requirements and, in particular, be advised that measles, mumps, rubella, and meningitis immunization may be administered at the Health Services office.

New students from outside New York State or outside the United States, who can show that they have made a good faith effort to comply with this policy, will have forty-five (45) days from the start of the semester to fulfill the requirements. Any such students who fail to comply with the policy will be de-enrolled from classes and prohibited from entering any campus buildings or facilities, including College residence halls, until compliance has been confirmed.

Exception to Immunization Requirement

The exceptions to Section C requirements concerning immunization may be considered in the following circumstances:

- If a licensed physician, nurse practitioner, or physician's assistant certifies that such immunization is detrimental to the student's health or otherwise medically contraindicated
- If immunization is contrary to the student's genuine and sincere religious beliefs, OR
- If a student is born prior to January 1, 1957; that student does not need to provide proof of immunization to measles, mumps, and rubella because they are considered to have developed immunity.

Procedures

The Health Center provides each new student who has paid a deposit to attend Union College and each returning student who is not in compliance with any aspect of this policy all the information, and instructions necessary to come into compliance. This information can be found on our [website](#). Any questions about this policy or procedures should be addressed to:

Angela Stefanatos MS FNP-BC, PMHNP-BC

Health Center Director

Wicker Wellness Center Union College

(518) 388-7119

(518) 388-6572

stefanaa@union.edu

DISCRIMINATION, HARASSMENT, AND RETALIATION

For the Policy Prohibiting Discrimination, Harassment, Bias and Retaliation in Employment, please consult the title

IX website, or visit this [link](#).

Purpose

Union College is committed to creating and maintaining an educational, working, and living environment free from discrimination, including harassment and retaliation, as described in this Policy. Union College's Policy prohibits any such discrimination and applies to everyone in the campus community.

Scope and Definitions

This policy applies to discrimination, including harassment, based on a student's protected characteristics. This Policy does not cover misconduct committed by third parties (including parties who are not current students, faculty, or staff). Where a respondent is a third party, contact Campus Safety, the Dean of Students Office, the Office of Intercultural Affairs or a Chief Diversity Officer. Please note that this policy does not apply to Title IX violations or Gender-Based Misconduct, including sexual harassment. For any complaints alleging a Title IX violation or Gender-Based Misconduct, including sexual harassment, see the [Title IX Policy and/or Gender-Based Misconduct Policy](#).

Protected Characteristics

Protected characteristics for the purpose of this policy are those personal traits, status, and/or beliefs that are defined by applicable law as protected from discrimination and/or harassment. They include race, creed, color, sex (including pregnancy), gender identity or expression, age, national origin, ancestry, citizenship status, religion, physical or mental disability, genetic predisposition, veteran or military status, marital or domestic partnership status, affectional or sexual orientation, familial status, status as a victim of domestic violence, and/or other characteristics protected by applicable law.

Discrimination

Discrimination is considered the adverse or different treatment of an individual based on a protected characteristic, rather than individual merit, which is sufficiently severe that it interferes with, limits, or denies the ability to participate in, or benefit from, a program or activity. Examples of conduct that can constitute discrimination if based on an individual's protected characteristic include but are not limited to:

- Singling out or targeting an individual for different or less favorable treatment (e.g., more severe discipline, lower salary increases) because of their protected characteristics.
- Failing or refusing to admit an individual to a club, organization or club because of their protected characteristic.
- Terminating an individual from an educational program based on their protected characteristic.

Harassment

Harassment is unwelcome verbal, written, visual, or physical conduct which is directed at a person based on a

protected characteristic when:

- I. an individual's acceptance or rejection of such conduct explicitly or implicitly forms the basis for an employment or educational decision affecting the individual; or
- II. such conduct is sufficiently severe and/or pervasive to have the effect of unreasonably interfering with an individual's educational experience, working conditions, or living conditions by creating an intimidating, hostile, or offensive environment.

Whether conduct is sufficiently severe and/or pervasive is determined by using the objective standard of a reasonable person as well as the subjective standard of the individual at whom the unwelcome conduct is directed. Union College strives for a respectful classroom and living environment at all times and prohibits any harassing conduct.

Examples of conduct that can constitute harassment if based on an individual's protected characteristic include but are not limited to:

- Unwelcome jokes or comments about a legally protected characteristic (e.g., racial or ethnic jokes)
- Disparaging remarks to a person about a legally protected characteristic (e.g., negative or offensive remarks or jokes about a person's religion or religious garments)
- Displaying negative or offensive posters or pictures about a legally protected characteristic
- Electronic communications such as derogatory e-mail, text messaging, websites, and postings on social media.

Any conduct alleged to constitute harassment under this policy shall be evaluated from the perspective of a reasonable person, considering all of the circumstances, including the frequency, nature, severity, intensity, location, context, and duration of the conduct in question as well as the effect of the conduct on the individual or individuals at whom the conduct was directed. Prohibited harassment will be distinguished from behavior which, even though unwelcome, is appropriate to the carrying out of certain instructional, advisory or supervisory responsibilities.

Retaliation

Retaliation is considered any conduct, whether workplace, employment, or education-related, that is directed at a student because he or she opposed a discriminatory practice, made a complaint of discrimination, or participated in an investigation or adjudication proceeding which might deter a reasonable worker or student from making or supporting a charge of discrimination or harassment. Retaliation can take many forms including abuse or violence, threats, and intimidation. Actions in response to a good faith report or response under this policy are considered retaliatory if they have a materially adverse effect on the working, academic, or College-controlled living environment of a student and could dissuade a reasonable student from bringing or supporting a charge of discrimination or harassment. Retaliation is unlawful and will not be tolerated. Any individual or group of individuals including, but not limited to, clubs, organizations, and athletic teams, can engage in retaliation and will be held accountable under this policy.

Complaint Reporting, Investigation, and Resolution Involving Complaints Against Students

All concerns of discrimination, harassment or retaliation by a student should be reported immediately to the Office of Community Standards. Complaints may be verbal or in writing. The College encourages prompt reporting of complaints because late reporting may limit the College's ability to investigate and respond to conduct. However, the College will respond to all reports in accordance with this policy.

The College offers both informal and formal resolution options, which apply to complaints by a student against another student or by an employee against a student. A student with concerns about behavior by an employee should

contact the Office of Title IX and Equal Opportunity.

Allegations of violations of this policy are resolved through the disciplinary procedures that are described in the Code of Student Conduct section of this Handbook, or may be found on the Community Standards website. These procedures may include investigation, informal and formal methods of resolution, and mediation.

Protection from Bad Faith Complaints

It is the responsibility of the College to balance the rights of all parties. Therefore, if the College's investigation reveals that the complaint is malicious or knowingly false, such charges will be dismissed and the person who filed the complaint may be subject to discipline.

EQUAL OPPORTUNITY, HARASSMENT, AND NONDISCRIMINATION

The Title IX Office has complete information regarding all policies related to equal opportunity, harassment and non-discrimination. Those policies can be found [here](#).

Family Education Rights & Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include the following:

1. The right to inspect and review the student's education records.

Students should submit to the Office of the Registrar a written request that identifies the record(s) they wish to inspect. A College official will make arrangements for access and notify the student of the time and place at which the records may be inspected. If the records are not maintained by the Office of the Registrar, that office will advise the student of the correct College official to whom the request should be addressed. Access will be provided within a reasonable time, not to exceed 45 days.

The right to inspect and review education records does not apply to the following:

- a. Financial records of parents.
 - b. Confidential letters and statements of recommendation placed in education records prior to January 1, 1975.
 - c. Confidential letters and statements of recommendations for admission, employment, or honorary recognition placed in education records after January 1, 1975, for which students have waived their right of access.
- 2. The right to provide written consent before the College discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure of personally identifiable information without consent, such as:**
- a. To school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic (including emeritus faculty), research or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted (such as an attorney, auditor, service provider, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his, her or their

tasks. A school official is deemed to have a legitimate educational interest if the official needs to review an education record in order to fulfill his, her or their professional responsibilities for the College.

- b. To officials of another school in which a student seeks or intends to enroll, or where the student is already enrolled, if the disclosure is for purposes related to the student's enrollment or transfer.
- c. To parents or legal guardians of dependent students as that term is defined in the Internal Revenue Code. In general, the College does not make education records available to the parents of a student. However, where the College believes it is in a dependent student's best interest, information from the student's education records may, at the College's discretion, be released to the parents or legal guardians of such a dependent student. Such disclosure generally will be limited to information about a student's official status at the College, but parents or legal guardians of a dependent student may also be notified upon the authorization of the Vice President for Student Affairs and Dean of Students or his, her or their designee in other circumstances, including but limited to the following:
 - i. When a student has voluntarily withdrawn from the College or has been required by the College to withdraw
 - ii. When a student has been placed on academic warning
 - iii. When the student's academic good standing or promotion is at issue
 - iv. When a student engages in alcohol – or drug-related behavior that violates Union policies
 - v. When a student has been placed on disciplinary probation or restriction
 - vi. In exceptional cases when a student otherwise engages in behavior calling into question the appropriateness of the student's continued enrollment in the College.

All students are requested to sign an annual statement at the start of each academic year to confirm their dependency status. Students who are financially independent and do not wish to permit their parents or legal guardians access to their education records should advise the Office of the Registrar in writing.

- d. To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State Educational authorities in connection with an audit or evaluation.
- e. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the financial aid, or enforce the terms and conditions of the aid.
- f. To organizations conducting studies for, or on behalf of, the College, in order to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction; or to accrediting organizations if the information is necessary to carry out accrediting functions.
- g. To comply with a judicial order or lawfully issued subpoena.
- h. To appropriate officials in a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.
- i. To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, the final results of a disciplinary proceeding concerning such offense.
- j. To the general public, the final results of a disciplinary proceeding, if the College determines the student has committed a crime of violence or non-forcible sex offense.
- k. To parents of a student regarding the student's violation of any federal, state, or local law, or of any rule or policy of the College, governing the use or possession of alcohol or a controlled substance if the College determines the student committed a disciplinary violation and the student is under the age of 21 at the time of disclosure.
- l. The disclosure of information concerning sex offenders and other individuals required to register pursuant to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act provided to the College pursuant to the Act.
- m. If the disclosure is limited to directory information. Union College has defined directory information to include the following: name, address (campus, home, email), telephone numbers, date and place of birth,

academic fields of study, dates of attendance, enrollment status, photographs, participation in recognized activities and sports, degrees earned and awards received, weight and height of athletic team members, most previous educational agency or institution attended, or other similar information. The College may publicize or respond to requests for such information at its discretion. However, the use of these records for commercial or political purposes is prohibited unless approved by the Vice President for Academic Affairs. Currently enrolled students may request that directory information be withheld from disclosure by making a request, in writing, to the Dean of Students Office or Office of the Registrar. Once a student has submitted such a request, the student's directory information will not be disclosed (unless disclosure is otherwise permitted by FERPA) until the student provides written instruction to change this status.

3. The right to request amendment of a student education record.

Students have a right to challenge the content of their education records if they consider the information contained therein to be inaccurate, misleading, or in violation of their rights of privacy. A student who wishes to ask the College to amend a record should write to the Office of the Registrar or Dean of Students, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right of a hearing. If the hearing results in a final determination not to amend the record, the student will be permitted to place a statement with the record commenting on the contested information, stating his, her or their disagreement with the decision not to amend the record, or both.

The right to challenge information in education records does not include a right to contest grades or other substantive matters accurately reflected in the records. Thus, this procedure may not be used to change a grade in a record unless the grade assigned was inaccurately recorded, in which case the record will be corrected.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Union College to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-8520

Rev. 09/01/2018

LEAVE POLICY

Taking Some Time Away From Union College

There are times in a college student's journey where they might need some time to step away from their education for many reasons, including to address personal health and well-being, work around family issues, access professional and academic opportunities, and/or take an intentional pause to regroup academically. Union College supports students in such circumstances by providing an opportunity for students to take a leave. A leave can be voluntary,

resulting in a temporary withdrawal or a permanent withdrawal (such as a transfer) from the College. A student may also be required to take an involuntary leave, should a student be unable to meet expectations set forth by the College.

Voluntary Leave

A voluntary leave can be initiated by the student for a variety of reasons including personal reasons, family emergencies, professional/academic opportunities, health reasons (both physical and mental health), and academic reasons. Students must meet with their Class Deans and all approvals will go through the Class Deans office. *Current term requests* can be made by the posted deadline and will be effective the date a student submits their request to their Class Dean. If a student withdraws by the withdrawal deadline (the last day of classes), a grade of W will be assigned for each course the student is enrolled in *except if the student withdrew before the end of the drop period*. The W grade does not factor into a student's GPA and credit is not earned.

Students may also opt to take a planned leave after the completion of a term and indicate that they do not intend to return for the following term(s). *Future term requests* will be effective on the day after the end of the last term attended.

Involuntary Leaves & Other Separations from the College

A student may be placed on an *involuntary leave* when the student demonstrates behavior that:

- harms, or threatens to harm, the health or safety of anyone within the Union College community, including the student; and/or
- causes, or threatens to cause, significant property damage; and/or
- is significantly or consistently disruptive to the educational, residential, and other activities of the Union College community.

There may also be times when a student will be *administratively withdrawn* for administrative reasons, due to lack of registration for the current term or failure to clear the balance on a student account before the posted deadline. *Administrative withdrawals are temporary* and may be initiated by the Bursar or the Registrar's Office and communication will be sent by these offices.

Other processes of separation from the College due to academic or conduct issues are initiated by the Dean of Studies, the Vice President for Student Affairs and Dean of Students, the Office of Community Standards and the Title IX Office, and communication in each instance will be sent by the appropriate office.

For further information regarding involuntary leaves and other separation processes, see the following:

- Involuntary Health Leave
- Academic Dismissal
- Conduct Dismissal

Permanent Withdrawal

While we want every student to enjoy their Union experience, we understand that there may be circumstances in which a student makes the decision not to return to Union College. This includes those who decide to transfer to other institutions. As a result, the student will be permanently withdrawn from the College. The intent to permanently withdraw must be received by posted deadlines, even if the student intends to finish the remainder of the currently enrolled term. Failure to submit a withdrawal request will result in a transcript hold until the process is complete.

A student may also be permanently withdrawn if there has been no communication with the College for a period of two years while on leave.

A student in good standing who has voluntarily permanently withdrawn may contact the Class Deans office to request to return. Students requesting to return after permanently withdrawing may be required to reapply to the College.

POSTING AND SOLICITATION POLICY

Specific policies for posting in the [Reamer Campus Center](#) and in the [Residence Halls](#) define the steps for approval of posters and fliers in those areas. However, there also are expectations that no posting will damage property or violate College policies, regardless of location.

In addition, the following conditions apply to posting anywhere on campus:

- Temporary signage must not interfere with the educational mission or activities of Union College or result in interference with the programs of the College.
- The dean of students or a representative may limit the time, place, and/or manner for distribution of literature and will work to ensure the protection of free speech consistent with College policy.
- All posters, advertisements, announcements and other postings must include a remove by date, in the case of events that date must be no later than 24 hours after the event. Postings without such a date will be removed immediately.
- Postings must not obscure or be adhered to pre-existing postings.
- All event advertisements on campus must include identifying information of the sponsoring organization or individual (i.e. logo, name, etc.). Event advertisements must include date, time, and location of the event.
- All posted items must be removed within 24 hours of their expiration.
- Signs must be attached using materials that will not damage property and must otherwise comply with any building-specific policies (e.g., Reamer Campus Center or Residential Education and Housing posting policies).
- All advertisements must comply with the College Policy Prohibiting Discrimination, Harassment and Retaliation and the Gender Based Misconduct Policy.
- Postings (of any kind) are not permitted on:
 - external building surfaces
 - outdoor furniture or fixtures (e.g., benches, statues, light poles, etc.)
 - wood trim
 - entry and exit doors of buildings
 - painted or acoustical surfaces
 - concrete walkways
 - stair risers

The College also has policies that govern the way individuals on our campus interact with one another that allow for the free exchange of ideas while also defining unacceptable behavior such as bullying and discrimination. Postings on campus are subject to compliance with all such policies.

Postings made in violation of College these requirements or other College policies may be removed without prior notice, and may result in disciplinary proceedings against responsible individuals and/or organizations.

Chalking

Union College strives to create an engaged community that respects the right of individual free speech and thought while valuing individual difference. The exchange of information and ideas is important to Union College as we believe it opens a dialogue for constructive engagement.

The chalking policy has been designed to promote these efforts while also allowing the campus community to advertise events and initiatives. Chalking is permitted only on concrete sidewalks. Chalking on buildings or other locations is not permitted. Only water-soluble sidewalk chalk may be used. Aerosol spray is not permitted. All chalking must be registered with the Office of Student Activities and be in compliance with College policies, including those regarding acts of bias. All chalking on campus will be subject to routinely scheduled removal. It is recommended that you check with the Events Office regarding your location prior to chalking. Chalking may be removed unexpectedly or earlier than planned due to facilities renovations, repairs, or other projects or events.

Painting the “U”

There is a College tradition of painting a statue that stood in a location east of the Achilles Center since 1876, but was removed in 2020 to prevent further damage to a significant cultural artifact. The “U” that replaced the statue continues to be painted by students. The “U” cannot be reserved and students may paint on the surface of the U itself but not surrounding trees, buildings or light poles. Activities are not vetted by the administration. Students should respect their peers by not painting over the U for at least 24 hours after a student or group paints it. Students and student organizations are advised that any messages painted on the U must comply with all Union College policies. Failure to do so may result in disciplinary action. Solicitation on campus is prohibited except under the circumstances defined within this [policy](#).

RULES OF PUBLIC ORDER

Statement of Purpose

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

Application of Rules

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

Prohibited Conduct

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

- Obstruct the free movement of persons and vehicles in any place to which these rules apply;
- Deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures, and meetings or deliberately interferes with the freedom of any persons to express their views, including invited speakers;
- Enter upon and remain in any building or facility, or in any outdoor location, for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others, remain (without authorization) in any building or facility after it is normally closed, or refuse to leave any building or facility, or any outdoor location, after being asked to do so by an authorized administrative officer;
- Violate any rules or regulations relating to conduct as enumerated in the Student Conduct Code contained in the Student Handbook;
- Willfully incite others to commit any of the acts herein prohibited with specific intent to encourage them to do so; or
- Take any action or create, or participate in the creation of, any situation that recklessly or intentionally endangers mental or physical health which involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization.

Penalties

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

- If a trespasser or visitor without specific license or invitation, be subject to ejection.
- If a licensee or invitee, have authorization to remain upon the campus or other property withdrawn and be directed to leave the premises. In the event of a failure or refusal to do so, the licensee or invitee will be subject to ejection.
- If a student, be subject to expulsion or such lesser disciplinary action as the facts of the case may warrant, including suspension, probation, loss of privileges, reprimand, or warning.
- If a faculty member, be subject to dismissal or termination of employment or such lesser disciplinary action as the facts may warrant, including suspension without pay or censure.
- If a staff member, be subject to dismissal or termination of employment or such lesser disciplinary action as the facts may warrant, including suspension without pay or censure.
- If any other member of the College community, be dismissed, suspended, or censured by the President.

Procedures

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

- In the case of a trespasser or visitor, the President or the President's designee shall inform the trespasser or visitor that the violator is not authorized to remain on the campus or other Union College property and direct that person to leave such premises. In the event of a failure or refusal to do so, the President or the President's designee shall cause the violator's ejection from such campus or property under the control of the College.
- In the case of a licensee or invitee, the President of the College or the President's designee shall inform the licensee or invitee that the person's license or invitation is withdrawn and direct that person to leave the campus or other property of Union College. In the event of a failure or refusal to do so, the President or the President's designee shall cause the ejection of the violator from such campus or property under the control of the College.

- In the case of a student, charges for violation of any of these rules shall be presented, heard, and determined in accordance with the procedural guidelines as set forth in the Student Conduct Code.
- In the case of a faculty member, charges for violation of these rules shall be made and heard in accordance with the provisions of the Faculty Manual regarding dismissal and sanction.
- In the case of any staff member in violation of these rules, charges of misconduct in violation of these rules shall be made, heard, and determined in accordance with the Employee Manual.
- In the case of any other member of the College community who shall violate any provision of these rules, charges of misconduct in violation of these rules shall be made, heard, and determined by the President or President's designee.

Enforcement

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

- It is not intended by any provision herein to curtail the right of students, faculty, or staff to be heard upon any matter affecting them in the relations with Union College. In the case of any apparent violation of these rules by such persons who, in the judgment of the President or the President's designee, do not pose any immediate threat of injury to person or property, the President or the President's designee may make a reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein to desist and to resort to permissible methods for the resolution of any issues which may be presented. In doing so, the President or the President's designee shall warn such persons of the consequences of persistence in the prohibited conduct including their ejection from any premises of Union College where their continued presence and conduct is in violation of these rules.
- In any case where violation of these rules does not cease after such warning and in other cases of willful violation of such rules, the President or the President's designee shall cause the ejection of the violator from the campus and/or shall initiate disciplinary action as hereinbefore provided.
- The President or the President's designee may apply to the public authorities for any aid which is deemed necessary to cause the ejection of any violator of these rules.

STUDENT SOCIAL EVENTS WITH ALCOHOL POLICY

(UPDATED AUGUST 20, 2019)

Union College recognizes that a vibrant, diverse social life is an important feature of campus life and encourages students to plan events within a framework that promotes safe, legal, and responsible fun. When alcohol will be available at social events, it is the responsibility of the Event Sponsor and the Responsible Persons to comply with all requirements of New York State Law (as set forth above) and Union College Policy. Event Sponsors are required to schedule a meeting with the Vice President for Student Affairs and Dean of Students (or designee) to review Union College's policies and procedures which the Host Organization will follow. These regulations apply to all College events where alcoholic beverages will be served.

Definitions

- Campus Facilities:
The Campus Facilities include: Old Chapel, the Rathskeller, Dining Halls, Minerva Houses, Greek Houses, Theme Houses, and any other areas approved by the Vice President for Student Affairs and Dean of Students (or designee).

- College Event
 - An event sponsored by a College club, organization or group regardless of whether that event occurs on or off College controlled property.
- Common Source
 - Common source is defined as but not limited to the following examples (whether empty, partially empty or full):
 - Kegs,
 - pony kegs,
 - beer balls
 - punch bowls,
 - commercial dispensers,
 - wine boxes,
 - or the amount of alcohol equivalent to another common source alcohol beverage container.
- Event Sponsor
 - A host organization or individual planning an event with responsibility for adherence to this policy and New York State laws which prohibit dispensing of alcohol to anyone under the age of 21, or to any visibly intoxicated person, during all stages of the event.
- Group Residences
 - Residential spaces designated by the Vice President for Student Affairs and Dean of Students (or designee) where Closed Social Events, meaning those where participation is limited to those on a guest list, are permitted.
- Host Organization
 - A student club or organization recognized by the College or the Student Forum.
- Residential Spaces
 - All College-owned facilities where students reside.
- Responsible Persons
 - Full members of the sponsoring club, organization or group designated by the event sponsor at the time of registration for an event involving alcoholic beverages shall be the “responsible persons.” The responsible persons assume the responsibility for managing the event in accordance with the requirements of this policy, and must remain sober throughout the duration of the event. The names of the responsible persons shall be provided at the time of registration.
- Sale of Alcoholic Beverages
 - The act of dispensing alcohol through direct sale or at a function where alcohol is dispensed and any of the following occur:
 - An admission is charged or tickets are sold
 - Donations are collected
 - Items or services are bartered or traded in exchange for alcoholic beverages or admission to the function; or
 - Food is sold (even if alcohol is free).
- Server
 - A person qualified to serve alcohol at an event because they are at least 21 years of age and have had adequate and approved training in the dispensing of alcoholic beverages.
- Social Event
 - Any function in an area where alcohol is present. Categories of social events include:
- Academic/Social Event
 - An event held at a group residence involving fewer than 40 participants and normally involving faculty and students with explicit approval of the Vice President for Student Affairs and Dean of Students or

their designee, subject to the conditions imposed by the Vice President for Student Affairs and Dean of Students or their designee.

- **Registered Social Event**

A function attended by invitation only that is registered with the Vice President for Student Affairs and Dean of Students (or designee) and takes place at a designated campus facility including designated group residences. The number of attendees at any given time at a registered social event shall not exceed the number permitted by Building and Fire Code limitations established by officials for the designated campus facility.

- **Byob (Bring Your Own Beverage) Event**

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

- **Underage**

Under 21 years of age.

Social Event Requirements

No College event may be conducted unless it meets the applicable requirements for a social event described above and complies in all respects with this policy.

In any activity or event sponsored or endorsed by a club, organization, or other student group, including those that occur on or off College premises:

The organization, members, and guests must comply with all federal, state, provincial, and local laws. No person under the legal drinking age may possess, consume, provide, sell or be provided alcohol beverages.

Organizations, members, and guests must follow applicable state and federal law regarding illegal drugs and controlled substances. No person may possess, consume, provide, distribute, sell, and/or manufacture illegal drugs or other controlled substances while on College premises, or at any activity or event sponsored or endorsed by the organization.

Alcohol beverages must either be:

- provided and sold on a per-drink basis by a licensed and insured third-party vendor (e.g., restaurant, bar, caterer, etc.); or
- brought by individual members and guests through a “bring your own beverage” (BYOB) system.

At registered social events, the presence of alcohol products above 15% alcohol by volume (“ABV”) is prohibited except when served at an event by a licensed and insured third-party vendor.

For BYOB events, attendees 21+ are permitted to bring a max of 4 cans of beer, hard seltzer, or malt beverage or 375 ml of wine

Common sources of alcohol, including bulk quantities, which are not being served by a licensed and insured third-party vendor, are prohibited (i.e., amounts of alcohol greater than what a reasonable person should consume over the duration of an event).

Alcoholic beverages must not be purchased with organizational funds or funds pooled by members or guests (e.g., admission fees, cover fees, collecting funds through digital apps, etc.).

An organization must not co-host or co-sponsor, or in any way participate in, an activity or event with another group or entity that purchases or provides alcohol, illegal drugs, or controlled substances.

An organization must not co-host or co-sponsor an event with a bar, event promoter, or alcohol distributor; however, an organization may rent a bar, restaurant, or other licensed and insured third-party vendor to host an event.

Attendance by non-members at any event hosted by Greek organizations where alcohol is present must be by invitation only, and the organization must utilize a guest list system. Attendance at events with alcohol is limited to a guest-to-member ratio not to exceed 3:1 and must not exceed local fire or building code capacity of the organizational premises or host venue.

Any event or activity related to the new member joining process (e.g., recruitment, intake, rush, etc.) must be substance free.

No alcohol or drugs may be present if the event or activity is related to new member activities, meetings, or initiation into an organization, including but not limited to “bid night,” “Big/Little” activities or events, “family” events or activities, and any ritual or ceremony.

“Recruitment” is defined as any period of time where potential new members are recruited by the organization, and must be alcohol-free. Alcohol may not be present in any form during recruitment events, even if it is not being served to potential new members. This is in effect for the entire recruitment period.

The laws of the State of New York regarding the legal drinking age and the use and distribution of alcohol must also be followed at any event outside of recruitment and/or education activities. The new member education process at Union College is also 100% dry (alcohol free).

Organizations, members, or guests must not permit, encourage, coerce, glorify, or participate in any activities involving the rapid consumption of alcohol, such as drinking games.

ADDITIONAL REQUIREMENTS:

- The responsible person(s) must be present at all times while alcohol is available and/or served and must ensure that no one under the age of 21 possesses or consumes alcohol.
- Everyone attending an event where alcohol is served must carry valid identification that verifies their date of birth. Union College students must also carry College identification.
- Guests must not have direct access to alcohol; servers (see “Server” in Definitions section) must be used.
- All alcoholic beverages must remain indoors. The activities of the event must not disturb the surrounding environment.

- The entrance to the event must be staffed by individuals from the event sponsor or hired staff in proportion to the number of guests and as determined by the Vice President for Student Affairs and Dean of Students (or designee), at the time of registration.
- Intoxicated persons must not be served. Those arriving in an intoxicated condition, even if 21 or older, MUST be denied entrance.
- The volume of all music must be lowered at 2:00 AM and must not be audible to the neighbors and surrounding residents.
- Any band, ensemble, or live musical act shall promptly cease performance at 2:00 AM.
- Responsible Persons should refer to, and must comply with, the “Social Event Policy Compliance Checklist” for further guidance.
- Social events with alcohol can only be scheduled for a Friday or Saturday.
- Social events must be contained to the inside of the event space/house.
- Wristbands must be used to identify those who are over 21; a wristband must not be placed on those who are under 21.
- Food must be available and easily accessible.
- Every social event with alcohol must have, at its start:
 - Five 24-packs of bottled water (16.9 oz)
 - 100 individual chip bags

During the event, the host must always have behind the bar/available to guests:

- Two 24-packs of bottled water (16.9 oz)
- 25 individual chip bags

The host must keep refilling the supply. If the event falls below the required amount of water/chips, the event must be shut down.

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

The event space and surrounding area must be cleaned by those who hosted the event by 7 a.m. Monday following the event, at the latest – If not, the organization or sponsoring individual(s) will be sanctioned.

All registered social events must abide by any and all social event protocols set up by the Vice President for Student Affairs and Dean of Students or their designee, including without limitation those set forth in this Policy.

BYOB Events & Guidelines

A wristband must be used to identify those of legal drinking age. A X on the hand or other hand stamp must be used to identify those of non-legal drinking age.

Service Distribution Center:

- There should be one centralized area for the distribution of all alcoholic beverages.
- Attendees 21+ are permitted to bring a max of 4 cans of beer, hard seltzer, or malt beverage or 375 ml of wine
- Anyone who wishes to acquire an alcoholic beverage that they brought to the event must show their wristband and return an empty can/bottle if this is not their first request.
- Only one alcoholic beverage may be served at a time and leftover alcohol may be picked up the next day.
- Hard liquor is prohibited at BYOB events.

Entrance:

- There must be only one entrance to the event where the guest list and responsible persons will be present.
- Several exits must be available due to fire codes and laws; however, exits cannot be used as entrances.
- Guests must remain in the designated event space and are prohibited from the residential spaces of the building.

Third Party Vendor Requirements

Third party vendors used for purposes of this Policy must:

- Be licensed and permitted to sell and serve alcohol in his/her/their/its state, county, and/or city. The vendor must provide a copy of the liquor license/permit which will be filed with the Student Affairs Office and, in the case of a Registered F&SL Social Event, the Fraternity & Sorority Life Office.
- Have a minimum of \$1,000,000 general liability and host insurance and name “The Trustees of Union College in the Town of Schenectady in the State of New York a/k/a Union College”, its trustees, officers, employees and agents, and, in the case of a registered Greek social event, the chapter, as additional insureds.
- Agree to cash or credit per drink sales only to individuals over the legal drinking age (i.e., cash bar).

Campus Safety And Dean Of Students Office

Responsible persons may call Union College Campus Safety for assistance with any alcohol violations or difficult situations which may arise during an event with alcohol. Campus Safety may check in at approved events to review whether a system for checking the age of student guests is in place, and/or whether other requirements of this policy are being followed. If not, then the event may be shut down and disciplinary charges may be pursued. If Campus Safety and/or the Vice President for Student Affairs and Dean of Students or their designee are notified of a disturbance at an approved event, they or their designee(s) will promptly investigate and may shut down the event, and disciplinary charges may be pursued.

- While Campus Safety and/or the Vice President for Student Affairs and Dean of Students Office will make every effort to work with Responsible Persons to address and remedy alcohol violations or other problems, Campus Safety Officers and/or the Vice President for Student Affairs and Dean of Students or their designee are authorized to close events if serious problems are evident. Absent an imminent risk to health or safety, the decision to close an event will be made in consultation with the Vice President for Student Affairs and Dean of Students or their designee.
- All events must be conducted in a safe and responsible manner that is not disruptive to the surrounding area.
- Should Campus Safety or an official from the Dean of Students Office come across an unregistered event, such event will be closed immediately and disciplinary charges may be pursued.
- Violations of alcohol regulations or other requirements of this policy discovered by Campus Safety will be reported to the Office of the Dean of Students and appropriate disciplinary action will ensue. Host organizations and other event sponsors are responsible and liable for the conduct of their guests at events. They may face

disciplinary action through the College judicial process for alcohol policy violations which occur at events they sponsor and, under certain circumstances, may face criminal or civil proceedings under New York State law.

Sanctions

- Event sponsors will be held accountable for violations of all College alcohol policies which occur at events they sponsor and, under certain circumstances, may face criminal or civil proceedings under New York State law.
- Individuals, organizations and officers of an organization responsible for hosting an unregistered event will likewise be held responsible and liable for all alcohol-related violations committed by their guests and face additional sanctions for failing to register the event or for hosting an unregistered event. College policy holds safety to be the top priority, expecting individuals and organizations to contact Campus Safety over any health concern. The Responsible Person Policy (formerly Good Samaritan) and Medical Amnesty Policy encourage individuals to consider safety before any other concerns about violating College rules.
- All students, organizations and responsible persons must comply with these policies and applicable New York State law. Individuals, organizations and responsible persons found to be in violation of the ‘Social Events with Alcohol’ Policy in a manner that is considered by the Director of Community Standards or their designee to be significant may lose their privilege to register future events or face other sanctions as deemed appropriate. Violations include but are not limited to conduct involving one or more of the following, as applicable to the type of event sponsored and the host organization or other event sponsor:
 - Failure to register the event;
 - Serving or allowing the consumption of hard liquor at the event;
 - Failure to comply with reasonable requests of Campus Safety;
 - Failure to card and/or monitor the serving of alcohol to minors;
 - Permitting more alcohol at the event than permitted.

Alcoholic Beverages on College Property

- Only the Union College Dining Service is authorized to sell alcoholic beverages on College property unless a College-approved third-party vendor is secured by an event sponsor. The sale of alcoholic beverages by any other organization or by individuals, whether directly, or indirectly, through the purchase of a ticket, a cup, a t-shirt, wristband or any other item allowing admission, or otherwise, is prohibited on College property.
- Because a significant majority of Union students are under the legal age at which alcoholic beverages can be obtained, funds collected by the College for student government distribution to student activities and organizations may not be used to purchase alcoholic beverages.
- Alcoholic beverages in “open” containers (cans, bottles, or cups) are not permitted outdoors on the campus at any time, unless prior, written approval is obtained directly from the Vice President for Student Affairs and Dean of Students or designee. If approved, the Event Sponsor must ensure that all those attending the event comply with any specifications as conditions for approving the request to have “open” containers outdoors.
- No students or student groups are to have alcohol delivered by distributors to campus.

Title IX and/or Gender-Based Misconduct Policy

The Union College [*Title IX Policy, Gender-based Misconduct Policy,*](#) and the [*Policy Prohibiting Discrimination, Harassment and Retaliation in Employment*](#) detail the College’s procedures in ensuring that students and employees are protected against unlawful acts of sexual violence, sexual harassment, sexual exploitation, domestic violence, dating violence, stalking, and other forms of gender-based discrimination.

Tuition Policies (refund/deferment)

The Bursar's Office maintains policies related to refunds. Please refer to [Tuition Policies \(refund/deferment\)](#) on the Bursar's website for accurate information regarding refunds.

APPENDICES

Appendix I: Drug Free Schools and Communities Act Report

The most recent Drug Free Schools and Communities Act report can be found [here](#).

Appendix II: Equity in Athletics Disclosure Act Report

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

Appendix III: Environmental Health & Safety: Fire Safety Reporting Information

The Office of Environmental Health & Safety at Union College is responsible for programs related to fire safety. EHS works closely with the Department of Campus Safety in obtaining its data with respect to fire alarms and actual fire conditions reported. Information, including a log of campus incidents involving fire, can be found as part of the [annual security and fire report](#).

Appendix IV: Health Risks of Drug and Alcohol Use

Alcohol

Alcohol consumption causes a number of marked changes in behavior³. Even low doses significantly impair judgment and coordination. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including, sexual assault, vandalism, physical and verbal fights and incidents of drinking and driving. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effect just described. Alcohol combined with other drugs, even over-the-counter and prescribed medication, can cause a variety of effects including, but not limited to, respiratory depression, cardiac arrest, and death.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when

³ Available at CDC website: <https://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm> (last accessed Aug, 13, 2021) combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver.

Drinking too much can harm your health. Excessive alcohol use led to approximately 95,000 deaths and 2.8 million years of potential life lost (YPLL) each year in the United States from 2011 – 2015, shortening the lives of those who died by an average of 29 years. Further, excessive drinking was responsible for 1 in 10 deaths among working-age adults aged 20-64 years. The economic costs of excessive alcohol consumption in 2010 were estimated at \$249 billion, or \$2.05 a drink.

The Dietary Guidelines for Americans defines moderate drinking as up to 1 drink per day for women and up to 2 drinks per day for men. In addition, the guidelines do not recommend that individuals who do not drink alcohol start drinking for any reason.

Excessive alcohol use has immediate effects that increase the risk of many harmful health conditions. Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems including: High blood pressure, heart disease, stroke, liver disease, and digestive problems; Cancer of the breast, mouth, throat, esophagus, liver, and colon; Learning and memory problems, including dementia and poor school performance; Mental health challenges, including depression and anxiety; Social problems, including lost productivity, family problems, and unemployment; Alcohol dependence, or alcoholism. By not drinking too much, you can reduce the risk of these short- and long-term health risks.

Cigarettes and Other Tobacco Products⁴

Tobacco use is the leading cause of preventable disease and disease in the United States. Cigarettes and other forms of tobacco, including cigars, pipe tobacco, and chewing tobacco contain the addictive drug nicotine.

Nicotine is readily absorbed into the bloodstream, stimulating the central nervous system and increasing blood pressure, respiration and heart rate. Nicotine withdrawal symptoms include irritability, attention difficulties, sleep disturbances, increased appetite and powerful cravings.

In addition to nicotine, tobacco smoke contains a mixture of chemicals, such as carbon monoxide, tar, formaldehyde, and cyanide. These chemicals increase the risk of developing various types of cancer, emphysema, and cardiovascular and heart diseases.

⁴ Adapted from Fordham University, along with sections describing health risks of Cocaine, Amphetamines, Hallucinogens, Steroids, and Heroin: available at

https://www.fordham.edu/info/21684/university_regulations/2891/drug-free_campus_guidelines/14

E-cigarettes and vapes are battery operated devices that produce flavored nicotine vapor. Research shows that e-cigarette vapor contains known carcinogens and toxic chemicals; however, the long-term health consequences of e-cigarette or vape use remain unknown.

Cocaine

The health effects associated with cocaine use include elevated body temperature and blood pressure, increased heart rate, nausea, tremors and muscle twitches, and restlessness. Snorting cocaine may severely damage nasal tissue and the septum and cause the loss of sense of smell, nosebleeds, and a frequent runny nose. Long-term health effects of cocaine use include malnourishment due to decreased appetite, paranoia and hallucinations, and movement disorders, such as Parkinson's disease.

Amphetamines

Amphetamines, methamphetamine, or other stimulants can cause increased heart and respiratory rates, elevated blood pressure, and dilated pupils. Larger doses cause rapid or irregular heartbeat, tremors, and physical collapse. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, high fever, heart failure, and death. An individual using amphetamines might begin to lose weight, sweat profusely, and appear restless, anxious, moody, and unable to focus. Extended use may produce psychosis, including hallucinations, delusions, and paranoia.

Hallucinogens

Hallucinogenic drugs alter perception, thoughts, and feelings and can cause hallucinations. Commonly used hallucinogens include LSD, PCP, Peyote, and psilocybin (“shrooms”), salvia, and others. Short-term effects include increased heart rate, intensified feelings and sensory experiences, dry mouth, sleep problems, excessive sweating, panic, paranoia, and psychosis. Long-term effects of some hallucinogens include persistent psychosis and flashbacks.

Steroids (anabolic)

Anabolic steroids are synthetic substances related to male sex hormones. Some athletes abuse anabolic steroids to enhance performance. Abuse of anabolic steroids can lead to serious health problems, some of which are irreversible. Short term side effects include depression, hallucinations, paranoia, severe mood swings and aggressive behavior. Major side effects can also include liver tumors and cancer, jaundice, high blood pressure, kidney tumors, severe acne, and trembling. In males, side effects may include shrinking of the testicles and breast development. In females, side effects may include growth of facial hair, menstrual changes, and deepened voice. In teenagers, growth may be halted prematurely and permanently.

Heroin

Some signs of heroin use are euphoria, excessive drowsiness, constricted pupils, lack of sex drive and appetite and nausea. Because heroin is generally injected, the use of contaminated needles may result in the contraction of many different diseases, including AIDS and hepatitis. Chronic users may develop collapsed veins, infection of the heart lining and valves, abscesses, constipation and gastrointestinal cramping and liver or kidney disease. If chronic use is abruptly stopped, the user may experience severe withdrawal symptoms, including restlessness, muscle and bone pain, insomnia, diarrhea and vomiting, cold flashes and kicking movements. Users also experience severe craving for the drug during withdrawal, which often precipitates continued abuse and/or relapse. Symptoms of overdose include shallow breathing, clammy skin, convulsions, and coma and may result in death.

Marijuana⁵

Marijuana is the most commonly used illegal drug in the United States, and marijuana use may have a wide range of health effects on the body and brain.

About 1 in 10 marijuana users may experience some form of addiction. For people who begin using before the age of

18, that number rises to 1 in 6. People who are addicted to marijuana may also be at a higher risk of other negative consequences of using the drug, such as problems with attention, memory, and learning. Some people who are addicted may need to smoke more and more marijuana to get the same high. It is also important to be aware that the amount of tetrahydrocannabinol (THC) in marijuana (i.e., marijuana potency or strength) has increased over the past few decades. The higher the THC content, the stronger the effects on the brain. In addition, some methods of using marijuana (e.g., dabbing, edibles) may deliver very high levels of THC to the user.

In many cases, marijuana is smoked in the form of hand-rolled cigarettes (joints), in pipes or water pipes (bongs), in bowls, or in blunts—emptied cigars that have been partly or completely refilled with marijuana. Smoked marijuana, in any form, can harm lung tissues and cause scarring and damage to small blood

⁵ Available at CDC website: <https://www.cdc.gov/marijuana/factsheets/teens.htm> (last accessed Aug. 13, 2021); <https://www.cdc.gov/marijuana/health-effects.html> (last accessed Aug. 13, 2021).

vessels. Smoke from marijuana contains many of the same toxins, irritants, and carcinogens as tobacco smoke. Smoking marijuana can also lead to a greater risk of bronchitis, cough, and phlegm production. These symptoms generally improve when marijuana smokers quit.

Marijuana use, especially frequent (daily or near daily) use and use in high doses, can cause disorientation, and sometimes cause unpleasant thoughts or feelings of anxiety and paranoia. Marijuana use is associated with temporary psychosis (not knowing what is real, hallucinations and paranoia) and long-lasting mental health challenges, including schizophrenia (a type of mental illness where people might see or hear things that aren't really there).

Marijuana use has also been linked to depression and anxiety, and suicide among teens. However, it is not known whether this is a causal relationship or simply an association.

MDMA⁶

People who use MDMA usually take it as a capsule or tablet, though some swallow it in liquid form or snort the powder. The popular nickname Molly (slang for “molecular”) often refers to the supposedly “pure” crystalline powder form of MDMA, usually sold in capsules. However, people who purchase powder or capsules sold as Molly often actually get other drugs such as synthetic cathinones (“bath salts”) instead. Some people take MDMA in combination with other drugs such as alcohol or marijuana.

MDMA increases the activity of three brain chemicals:

- Dopamine - produces increased energy/activity and acts in the reward system to reinforce behaviors
- Norepinephrine - increases heart rate and blood pressure, which are particularly risky for people with heart and blood vessel problems
- Serotonin - affects mood, appetite, sleep, and other functions. It also triggers hormones that affect sexual arousal and trust. The release of large amounts of serotonin likely causes the emotional closeness, elevated mood, and empathy felt by those who use MDMA.

Other health effects include:

- Nausea,

- Muscle cramping,
- Involuntary teeth clenching,
- Blurred vision,
- Chills, and
- sweating.

⁶ Available at NIH website: <https://www.drugabuse.gov/publications/drugfacts/mdma-ecstasy>

MDMA's effects last about 3 to 6 hours, although many users take a second dose as the effects of the first dose begin to fade. Over the course of the week following moderate use of the drug, a person may experience irritability, impulsiveness and aggression, depression, sleep problems, anxiety, memory and attention problems, decreased appetite, and decreased interest in and pleasure from sex. It's possible that some of these effects may be due to the combined use of MDMA with other drugs, especially marijuana.

High doses of MDMA can affect the body's ability to regulate temperature. This can lead to a spike in body temperature that can occasionally result in liver, kidney, or heart failure or even death.

Prescription Opioids⁷

Prescription opioids used for pain relief are generally safe when taken for a short time and as prescribed by a doctor, but they can be misused.

Opioids bind to and activate opioid receptors on cells located in many areas of the brain, spinal cord, and other organs in the body, especially those involved in feelings of pain and pleasure. When opioids attach to these receptors, they block pain signals sent from the brain to the body and release large amounts of dopamine throughout the body. This release can strongly reinforce the act of taking the drug, making the user want to repeat the experience.

In the short term, opioids can relieve pain and make people feel relaxed and happy. However, opioids can also have harmful effects, including drowsiness, confusion, nausea, constipation, euphoria, and slowed breathing. Opioid misuse can cause slowed breathing, which can cause hypoxia, a condition that results when too little oxygen reaches the brain. Hypoxia can have short- and long-term psychological and neurological effects, including coma, permanent brain damage, or death. Researchers are also investigating the long-term effects of opioid addiction on the brain, including whether damage can be reversed.

People addicted to an opioid medication who stop using the drug can have severe withdrawal symptoms that begin as early as a few hours after the drug was last taken. These symptoms include muscle and bone pain, sleep problems, diarrhea and vomiting, cold flashes with goosebumps, uncontrollable leg movements, and severe cravings.

⁷ Available at NIH website: <https://www.drugabuse.gov/publications/drugfacts/prescription-opioids>

An opioid overdose occurs when a person uses enough of the drug to produce life-threatening symptoms or death. When people overdose on an opioid medication, their breathing often slows or stops. This can decrease the amount of oxygen that reaches the brain, which can result in coma, permanent brain damage, or death.

If you suspect someone has overdosed, the most important step to take is to call 911 so he or she can receive

immediate medical attention. Once medical personnel arrive, they will administer naloxone. Naloxone is a medicine that can treat an opioid overdose when given right away. It works by rapidly binding to opioid receptors and blocking the effects of opioid drugs. Naloxone is available as an injectable (needle) solution, a hand-held auto-injector (EVZIO®), and a nasal spray (NARCAN® Nasal Spray).

Specific Dangers from Drug-Facilitated Sexual Assault Drugs⁸

There are three specific drugs that are commonly utilized in drug facilitated sexual assault: Rohypnol®, Ketamine, or GHB (Gamma Hydroxybutyric Acid).

Rohypnol®

Rohypnol®, also known as flunitrazepam, is not approved in the United States, although it is available for use as a prescription sleep aid in other countries. It is most commonly found as a tablet which is consumed by dissolving it in a drink or swallowing it. The possible short term health effects include drowsiness, sedation, sleep, amnesia, blackout; decreased anxiety; muscle relaxation, impaired reaction time and motor coordination; impaired mental functioning and judgment; confusion; aggression; excitability; slurred speech; headache; slowed breathing and heart rate. When combined with alcohol the possible health effects include severe sedation, unconsciousness, and slowed heart rate and breathing, which can lead to death. At this point the long-term health effects of Rohypnol® are still unknown. Rohypnol® can take between 36- 72 hours to leave the body.

GHB (Gamma Hydroxybutyric Acid)

GHB is a depressant approved for use in treatment of narcolepsy, and commonly goes by the other names of Goop, liquid ecstasy, and liquid X. It is most commonly found as a colorless liquid or white powder which is

⁸ Available at NIH website:

<https://www.drugabuse.gov/drug-topics/commonly-used-drugs-charts#rohypnol-regflunitrazepam>

<https://www.drugabuse.gov/drug-topics/commonly-used-drugs-charts#ghb>

<https://www.drugabuse.gov/drug-topics/commonly-used-drugs-charts#ketamine>

https://www.dea.gov/sites/default/files/2018-07/DESA_0.PDF

consumed through swallowing, often in combination with alcohol. The possible short term health effects include euphoria, drowsiness, nausea, vomiting, confusion, memory loss, unconsciousness, slowed heart rate and breath, lower body temperature, seizures, coma, and death. In combination with alcohol the possible health effects include nausea, problems with breathing, and greatly increased depressant effects. At this point in time the long-time effects of GHB are unknown. GHB, unlike Rohypnol, leaves the body between 10-12 hours after consumption.

Ketamine

Ketamine is a dissociative drug used as a surgical anesthetic, an anesthetic in veterinary practice, and as a prescription for treatment resistant depression under strict medical supervision. It is most commonly found in liquid or white powder and is consumed through swallowing, smoking, snorting, or injections. The possible short term health effects include problems with attention, learning, and memory; dreamlike states, hallucinations; sedation; confusion; loss of memory; raised blood pressure, unconsciousness; and dangerously slowed breathing. If ketamine is consumed with alcohol there is a risk of adverse effects. The possible health effects associated with long term use include ulcers and pain in the bladder; kidney problems; stomach pain; depression; and poor memory.

If an individual believes they or a friend have consumed Rohypnol®, GHB, or Ketamine they should visit a local healthcare facility that can care for survivors of sexual assault and provide a forensic exam. While receiving care the individual who has ingested the drug can request the hospital to take a urine sample for drug toxicology testing, if the individual cannot immediately go to a hospital they should save their urine in a clean, sealable container as soon as possible, and place it in the refrigerator or freezer for future toxicology testing.

Drug and Alcohol Awareness and Education

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

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

Available Resources, Services, and Referrals

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

College Resources

Counseling Center, Wicker Wellness Center (388-6161)

Dean of Students Office, Reamer Campus Center (388-6061)

Amanda Tommell-Sandy, Health Educator

Union College Counseling Center

Wicker Wellness Center

807 Union Street

Schenectady, NY 12308

Phone: (518) 388-6161

Fax: (518) 388-6147

Email: tommella@union.edu

Local Resources

Alcoholics Anonymous Meetings in Schenectady County

Alcoholism and Substance Abuse Council of Schenectady County, Inc.

302 State Street

Schenectady, NY 12305

(518) 346-4436

Conifer Park (Inpatient Treatment)

79 Glenridge Road

Glenville, NY 12302

(518) 399-6446

Conifer Park (Outpatient Treatment)

600 Franklin Street

Schenectady, NY 12305

(518) 372-7031

St. Peter's Addiction Recovery Center (Outpatient Treatment)

2925 Hamburg Street

Schenectady, NY 12303

(518) 357-2909

Appendix V: Legal Penalties for Alcohol and Drug Violations

The "ABC" Law (The Alcohol Beverage Control Law)

The ABC Law addresses issues pertaining to students under the age of twenty-one who possess or attempt to purchase alcoholic beverages, as well as those who assist them.

Section 65.1 Prohibited Sale

No person shall sell, deliver or give away or cause or permit or procure to be sold, delivered or given away any alcoholic beverage to any person, actually or apparently, under the age of twenty-one years.

If you are working in a store/restaurant that sells alcoholic beverages, the only acceptable identifications are:

- Valid Driver's License or Non-Driver Identification Card issued by a governmental agency
- Valid Passport
- U.S. Military ID

Section 65-a- Procuring Alcoholic Beverages for Persons Under the Age of Twenty-One-Years

It is a criminal offense to misrepresent the age of a person under twenty-one years to induce the sale of any alcoholic beverage.

- Penalty - \$200.00 fine and /or five days in jail

Section 65-b Offense for One Under the Age of Twenty-One Years to Purchase or Attempt to Purchase an Alcoholic Beverage Through Fraudulent Means

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

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

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

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

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

The Penalties of Drinking & Driving

Driving while Ability Impaired (DWAI) Violation

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

Offense	Fine Jail Sentence License Action
1st	Minimum \$300 Maximum \$500 Up to 15 days 90 day suspension *
2nd w/ in 5 years	Minimum \$500 Maximum \$750 Up to 30 days Minimum 6 months revocation *
*1 year revocation of license for persons under 21 years of age	
**1 year revocation of license or until person reaches under the age of 21 years	

Chemical Test

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

Driving While Intoxicated (DWI)

Misdemeanor

Driving While Ability Impaired by Drugs

Misdemeanor

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

Offense	Fine Jail Sentence License Action
1st	Minimum \$500 Maximum \$1,000 Up to 1 year Minimum 6 months revocation

2nd Felony	Minimum \$1,000 Maximum \$5,000	Up to 4 years Minimum 1 year revocation
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Aggravated Driving While Intoxicated Enhanced (.18 and over Blood Alcohol Content)

Offense	Fine	Jail	Sentence	License Action
Misdemeanor	Minimum \$1,000 Maximum \$2,500	Up to 1 year	Up to 18 months	

Ignition Interlock with Probation

Offense	Fine	License Action
1st	\$500	1 year revocation
2nd	\$750	18 month revocation (or until 21 years old)

Zero Tolerance Law

Zero Tolerance Law - A driver who is less than 21 years of age and who drives with a .02 BAC to .07 BAC violates the Zero Tolerance Law. In New York State, the penalties for an alcohol or drug-related violation include the loss of driving privileges, fines, and a possible jail term.

- **First Offense** for driving while intoxicated or driving while abilities impaired is \$500-\$1000 fine, up to one year in jail and a six month revocation of license.

For a full detail of penalties please see the New York State Department of Motor Vehicles [website](#).

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

Mandatory Screening

If you are charged with or convicted of a certain alcohol/related offense, the courts may order alcohol screening and/or alcohol evaluation, prior to sentencing.

Summary of Federal Drug Law¹

The Union College campus is not a sanctuary from the law in matters of illicit drug use. The use of illicit drugs, synthetic drugs and marijuana can adversely affect the academic and personal life of the individual, and has the potential to disrupt the academic and residential community of the College.

Thus, the possession, distribution, or the use of illegal drugs, synthetic drugs and narcotics, including but not limited to amphetamines, marijuana, cocaine, heroin, and LSD, Synthetic drugs and any associated paraphernalia is strictly prohibited. Violations will result in disciplinary action which may include assigning of applicable points, campus/community services, referral to Health Educator, suspension, or expulsion.

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)				
Schedule	Substance & Quantity	Penalty	Substance & Quantity	Penalty
II	Cocaine 500-4,999 grams mixture	First Offense: Not less than five (5) years and not more than forty (40) years. If death or serious bodily injury, not less	Cocaine 5 kilograms or more mixture	First Offense: Not less than ten (10) years and not more than life. If death or serious bodily injury, not less than twenty (20) years or more than life. Fine of not more than \$10 million
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	

¹ Available at: Title 21 Code of Federal Regulations, Part 1308 – Schedules of Controlled Substances

<https://www.deadiversion.usdoj.gov/21cfr/cfr/2108cfr.htm>

Subchapter 1 – Control and Enforcement, Part D. Offenses and Penalties <https://www.deadiversion.usdoj.gov/21cfr/21usc/index.html> Also available at

<https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm>

IV	Fentanyl 40-399 grams mixture	than twenty (20) years or more than life. Fine of not more than \$5 million if an individual,	Fentanyl 400 grams or more mixture	if an individual, \$50 million if not an individual. Second Offense: Not less than twenty (20)
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I	Fentanyl Analogue 10-99 grams mixture	<p>\$25 million if not an individual.</p> <p>Second Offense: Not less than ten (10) years and not more than life. If death or serious bodily injury, life imprisonment Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	Fentanyl Analogue 100 grams or more mixture	<p>years, and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
I	Heroin 100-999 grams		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		<p>LSD 10 grams or more mixture</p> <p>Methamphetamine 50 grams or more pure, or 500 grams or more mixture</p> <p>PCP 100 grams or more pure, or 1 kilogram or more mixture</p>	<p>2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual</p>
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture			
II	PCP 10-99 grams pure or 100-999 grams mixture			

Substance and Quantity Penalty

<p>Any Amount of Other Schedule I & II Substances First Offense: Not more than twenty (20) years. If death or serious bodily injury, not less than 20 years or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p>Any Amount of Any Drug Product Containing Gamma Hydroxybutyric Acid</p> <p>Flunitrazepam (Schedule IV) 1 gram Second Offense: Not more than thirty (30) years. If death</p>

<p>or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>

<p>First Offense: Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.</p> <p>Any Amount of Other Schedule III Drugs</p>

<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p> <p>Any Amount of All Other Schedule IV Drugs (Other than Flunitrazepam)</p>
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<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than</p> <p>Flunitrazepam (Schedule IV) (Other than 1 gram or more)</p>
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an individual.
<p style="text-align: center;">First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p>Any Amount of All Schedule V Drugs</p> <p style="text-align: center;">Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>

Summary of Federal Marijuana Law²

Substance and Schedule	Quantity 1st Offense	2nd Offense
Marijuana (Schedule I)	<p style="text-align: center;">Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p style="text-align: center;">1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants</p>	<p style="text-align: center;">Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>
	<p style="text-align: center;">Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p style="text-align: center;">100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants</p>	<p style="text-align: center;">Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>

	<p>Not more than 20 yrs. If More than 10 kgs hashish; death or serious bodily injury, not less than 20 yrs. or 50 to 99 kg marijuana mixture More than 1 kg of more than life. Fine \$1 hashish oil; 50 to 99 million if an individual, \$5 marijuana plants million if other than an individual.</p>	<p>Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
	<p>Less than 50 kilograms Not more than 5 yrs. Fine not more than \$250,000, \$1 marijuana (but does not include 50 or more million if other than an</p>	<p>Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than</p>

² Available at Title 21 Code of Federal Regulations, Part 1308.11 – Schedules of Controlled Substances: Schedule I
https://www.deadiversion.usdoj.gov/21cfr/cfr/1308/1308_11.htm
Subchapter 1 – Control and Enforcement, Part D. Offenses and Penalties – Section 841. Prohibited acts A
<https://www.deadiversion.usdoj.gov/21cfr/21usc/841.htm>
Also available at <https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm?fr=1308.11>

	<p>marijuana plants regardless individual. of weight) 1 to 49 marijuana plants; 10 kg or less 1 kg or less</p>	<p>individual.</p>
Hashish (Schedule I)		
Hashish Oil (Schedule I)		

Medical Marijuana

Growing and using marijuana remains a crime under federal law, and federal legislation also prohibits any institution of higher education that receives federal funding from allowing the possession and use of marijuana. The College receives monies in federal grants and contracts and in financial aid for students. The College continues to enforce its

current policies regarding controlled substances and any students or employees who violate College policy prohibiting the use or possession of illegal drugs on campus will be subject to disciplinary and criminal action. The College's statutory obligations under federal law, which prohibits the possession and use of marijuana, prevails over New York State law, rules, or regulations that allow the use of medical marijuana under limited circumstances. The College Health Services will not be distributing medical marijuana, nor will representatives be writing prescriptions for it.

Controlled Substances: New York State Law

The present prohibitions of the New York law include but are not limited to the following:

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

Loss of Eligibility for Federal Assistance

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

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

First Offense	1 year
Second Offense	2 years
Third Offense	Indefinite

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

First Offense 2 years
Second Offense Indefinite

Appendix VI: Title IX Statement, Title IX Coordinator and Deputy Coordinators

Title IX Coordinator

Sex Discrimination, Relationship Violence, Harassment, and Assault

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

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” - Legal Citation: Title IX of the Education Amendments of 1972, and its implementing regulation at 34 C.F.R. Part 106 (Title IX)

Sex discrimination includes sexual harassment and sexual assault.

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

Title IX Coordinator

To contact the Title IX Coordinator, please email titleix@union.edu.

Duties and Responsibilities

Monitoring and oversight of overall implementation of Title IX compliance at Union College including coordination of training, education, communications, and administration of grievance procedures for faculty, administrative staff, and hourly staff.

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

Complaints Related to Athletics Against or By Union Students and Employees

If you have a complaint against a Union College student, coach, athletics administrator, or visiting student athlete, coach, or athletics personnel, or visiting spectator for sexual discrimination, harassment, misconduct (including sexual assault), or retaliation, you may contact the Title IX Coordinator.

Gender Equity in Athletics

If you have a complaint about gender equity in Union College athletics programs, please contact the Compliance Coordinator, who is responsible for Title IX Compliance in matters related to gender equity in Union College athletics programs.