

**UNION GRADUATE
COLLEGE**

STUDENT HANDBOOK

LETTER FROM THE PRESIDENT

Dear Students,

Welcome to Union Graduate College!

We are delighted that you are joining our community and applaud your decision to make such an important investment in your career and future. As a new member of the Union Graduate College family, we want to make sure you are getting the most out of your education and that you are aware of the services and opportunities available to you. If you are a returning student, we welcome you back. Take some time to review this Handbook for important information.

As a Union Graduate College student, you join a network of more than 6,000 alumni and hundreds of faculty, staff, employers and others who are committed to the success of the only institution we know of devoted exclusively to Master's level education. You've probably already experienced what makes Union Graduate College so special – time and again students praise our personal touch and say it made the difference in helping them reach their goals. Just last year we moved into a brand-new, state-of-the art campus that our students helped design. At every turn, you will find amenities and smart features created with you in mind.

At many institutions, master's students are sandwiched between undergraduate and doctoral programs – and their needs often go unmet. Not here. We recognize that you are taking this step to further your career – and when it comes time for internships and job placement, you will truly see the advantage of attending Union Graduate College.

But don't wait until the end of your degree program to get involved. From networking events to guest speakers from national experts to local schools and top companies, we work hard to create exciting opportunities for you to learn and build professional connections. And because we focus exclusively on master's level graduate and professional degrees, you have a team of people eager to see you succeed. Be sure to take full advantage of all they have to offer:

Alumni: Our network of more than 6,000 alumni, working at the top levels of their field, are willing to be a mentor or open a door in the field that interests you. Here in the Capital Region, across the country and around the globe, our graduates are the best proof of the value of a Union Graduate College education – and they want to help you!

Faculty: Leading theorists and researchers in their field, as well as practicing professionals “in the trenches” of the region's best organizations, our faculty combine real-world knowledge and insights with rigorous academics to give our students what they need to further their careers.

Staff: You have probably been helped by members of our stellar staff. They truly make the difference. From technology support to student services to specialized career counseling, our hardworking team repeatedly wins praise, awards and official recognition for the personal service and support they provide to students.

Peers: Like you, other students chose Union Graduate College because of the quality of education we offer. Each year, we select a vibrant, talented class who challenge us as well as

each other. Get to know them!

And as your President, you should know I am *personally* ready to help you reach your goals and look forward to getting to know you. Twice a month I host open student meetings and encourage you to attend. I want to hear what is going well – and where you think we can improve your experience. For those of you integrated with our community through online resources, you should feel free to contact me as well.

Again, our warmest welcome. There is hard work ahead, along with wonderful friendships and rich experiences. And all of us at Union Graduate College look forward to graduation day, when we celebrate your accomplishments and the exciting road ahead. On that day I will be welcoming you again – but this time to join the thousands of successful professionals who proudly call themselves Union Graduate College alumni.

Laura Schweitzer, Ph.D.
President
Union Graduate College

The Student Handbook is not intended to be a complete statement of all Union Graduate College policies, procedures and academic regulations. Information contained in this Handbook is subject to change at any time, with or without notice. The Handbook does not represent a contract between Union Graduate College and its students. The information contained herein supersedes that published in previous handbooks.

Provisions of this publication are not to be regarded as a contract between the student and Union Graduate College. Union Graduate College reserves the right to make changes in this catalog, including its course offerings, admission and degree requirements, regulations and procedures, and fees and expenses as deemed necessary by the college.

Union Graduate College is committed to assisting all members of its community in providing for their own safety and security. Information regarding campus security and personal safety, including topics such as crime prevention, campus safety law enforcement authority, crime reporting policies, crime statistics for the most recent three-year period, and disciplinary procedures is available from the Director of Facilities and Campus Safety of Union Graduate College at 80 Nott Terrace, Schenectady, NY 12308. The Advisory Committee on Campus Safety will provide upon request all campus crime statistics as reported to the United States Department of Education.

Information is also available from the Union Graduate College website:

<http://www.uniongraduatecollege.edu/students/safety/>

STATEMENT OF NON-DISCRIMINATION

Union Graduate College does not discriminate on the basis of individual's age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status, or domestic victim status. Union Graduate College's policy of nondiscrimination extends to all areas of its operations, including but not limited to admissions, student aid, athletics, employment, and educational programs. All the rights, privileges, programs, and activities generally accorded to all full-time matriculated students of Union Graduate College are accorded on a nondiscriminatory basis.

Union Graduate College
80 Nott Terrace
Schenectady, New York 12308
Phone: (518)631-9900
Fax: (518)631-9901
Email: info@uniongraduatecollege.edu
www.uniongraduatecollege.edu

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Academic Terms Description:

Term	Typical Dates
YEAR LONG	
SOM Preliminary Courses	July 1 – June 30
SUMMER	
SOM Summer Term 1	Mid June – Late July
SOM Summer Term 2	Late July – Late August
SOECS	Mid June – Late July
SOEduc	Mid June – Early August
BE Summer 6 week	Late June – Early August
BE Pro-Seminar Onsite	Late July for 8 days
LIM H&H Values	Late July – Late August
FALL	
SOM Healthcare Onsite	Early September 3 days onsite <i>(project continues online)</i>
UGC Fall Term	Early September – Late November <i>(Note: Most courses for all schools within this term)</i>
BE F/W Project Term	Early September – Late March

WINTER	
SOEduc Seminar Term	Early December – Late March
Winter Term	Early January – Late March <i>(Note: Most courses for all schools within this term)</i>
BE W/S Project Term	Early January – Late May
SPRING	
SOM Healthcare Onsite	Late March 3 days onsite <i>(Project continues online)</i>
Spring Term	Late March – Mid June <i>(Note: Most courses for all schools within this term)</i>
BE Onsite Term	Mid June – 8 days onsite

ACADEMIC CALENDAR AND COURSE LOAD

Union Graduate College has adopted the trimester system approved by the New York State Department of Education in 1966. It divides the nine-month academic year into three terms of ten weeks each. There are also two summer sessions of five weeks each for the MBA programs, a 2 two-week on-site course for Bioethics and one eight to ten week session for other programs. The School of Education includes an eight-week intensive summer program. The Academic Year starts with the beginning of the summer sessions and concludes with the spring semester. Under this system each course equates to 3 1/3 semester hours. In converting to minutes each class utilizes between 2000 and 2400 minutes of in-class instruction.

Full-time course load requires a minimum of two courses per term, or six courses during fall, winter and spring terms. A typical trimester course load is three courses per term during fall, winter and spring term

INTRODUCTION

Dear Graduate Student,

Welcome to Union Graduate College!

Whether you have just launched your studies at Union Graduate College (“Graduate College”), or have almost concluded your coursework, the Union Graduate College Student Handbook is a valuable resource for you at every stage of your academic career at the Graduate College. We encourage you to familiarize yourself with the student support services, directories, academic and general policies, and resources contained within this Student Handbook. The Student Handbook addresses many of the questions that may arise during your time here, including health and counseling services, local dining options, library hours, walking escorts, Academic Honesty and Student Conduct Codes, among other important information.

Our goal is to provide you with the resources and support to make your educational experience as positive as possible, in a professional, stimulating, and caring academic community. The Graduate College administrators, faculty, and staff welcome the opportunity to serve you, to help resolve any challenges that you may encounter, and to respond to your needs. Please do not hesitate to contact us for any reason.

With my best wishes for a successful year,

Joanne Fitzgerald

Vice President for Enrollment Management

ADMINISTRATION

President

Dr. Laura Schweitzer

Graduate Center | 518-631-9840

schweitzer@uniongraduatecollege.edu

The President reports to the Union Graduate College Board of Trustees. The President is ultimately responsible for the formulation of and adherence to College policies including educational policies, matters involving the faculty, staff and students, physical plant and in general, other related academic and operational processes. The President accomplishes this through direct supervisory responsibility for the academic deans/directors and the vice presidents.

Vice President for Finance and Operations

Joseph McDonald

Graduate Center | 518-631-9869

mcdonalj@uniongraduatecollege.edu

The Vice President for Finance and Operations is responsible for the oversight of the accounting/finance areas of the Graduate College, which include strategic financial planning, long-range planning, budgeting, forecasting, general accounting, financial analysis and software management, as well as the management of the Accounting/Finance Staff. This position also serves as Risk Manager for the Graduate College and is responsible for overseeing its insurance needs. The Vice President works closely with the Graduate College President, Deans, Faculty and other Administrative Staff, including the Board of Trustees, the Graduate College's external accounting firm.

Vice President for Enrollment Management

Joanne Fitzgerald

Graduate Center | 518-631-9842

fitzgerj@uniongraduatecollege.edu

The Vice President of Enrollment Management and Student Services is responsible for all aspects of student recruitment, marketing for all Graduate College programs, and student life, including: working with the deans, faculty and staff to incorporate their input into planning and executing marketing strategy; developing policies and procedures related to student recruitment and admissions that adhere to all regulations and laws of the federal and state governments; developing and conceptualizing all print and electronic recruitment materials; issuing RFPs for consulting services related to this portfolio; evaluating proposals and making recommendations to the President for the purchasing of consulting and design services; working with the Coordinator of Technology to upgrade and, as appropriate, re-conceptualize the Graduate College web-site; negotiate appropriate and cost-effective media contracts for print and electronic media and submitting contracts to the VP of Finance for review and signing; create yearly admission's and recruiting budget and

monitor recruiting-related expenses and function as an integral part of Graduate College's management team.

Affirmative Action Advisor to the President

Jane Fleury

Graduate Center 631-9851

The Affirmative Action Advisor assures that the entire College Community is aware of Affirmative Action-related policies. The Advisor receives complaints of any faculty, staff, student, or administrator who believes that he/she has been a victim of harassment or discrimination. He/she explains Discrimination Complaint Procedures to the complainant and investigates the complaint as appropriate. For a full description of responsibilities and related procedures see Appendix A of this Handbook.

Dean (Interim), School of Education

Dean Lynn Gelzheiser

Graduate Center | 631-9870

gelzheil@uniongraduatecollege.edu

Dean, School of Engineering and Computer Science

Dean Robert Kozik

Graduate Center | 631-9880

kozikr@uniongraduatecollege.edu

Dean, School of Management

Dean Bela Musits

Graduate Center | 631-9890

musitsb@uniongraduatecollege.edu

Director, Center for Bioethics and Clinical Leadership

Sean Phillpot-Jones

Graduate Center | 631-9910

philpots@uniongraduatecollege.edu

General Counsel to the President

Patrick Fitzgerald Esq.

Girvin & Ferlazzo, P.C.

(518) 462-0300

UNION GRADUATE COLLEGE TRUSTEES

Board of Trustees

Chairman: Lawrence Carr, BA, MA, MBA, PhD, Professor, Babson College
Vice Chairman: Robert O'Hara, BA, MS, Pravonia Inc.
Secretary: Laretta Chrys, BA, MBA, Executive Vice President, Citizens Bank

Kenneth Deon, BS, CPA, Partner, KPMG
Jerel Golub, BS, MBA, President and CEO, Golub Corporation
Denise Gonick, BA, JD, President and CEO, MVP
Kevin Higgins, BA, MBA, Managing Director, The Bank of New York Mellon
Thomas E. Hitchcock BA, MBA, Partner, Bay Financial Associates, LLC
John Lavelle, BA, BS, Vice President, Global Projects Operation, GE Energy
Kathryn Matthews, BS, MBA, Sr. VP, Operations and Tax The AYCO Co.
Ed Mitzen, BS, MBA, CEO, FingerPaint Marketing
Michael Newell, BS, CEO, Ener-G-Rotors, Inc.
Walter Robb, BS, MS, PhD, President, Vantage Management
Kathlene Thiel, BA, MBA, President & CEO, Thiel Group, LLC
Peter Schermerhorn, BS, MS, MBA, Beacon Partners
Vincent Verdile, MD, Dean, Albany Medical College
Louise Winstanly, LLB, MSB, Faculty Gillings School of Global Public Health

Administration

Laura Schweitzer, President; BA 1974 University of Miami; PhD 1979 Washington University.

Joanne Fitzgerald, Vice President, Enrollment Management; BS 1979 University of Delaware; MBA 2001 Union Graduate College

Joseph M. McDonald, Vice President, Finance & Operations; BS 1987 State University of New York at Albany; MBA 1997 Union Graduate College

Lynn M. Gelzheiser, BA 1975 Bowdoin College; MA 1980 Columbia Teacher's College; Ed.D 1982 Columbia Teaches College

Robert J. Kozik, Dean of the School Engineering and Computer Science; BSCE 1966 University of Massachusetts; MSCE 1968 Kansas State University

Bela Musits, Dean of the School of Management; BS Mechanical Engineering 1975 RPI; MS Mechanical Engineering 1976 RPI; MBA 1979 RPI

Sean M. Philpott-Jones, Director of the Center for Bioethics and Clinical Leadership; Associate Professor of Bioethics; BA 1992 University of California; BS 1992 University of California; PhD 1996 University of California; MS 2006 Union Graduate College

MISSION AND GOALS OF UNION GRADUATE COLLEGE

The overarching mission of Union Graduate College is three-fold:

- To provide professional master's degree programs that equip promising students with the knowledge and competencies employers want and graduates need to shape successful careers.
- To deliver student-centered programs, taught by committed teacher-scholars, which prepare graduates to think critically, communicate effectively, demonstrate disciplinary excellence, and to be socially and ethically responsible.
- To serve as a model of innovative, professional graduate education, based on strong community partnerships, that offers unique and highly effective programs and that leverage the economic and cultural vibrancy of New York's Capital Region.

While all of the Graduate College's Schools share the guiding mission of the Graduate College, the specific goals of each School are set forth below:

School of Education

The School of Education promotes the art of accomplished teaching and learning. Our graduates know their disciplines and know how to teach their disciplines effectively to a wide range of students. The faculty and students are members of learning communities that promote professional excellence and ethical behavior. Graduates have the ability and skills necessary to lead from the classroom.

Location:	Graduate Center, 3 rd Floor
Telephone:	518-631-9870
Fax:	518-631-9903
Dean:	Lynn Gelzheiser (Interim)
Associate Deans & Clinical Faculty:	Catherine Snyder Bruce Tulloch

School of Engineering and Computer Science

The School of Engineering and Computer Science focuses on advancing fundamentals and applying the practical professional knowledge required by today's rapidly changing industries. Students gain from a flexible multi-disciplinary approach that emphasizes the latest technology and is designed to meet their career goals. Recent programmatic changes have introduced emerging energy technologies and increased the integration of business skills to meet the evolving technology/business industry needs.

Location:	Graduate Center, 2 nd Floor
Telephone:	518-631-9881
Fax:	518-631-9902
Dean:	Robert J. Kozik
Chair, Electrical Engineering:	David Torrey
Chair, Mechanical Engineering:	Martin Pollack

School of Management

The School of Management mission is to graduate MBAs who bring professional and disciplinary excellence to their work immediately and who assume leadership roles as they advance in their careers—who think analytically, are technologically current, communicate effectively, work well in teams, have the ability to work in cultures other than their own, and are committed to ethical action. To enrich the learning process by maintaining close personal interaction between students and faculty. To hire and support faculty who are active researchers and dedicated to creating a collegial, student-focused learning environment. To enter into mutually beneficial partnerships with the business community.

Location:	Graduate Center, 2 nd Floor
Telephone:	518-631-9890
Fax:	518-631-9902
Dean:	Bela Musits
Associate Dean:	Alan Bowman
Chair, MBA Healthcare Management Program:	John Huppertz

Center for Bioethics and Clinical Leadership

The Center's mission is to provide quality master's level education in Bioethics and related disciplines for professionals who are unable to participate in conventional graduate programs because of the demands of work or obstacles of distance.

The MS in Bioethics provides advanced bioethics, clinical ethics and research ethics education for doctors, healthcare administrators, lawyers, nurses, pharmacists, philosophers, researchers, IRB members, and students enrolled in professional and graduate degree programs. The hybrid format of short on-campus sessions and distance learning courses has been specially designed to meet the needs of working healthcare professionals. Students will choose to specialize in Clinical Ethics or Research Ethics. Students who do not have previous clinical/research experience may be required to enroll in an approved residency.

The goal of the Leadership in Medicine – Health Management program is to prepare students for the challenge of medical leadership by combining an enriched undergraduate curriculum with graduate education in bioethics, health management and medicine.

Location:	Graduate Center, 3 rd Floor
Telephone:	518-631-9860
Fax:	518-631-9903
Dean:	Sean Philpott-Jones
Assistant Director:	Ann Nolte

STUDENT LIFE AND SERVICES

In addition to its academic programs, Union Graduate College offers an array of student services that are designed to assist you with accomplishing your academic goals and make your time at the Graduate College as productive, successful, and enjoyable as possible. We hope we have anticipated most of your needs and questions, but please do not hesitate to contact us if we can provide more information about any of the following resources.

ACADEMIC IMPROVEMENT

Union Graduate College's small size presents unique advantages for our students. Perhaps the most important is faculty availability and their desire to see each student succeed. We encourage students who are struggling academically or need additional help with course material to contact their professors. Students shouldn't wait until a crisis to seek help; instead they should take advantage of faculty office hours to enhance understanding of course material as needed. Each professor posts office hours but is also available via e-mail or phone. Please refer to course syllabus of the UGC website for faculty contact information.

ALUMNI OUTREACH

(518) 631-9852

Union Graduate College's Alumni Career Outreach Coordinator serves as a liaison between the college and its growing alumni network. Alumni are encouraged to attend events, serve as mentors, and assist the Golub Career Center by passing along information about job and internship opportunities for current students and fellow alumni. Alumni are also encouraged to keep the Graduate College informed of news and accomplishments, both personal and professional, by contacting alumni@uniongraduatecollege.edu or visiting our alumni web pages at www.uniongraduatecollege.edu. This information is generally published in our newsletter, Vision, as well as the monthly e-newsletter sent from the Golub Career Center.

Union Graduate College alumni from the School of Management, School of Engineering and Computer Science, or Center for Bioethics may return to take two additional courses at a reduced rate of 50% of the current tuition. These courses cannot be used toward another degree or certificate, but would serve as an opportunity for alumni to expand their knowledge base within their field of study.

BOOKSTORE OF UNION COLLEGE

Reamer Campus Center

(518) 388-6188

The Union College Bookstore provides Union Graduate College students the tools needed to achieve academic excellence, including computers and computer peripherals, in addition, of course, to textbooks and school supplies. The Bookstore also carries a large variety of emblematic products, (i.e., apparel, glass-ware, decals, etc.), candy and snacks, health and beauty care products, recorded CD's, film and film developing, general reading books, magazines and magazine subscriptions, online shopping, textbook buyback, and much more.

The staff is always happy to accommodate any special needs required. For more information, visit www.Bookstore.union.edu.

Book requirements for course work can also be found on your student schedule available at your student portal once your registration is complete. If you have any difficulties please contact Student Services for assistance.

CAMPUS SAFETY

Emergencies: 911
Non-Emergency Requests: During Business Hours: (518)631-9910
During extended hours: (518)466-0519

Graduate Center:

The Graduate Center is staffed with Campus Safety Officers during most weekday evenings and partially during the weekends. The purpose is to provide students with a safe environment for studying during extended, non-business hours. Students will have access to the Graduate Center during business hours and extended hours when a Campus Safety Officer is on duty. Students may be required to show a valid Union Graduate College ID. Union Graduate College ID cards are issued from the Student Services Offices at 80 Nott Terrace.

Union College Campus:

Union Graduate College offers many classes on the Union College campus. The Union College Campus Safety Office is located at the Inn at College Park and provides safety services for Union Graduate College while on the Union College campus.

Campus Safety provides a 24-hour, seven-day per week operation. Services include the operation of the control center; vehicular, bike, and foot patrols; preventative patrols and community patrols. The control center monitors fire alarms and receives emergency calls (911) and requests for service (518-388-6911 or 518-388-6178). Among the many services provided are fire safety inspections and upkeep of life-safety systems and equipment; emergency response to persons in need of assistance for injury or other conflict; crime prevention and investigation; conflict resolution; lost and found; student escorts; student access to rooms, and response to problems involving safety and security of students, faculty and staff.

All of the Blue light emergency phones on the Union College Campus provide a direct link to Union College Campus Safety. The courtesy phones in each building can be used to contact Union College Campus Safety by dialing x6911 or x911 in an emergency. Anytime the phone is picked up, a security guard will immediately respond.

The Union College campus business office is open Monday through Friday from 8 am to 4:30 pm for all non-emergency business, including vehicle registrations, lost and found, and parking tickets. Information regarding campus security and personal safety including topics such as crime prevention, campus safety law enforcement authority, crime reporting policies, crime statistics for the most recent three-year period, and disciplinary procedures is available from the Director of Campus Safety at 807 Union Street, Schenectady, N.Y. 12308.

For further information: <http://www.union.edu/PUBLIC/SAFETYU>

Trolley (518) 248-5111

The Union College campus trolley is a source of safe transportation provided and maintained by the Union College Campus Safety Office. The 24-passenger trolley operates on a standard schedule of 6 pm to 2 am Sunday through Thursday and 6 pm to 4 am on Friday and Saturday. The trolley follows a defined route through the surrounding neighborhood streets, making scheduled stops at the Reamer Campus Center and the Graduate Center. A schedule of the trolley route can be found inside the trolley, in the Reamer Center near the newspapers, in Old Chapel, and is distributed to each Residence Hall.

For further information: <http://www.union.edu/campussafety/services.php>

Walking Escort

The Union Graduate College Graduate Center has a Safety Officer on duty and stationed in the entrance atrium during non-business open-hours. Hours are posted on the homepage of the Union Graduate College website. Safety officers are available to escort students to their cars during evening and weekend hours.

The student walking escort service on Union College campus is administered by Union College Campus Safety. Students in the Work Study Program provide escorts for other students on campus. The service is designed and intended for personal safety; primarily for hours of darkness when a student must travel the campus or get to their residence when they are otherwise unaccompanied. The walking escorts are stationed at the information booth in the Reamer Campus Center, Steinmetz Hall, (Room 110, Computer Lab), Library, (inside the main entrance), and at the Campus Safety Satellite Office (at the corner of Seward Pl. and Huron Sts.).

Students that are near any of these areas are encouraged to use the walking escorts. If you are in an area not close to one of these locations you are encouraged to call Campus Safety at 388-6178 and one of the student escorts will be sent to your location to pick you up and walk you to your destination.

Union College Campus Safety | 388-6178

THE LEWIS AND COLLEEN GOLUB CAREER CENTER

(518) 631-9851/9852

Located on the first floor of the Graduate Center, the Golub Career Center is committed to offering personalized assistance to Union Graduate College students. By actively pursuing opportunities to network and build relationships with alumni and employers, we continue to link with successful professionals in the business and educational community. Services include but are not limited to:

- Critiquing student resumes, cover letters and other job search correspondence;
- Assisting with job and internship search strategies;
- Developing professional career action plans;
- Providing feedback on interviewing and networking skills;
- Negotiating assistance with salary and job offers;
- Making alumni connections for internship and career opportunities

Several staff are available to help including an Alumni Career Outreach Coordinator and the Coordinator of Career Services. To schedule an appointment, contact Natalia Kutzer at kutzern@uniongraduatecollege.edu

In addition, the Golub Career Center provides a wide variety of special programs and events throughout the academic year to help prepare graduate students for their job search.

For more information, visit the Union Graduate College website and click “Golub Career Center”, or contact the Coordinator of Career Services, at careers@uniongraduatecollege.edu

COPY CENTER

Union College Reamer Campus Center Room 102
(518) 388-6640

- Hours: 8:30 am - 4:45 pm Monday through Friday

The Copy Center offers state of the art high-speed digital printing and photocopying. Services include full color photocopying, scanning, scan to disk, transparencies, carbonless paper, spiral binding, cutting, and more. The Copy Center also can assist you with the layout of special projects. For information contact the Copy Center at 388-6640.

DINING FACILITIES

Union College Reamer Campus
(518) 388-6050

Dutch Hollow, located on the Union College campus in the Reamer Campus Center, features fast food and much more. Beverages, pizza, ice cream, submarine sandwiches, and “broiled to order” items are readily available before and after evening classes from 7:30 a.m. to 12:00 a.m. Monday through Thursday. Specials are served from 11:30 a.m. to 2:00 p.m., and 5:00 to 7:30 p.m., Monday through Friday. Another popular spot is the Rathskellar, opened by students in the 1950s and located in the basement of Old Chapel. Hours are: Tuesday through Friday 11:00a.m. to 7:30 p.m., Friday, Saturday late night – 9:00p.m. to 1:00 a.m.

HEALTH INSURANCE - STUDENT

Student Services
(518) 631-9831

All full-time students are required to have health insurance. Annually all full-time students are required to go to www.gallagherkoster.com and click on Student Access and select Union Graduate College from the drop down menu. Students will either enroll or waive insurance coverage prior to their first term of study and each year following that (annually). Information may be obtained at www.uniongraduatecollege.edu. Students who have a current health insurance, including Medicaid, should process the waiver request on-line.

If students change their course load from part-time to full-time they are required to file a change of load/status form with the admissions/registrar office. They also will be required to either enroll or waive out of the health insurance once full-time.

HEALTH SERVICES - STUDENT

Local Hospitals

Ellis Hospital: 1101 Nott Street
Schenectady, NY 12308
Emergency Department: (518)-243-4121
Business Office: (518)-243-1500

Ellis Hospital: 600 McClellan Street
McClellan Campus Schenectady, NY 12304
Emergency Department: (518) 382-2222
Business Office: (518) 382-2000

Locations for Immunizations:

Ellis Family Health Center

(Located on the first floor in Cushing Center at Ellis Hospital- 624 McClellan St.)

(Dental, Ob-Gyn, and Primary Care)

Open: M-F 7am-4pm
Phone Number: (518)-382-2260
Immunization charges: MMR and PPD prices vary (**Must be established patient**)
Nurse Navigator: 1-888-633-4661 – if you do not have insurance

Schenectady County Public Health Services

(Corner of Nott Terrace and Eastern Ave)

107 Nott Terrace St. – Suite 204
Schenectady, NY 12308
Open: Tuesday 9-11 and Wednesday/Thursday-9am-noon
must call ahead for immunization appointment
Phone Number: (518)-346-2187
Immunization charges: MMR - \$10
PPD - \$10-administered on Tuesdays and read on Thursdays

Schenectady Free Clinic

(between State and Union Street) (For students who do not have insurance)

600 Franklin St.- Rm 205
Schenectady, NY 12305
Open: Monday and Thursday 1pm-5pm,
first come, first serve (only for students
without health insurance)
Phone Number: (518) 344-7067

Graduate Student Assistance Program:

Please contact The Wellness Corporation at 1-800-326-6142

24 hours a day, 7 days a week

Help with:

- Anxiety/Stress/Depression
- Anger Management
- Drug or Alcohol Abuse
- Abusive Relationships
- Home Life – School – Work Balance
- A classmate with any of these concerns

STUDENT ASSEMBLY CHARTER

Prepared by the Graduate Student Assembly of Union Graduate College

Preamble

This charter establishes the requirements for a Graduate Student Assembly at Union Graduate College of Union University.

Members of the Graduate Student Assembly (hereinafter referred to as the GSA) are elected by the students of Union Graduate College of Union University (hereinafter referred to as UGC) and serve to provide input into non-academic affairs and to increase the sense of community among the student body. We, the GSA, seek to create and maintain an open relationship with the students and with the administration of UGC. We will also strive to actively involve the college's diverse graduate student body in the Assembly's decision-making process.

Article 1: Membership

Graduate students of UGC shall elect a GSA comprised of representatives from each graduate school. The GSA will consist of nine members total: four from the School of Management, two from the School of Education, and two from the School of Engineering and Computer Science. There will be one additional seat reserved for a student from the Center for Bioethics and Clinical Leadership, should they opt to elect a representative.

1.1: Each graduate school may prescribe their own election procedures. However, if a seat is not filled through an election, the Dean or Director of the school may appoint a student to the post, pending no objection from the student body of that particular school. Representatives may be removed from office by obtaining 51% of the signatures from the matriculated students in their particular school. Students have no limit to the number of terms they can serve, provided they are elected each academic year. All elected officials must be matriculated students at UGC.

1.2: Vacant seats in the GSA will remain open until a representative is selected within the graduate school either by election or by appointment. However, the seat will be forfeited if the school cannot select a representative by the end of the Fall term.

1.3: The voting members of the GSA will be elected in the beginning of Fall term. Potential candidates will campaign during the second and third weeks of Fall terms. The election will then be held during the third week.

1.4: A member of the GSA may be removed from office if he/she has more than three unexcused absences from regularly scheduled meetings in any one trimester. Officers are required to inform the president and all GSA members if they will be absent from a scheduled meeting. A member may also be removed from office following a majority vote by the current voting members of the GSA.

1.5: All matriculated students of UGC are considered non-voting members of the GSA and are welcome to attend any and all regularly scheduled meetings.

Article 2: Officers

The officers of the GSA shall be the President, the Vice President, the Treasurer and the Secretary.

2.1: The GSA will hold an organizational and planning meeting during the fifth week of the fall trimester to elect the President, Vice President, Treasurer, and Secretary from among its members.

2.2: The executive board of the GSA will consist of the President, the Vice President, the Treasurer, and the Secretary. Elected officers will hold weekly meetings.

2.3: Each nominee will require a majority vote among GSA elected members to take each of the four aforementioned positions.

2.4: The President will chair all GSA meetings.

2.5: The Vice President will oversee and assist in the smooth operation of the GSA and will chair all meetings in the absence of the President.

2.6: The Treasurer will maintain and update all budgetary agendas and records for both the Student Events Committee and all UGC clubs and organizations. The Treasurer and the Secretary will be responsible for maintaining accurate records for both past and future committees.

2.7: The Secretary will maintain communication within the GSA and the public via letters and news releases. The Secretary will also prepare and distribute meeting minutes and agendas and will maintain files.

2.8: The Faculty Advisor is a liaison between the UGC administration and the GSA. The Faculty Advisor is appointed by the school administration and will serve for the duration of the academic year. The GSA can terminate the current Faculty Advisor and select a new Advisor per the procedures established in this charter.

2.9: Other officer positions will be created on an as needed basis when they are deemed appropriate and necessary to maintain the normal operations of the GSA. These positions will be established, subject to a majority vote of elected members.

Article 3: Authority and Responsibilities

The President of UGC grants the GSA the ability to enact the following procedures:

3.1: The GSA will ensure that students serve on each of the following:

- The Graduation Committee
- The Academic Committee
- The Computer Committee
- The Student Activities Committee

3.2: The GSA will analyze policies and procedures affecting the students at UGC. The GSA will then make suggestions for amendments to policies and procedures they deem inadequate.

3.3: All clubs, and the Student Activities Committee, will report directly to the GSA. The GSA will make all decisions regarding budgets for each of its subsidiary clubs and organizations.

3.4: The faculty advisor will be made aware of all decisions made by the GSA. The nonvoting faculty advisor

and voting members of the GSA will work together at regularly scheduled meetings to implement policies and procedures pertaining to the GSA and to the students of UGC.

3.5: The GSA will have authority over all internal operations. Any changes to internal operations must be made according to the established charter.

3.6: The GSA has the authority to establish standing committees, pending a majority vote. Standing committees are committees created by the GSA to address current issues. All standing committees will dissolve at the end of the academic year. Examples of standing committees include, but are not limited to, Executive Committee, Elections Committee, Finance Committee, Public Relations Committee, Social Committee and Student Action Committee. All standing committees must elect a chair and will report their activities directly to the GSA at large. No standing committee is allowed to raise funds for its own use. Any matriculated member of UGC is eligible to serve on a standing committee. However, a GSA elected member must serve as chair of the standing committees within the GSA.

3.7: The GSA will establish ad hoc committees to benefit its performance and efficacy as needed. The ad hoc committees must follow the rules, stated above, for standing committees. Additionally, no ad hoc committee shall exist for longer than one academic year.

3.8: The GSA will form an Elections Committee by the close of the academic year. The Elections Committee will establish procedures for electing GSA members during the next academic year. The Elections Committee will consist of the Faculty Advisor and any carryover GSA members from the previous year. If there are no carry-over members, the Faculty Advisor will initiate election procedures in the fall.

Article 4: Procedures

The procedures of the GSA shall be as follows:

4.1: The term of office for GSA members will be from the first Monday after elections until the last day of spring term.

4.2: Meetings will be scheduled throughout the academic year. The GSA will adopt a schedule of meetings at the first meeting of the academic year.

4.3: Regularly scheduled meetings are open to all constituents and to the public.

4.4: Meetings may be closed for special executive sessions when deemed necessary. A closed meeting may be called at a different time than the general meeting.

4.5: The GSA can establish bylaws and procedural rules that are necessary for the efficient operation of the GSA. The adoption of such rules will be subject to a majority vote of the seated members (refer to Article 5, Charter Amendment).

Article 5: Charter Amendment

The GSA charter can be amended in one of the following ways:

5.1: An amendment to the charter may be presented to the GSA for consideration if the proposed amendment has the signatures of fifty UGC students. The GSA will discuss and vote on the proposed amendment within two regularly scheduled meetings. The proposed amendment will become effective immediately after it is voted and approved by GSA members and ratification by the Graduate College Board of Trustees.

5.2: Any member of the GSA may present an amendment to the GSA for consideration. The GSA will discuss and vote on the proposed amendment within two regularly scheduled meetings.

5.3: Any charter amendment must be presented in writing to all of the GSA members at least one regularly scheduled meeting prior to the meeting where the amendment will be considered.

STUDENT CHARACTERISTICS

Below are characteristics of the previous year's active student body:

Gender: Male 51%
 Female 49%

% of Internationals: 10%
% of Minority: 12%
Average Age of FT Student: 25
Average Age of PT Student: 31

ACADEMIC SERVICES

ACADEMIC ADVISEMENT

Questions regarding admission to graduate programs should be directed to Student Services. Faculty members are available by appointment and during posted office hours each term. All students must consult with their academic advisor before enrolling in courses. Your offer of admission letter will assign you an academic advisor. A list of advisors can be found in the Program/Advisor section of the catalog.

COMPUTING:

Graduate Center Laboratory

The Graduate Student Computer Laboratory is located on the lower level of the Graduate Center. It includes 14 Windows workstations. Student technicians staff the lab a few hours per week. Laser printers are provided for student use. Applications on the lab's machines include:

- Analysis applications: JMP IN statistical software and SPSS
- Course-specific applications: Mat LAB
- Databases: Access
- Presentation packages: PowerPoint, Visio
- Spreadsheets: Excel
- Word processing: Word
- Audio and Video capture and editing software
- Internet: Internet Explorer, Windows FTP for Windows, Telnet for Windows

The Graduate Center is also completely accessible via wireless connection.

Network Infrastructure:

Union Graduate College's main network connects all computers and phones located in the Graduate Center. Union Graduate College has also established a wireless network in the Graduate Center throughout the building.

Lap-top Loaner Program

A laptop loaner program allows students to utilize a windows laptop anywhere within the building. Up to seven laptops are available to students or faculty and includes the same software as workstations in the computer center.

On-line Learning:

Union Graduate College strongly believes in the integration of on-line learning technology with traditional learning modalities. A number of our traditional classroom courses use on-line technology to supplement the classroom environment. Our MS in Bioethics is our first online degree program, and contains short on-campus components.

Union Graduate College uses Joule the Moodlerooms Learning System, a Web-based server software platform that offers industry-leading course management, an open architecture for customization and interoperability, and a scalable design that allows for integration with student information systems and authentication protocols.

LIBRARIES:

Schaffer Library

Hours: 8 am - 2 am, Monday – Thursday
8 am - 10 pm, Friday
10 am - 10 pm, Saturday
10 am - 2 pm, Sunday

(Special hours posted for examination and vacation periods.)

Services

Students must come to the library's Circulation Department at least one time to register using their UGC picture identification card. Students issued a replacement identification card should also check with the Circulation Department. Please call 388-6280 with any questions about registering with the library.

UGC students in good standing with the library may borrow circulating library materials and obtain research materials through interlibrary loan at no charge. UGC students are subject to all library rules, regulations and fine schedules.

Access to library bibliographic and full text databases and electronic journals is available from library computers located on the first floor of the library and in campus computer labs. When you initially started at UGC you should have had an opportunity to complete an application form for this service and been contacted with user and password information – if you need verification of this please contact Student Services at (518) 631-9910.

Individual instruction on using library resources as well as assistance in using the Interlibrary Loan system is available at Schaffer Library Reference Desk most hours the library is open. Please call 388-6281 with any questions about using library resources. Please call 388-6612 with any questions about Interlibrary Loan.

Hours and general information about Schaffer Library and library services are posted on the Library Web: <http://www.union.edu/PUBLIC/LIBRARY/>. The librarian liaison to UGC is Mary Cahill. Students with any questions or concerns about library services may contact Ms. Cahill by phone (388-6612) or email (cahillm@uniongraduatecollege.edu).

School of Education Library

The School of Education's Curriculum Library (located in the basement of The Graduate Center) is a non-circulating collection of books, magazines, articles, textbooks, and other professional materials that have been purchased and/or donated to the School of Education. The School has accumulated substantial holdings on current and historical topics central to teachers, schools, and teaching in each of the disciplines. National Board Certification Support Groups use the library as an educator's professional library.

ON-LINE COURSE-STUDENT VERIFICATION

Student Verification Process: Prior to acceptance, students are admitted on the basis of official transcripts and letters of recommendations, sometimes supplemented by phone or on-site interviews. Students register for their initial course or courses on site at Union Graduate College (UGC), where they receive a UGC photo identification card, a unique identification number, and secure passwords to log into the UGC portal and UGC on-line courses.

In Bioethics, on-line examinations require passwords for access and are time limited. Exams are secure in the sense that they cannot be printed or minimized (to go to another screen) without the test freezing and becoming invalid. Instructors receive notification of attempts to tamper with on-line examinations. Projects are mentored either on-site or through frequent e-mail exchanges and phone calls. Final programmatic practica for skills certification are conducted on-site, as is the capstone course at which students present projects and are examined in proctored setting for core skills and knowledge prior to being awarded a degree

The School of Management has an additional control that on-line courses have at least one in-person session.

STUDENT SERVICES

Admissions and Registrar

Graduate Center | 518-631-9831

Director: Rhonda Sheehan

sheehanr@uniongraduatecollege.edu

Business Hours during Fall/Winter/Spring terms:

Mon-Thur 8:00 am – 6:30 pm

Fri 8:00 am – 4:30 pm

Business Hours during breaks and Summer:

Mon-Fri 8:00 am – 4:30 pm

Student Services handles all matters dealing with admissions, registration, class schedules, grades, academic records, graduation, international student services, disability accommodations/academic adjustments, commencement, veterans affairs, and certification of attendance or eligibility in such areas as veterans' benefits, government loan deferment, insurance, and other policy issues.

Financial Aid Office

Graduate Center | 631-9860

Director: Nikki Gallucci

galluccn@uniongraduatecollege.edu

The Office of Financial Aid of Union Graduate College is located on the first floor of the Graduate Center in Student Services. It is responsible for financial aid services to the students of Union Graduate College.

Questions concerning eligibility for state and federal programs should be directed to the Director at (518) 631-

9836. Students may qualify for one or more of the programs listed below. Student Services has a Financial Assistant who will process loan disbursements.

Classrooms

Union Graduate College utilizes both Graduate Center classrooms and Union College classrooms.

Classroom Abbreviations:

BAIL	Bailey Hall (Union Campus)
GCTR	Graduate Center (80 Nott Terrace)
HUMN	Humanities Building (Union Campus)
NWSE	NW Wing of Sci & Engrg (Union Campus)
OLIN	Olin Building (Union Campus)
SSCI	Social Sciences Building (Union Campus)
STZH	Steinmetz Hall (Union Campus)
SWSE	SW Wing of Sci & Engrg (Union Campus)

TRANSCRIPTS

Official transcripts from Union Graduate College must be requested in writing with a signature. Except in extenuating circumstances they cannot be sent to students, but will be mailed to other educational institutions, certification boards, employers and prospective employers. This insures the privacy of the student's academic records. Unofficial transcripts, without the college seal, are available for the student's personal records and are available on the student portal for students who were active as of 2005 or later. A financial hold on a student account will prevent the release of transcripts. There are no fees for transcripts, but if there is a special service required to deliver the transcript the cost is the students/alumnae's responsibility. A transcript request form can be found on the college website (www.uniongraduatecollege.edu). For questions please call 518-631-9834.

ACADEMIC AND FINANCIAL AID POLICIES

ACADEMIC REQUIREMENTS

Students may matriculate as either part-time or full-time students depending on their program (see the Admissions Information section of this catalog). Students are considered full-time if they are enrolled in two or more courses per term (fall, winter, and spring). Students must finish their degree requirements within six years of matriculating at Union Graduate College. A grade point average (GPA) of 3.0 is required to maintain good standing and to graduate. See each program below for limit of < 3.0 grades in coursework.

ACADEMIC STANDING

Good Academic Standing

Union Graduate College regards a student as “in good standing” academically if he or she satisfies two conditions: (1) satisfactory progress toward the degree and (2) maintenance of a minimum GPA of 3.0.

Satisfactory Progress for Full-Time Students

Satisfactory progress means a sufficient accumulation of course credits toward a degree. In order to achieve the minimum satisfactory academic progress, students must complete six (6) courses per academic year. Students failing to achieve these academic year standards may be placed on academic warning and forfeit their access to Federal Student Aid Funds until minimum standards are met. These minimum standards are in addition to the minimum GPA standards described below. The New York Tuition Assistance Program (TAP) has stricter requirements.

Satisfactory Progress for Part-Time Students

Satisfactory progress means a sufficient accumulation of course credits toward the degree. In order to achieve the minimum satisfactory academic progress, students must complete their degree within six (6) years of matriculation. These minimum standards are in addition to the minimum GPA standards described below. The New York Tuition Assistance Program (TAP) has stricter requirements.

Minimum GPA Standards

A cumulative GPA of at least 3.0 is necessary for graduation. Students with a cumulative or term GPA below 3.0 will be sent an academic warning letter. The student must raise his/her grade average to “B” to petition for graduation. Failure to do so will lead to placement on academic probation and possible termination of graduate status.

While students are studying at the Graduate College towards their degree, a grade of “F” in one course or a grade of “C” or “C+” in two (2) graduate level School of Engineering/Computer Science, Bioethics/Clinical Leadership or School of Education courses or three (3) School of Management MBA program courses may indicate that the student is not of graduate caliber and will be dismissed from their program. For students in a School of Management Certificate program, two grades of C or C+ (or one grade of F) or Students in a Bioethics or Education Certificate program with one grade of C, C+ or F will result in dismissal from the program. Matriculated students may petition for

readmission, in writing to the Dean/Director of their program. The Dean/Director will refer the request to the Academic Committee. Please note that a grade of B- is considered substandard performance for a graduate level course.

A student placed on academic warning due to the non-attainment of minimum cumulative GPA standards but permitted to remain at the College, as an enrolled student shall be considered in “good standing” where questions of eligibility for Federal Student Aid Funds are concerned.

The Dean/Directors may review the status of any student in their program whose cumulative GPA or other considerations suggest questions of satisfactory progress toward graduation. If, after such a review, the student’s record is deemed unacceptable by the Dean/Director, they may adopt one of the following actions with the approval of the Academic Committee:

Academic Warning: The student may remain in the program, but unless the record improves, the student will be subject to subsequent action.

Suspension: When, in the judgment of the Dean/Director, a student’s record makes it inadvisable to continue in the program, he or she may be suspended, normally for not less than two terms.

Dismissal: In certain cases, the Dean/Director may dismiss a student.

The Dean/Director needs to notify the Registrar in writing of these decisions including the reasons for the decision within three (3) business days of the decision. The Registrar will then notify the student in writing by certified mail within three (3) business days of receiving the decision to the student’s mailing address.

Appeals of decisions of the Dean/Director should be directed to the Academic Committee in writing within two (2) weeks of receiving the decision. The decision of the Academic Committee will be given in writing to the student in person or by mail to the student’s mailing address no later than five (5) business days after the decision is rendered. The decision of the Academic Committee is final.

FERPA

Notification of Rights under FERPA

The Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act of 1974 (FERPA) affords students certain rights with respect to their education records. They are:

(1) The right to inspect and review your student education records within 45 days of the day Union Graduate College (“Graduate College”) receives a request for access. Students should submit to the Registrar written requests that identify the record(s) they wish to inspect. The Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. The Graduate College will respond to reasonable requests for explanations and interpretations of the records.

(2) The right to request an amendment of your student education records that you believe are inaccurate, misleading, or otherwise in violation of your privacy rights. FERPA, however, only allows students to challenge and correct "ministerial errors" in their records, not to bring substantive claims regarding the reasons

for a particular notation having been made. Students may ask the Graduate College to amend a record that they believe is inaccurate or identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the Graduate College decides not to amend the record as requested by the student, the Graduate College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in your student education records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to Graduate College officials with legitimate educational interests in the information. A Graduate College official is: a person employed by the Graduate College in an administrative, supervisory, academic, research, or support staff position, or a person or company with whom the Graduate College has contracted (such as an attorney, auditor, security personnel or collection agent); representatives from the Union Graduate College's accrediting bodies; a person serving on the Board of Trustees of the Graduate College; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another Graduate College official in performing his or her tasks. A Graduate College official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional or job responsibilities.

(4) The right to refuse to permit the designation of any or all of the following categories of personally identifiable information, hereafter "directory information," which is not subject to the above restrictions on disclosure and may be disclosed by the Graduate College at its discretion:

- Name and campus e-mail address
- City, town or village and state or country of residence
- Class, anticipated date of graduation, major field of study, including the college, division, department, or program in which the student is enrolled
- Participation in officially recognized activities and sports
- The most recent educational institution attended and previous educational institutions attended and dates of graduation therefrom
- Honors and awards received, including selection to a Dean's list or honorary organization
- Photographic, video or electronic images of students taken and maintained by the Graduate College
- Marital status and spouse's name

Any student wishing to exercise this right must inform the Graduate College Registrar in writing, by completing a form available in the Registrar's office, within two weeks of the date they receive this notice of the categories of personally identifiable information which are not to be designated as directory information with respect to that student.

(5) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Graduate College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
US Department of Education
400 Maryland Avenue, SW

Washington, DC 20202-5920
Phone: (202) 260-3887

FINANCIAL AID POLICIES

Financial Aid Applications

A Free Application for Federal Student Aid (FAFSA) is required for students applying for financial aid (see www.FAFSA.ed.gov). Applicants should contact the Financial Aid office at Union Graduate College at (518-631-9836). Specific program scholarships are listed in this catalog in the Financial Aid Section. Work study is also available to graduate students – applications are available in the financial aid office.

Types of Financial Aid:

Federal Direct Subsidized Loans

This is a need-based loan available to matriculated graduate students who are United States citizens or permanent residents who demonstrate financial need. Students may borrow up to \$8,500 per year, if they qualify. The maximum aggregate Federal subsidized and unsubsidized loan limit is \$138,000, including undergraduate loans.

Loans carry a fixed interest rate of 6.8%, which is deferred until six months after completion of studies or a drop in enrollment below half time. Students have up to ten years to repay. Eligibility is determined by completing a Free Application for Federal Student Aid (FAFSA – www.fafsa.ed.gov), graduate financial aid supplement form, and submitting federal tax returns and other supporting documentation to the Financial Aid Office of Union Graduate College. Allow twelve weeks from start of the application process to receipt of the loan disbursement.

Federal Direct Unsubsidized Loans

This loan is non-need based and available to qualifying matriculated graduate students are eligible. The maximum Federal subsidized and unsubsidized loan limit is \$138,000 including undergraduate loans.

Note: If the loan originally covers a term in which you do not enroll at least half time, the disbursement will not be accepted and will be cancelled by the financial aid office after verifying the student is not enrolled. Students who withdraw from Union Graduate College must visit the Financial Aid Office for exit information regarding their loan. Before graduation, this information session is required.

Federal GradPlus Loans

A federal loan which, historically, was only available to parents is now expanded to include graduate students. It is based on a credit check and is fixed at 7.9%. Please contact the Financial Aid office for more information.

Supplemental Loan Programs

Available to students attending Union Graduate College on a full or part-time basis. Loan approval is based on a review of credit worthiness and ability to repay. Loans are funded through private lenders and financial institutions. Please contact the Financial Aid office for more information.

Refund Disbursements:

Once refunds have been posted to the student account and applied to tuition, any remaining funds left will be disbursed in a check to the student. Please allow 1-2 weeks after the end of the add/drop period.

Federal Work Study:

Students who are interested should secure a form from the Financial Aid office and submit to the financial aid office as early as possible. Student(s) must demonstrate financial need per federal regulations in order to qualify for federal work study. All positions are filled on a first come, first served basis with the neediest students considered first. Students will typically work 10 hours/week for the terms they are approved for.

POLICIES AFFECTING FINANCIAL AID ELIGIBILITY

Return of Title IV Aid

Under the Higher Education Amendments of 1998, Federal student aid must be calculated for the students who withdraw from or stop attending all of their courses before completing at least 60% of the term. This calculation is required under the Return of Title IV Aid regulation. Class attendance is monitored throughout the term.

Official Withdrawals

If a student officially withdraws from all of his/her courses before completing at least 60% of the term, his/her financial aid will be recalculated based on the student's withdraw date. The student's recalculated aid will be based on the percentage of time he/she completed in the term. The percentage of financial aid eligibility will be directly related to the percentage of the term completed. For example, if a student completed 10% of the term, he/she will be eligible for 10% of his/her financial aid. If he/she completes 30% of the term, he/she will be eligible for 30% of his/her financial aid.

Unofficial Withdrawals

If a student does not formally withdraw from all of his/her courses but stops attending courses before completing 60% of the term, the student is considered unofficially withdrawn from the college and his/her financial aid will be recalculated under Return of Title IV Aid regulations. In the case of an unofficial withdrawal, the effective date of withdrawal will be the last date of attendance recorded.

Tuition Liability

If a student officially or unofficially withdraws after the end of the college's refund period, the student is liable for all of his/her tuition and fees, even if the student's financial aid is decreased. If the student's financial aid previously covered his/her bill, but no longer covers it after the Return of Title IV Aid calculation, the student will be expected to pay his/her outstanding tuition and fees. Further, if the student receives a disbursement of financial aid, and the Return of Title IV Aid calculation shows the student was not entitled to the funds, the student will be billed for the funds, and the overpayment information will be forwarded to the U.S. Department of Education.

It will be the student's responsibility to repay the funds before he/she is eligible to receive any further federal student aid, even if the student attends another college. This overpayment will appear on the student aid report until the overpayment is repaid.

GRADE APPEAL

The Academic Committee will grant a grade change appeal by a student only under extraordinary circumstances, namely when it can be demonstrated that the grade was inequitably awarded. The grade change appeal process is as follows:

1. A student wishing to appeal a grade in a course should do so no later than the end of the second week of the subsequent term.
2. The student should first confer with the faculty member who assigned the grade (if this faculty member is not available then the student should meet directly with the Dean of that program). The student should inform the instructor of concerns and seek to fully understand the grounds and procedures the instructor has used in determining the grade. The aim of this conference is to attempt to reach a mutual understanding about the grade and the process by which it was assigned.
3. If upon meeting with the faculty member as outlined above, the matter is not resolved within two (2) weeks, the student may make a formal written complaint to the Dean/Director of the School in which the class is offered. The Dean/Director shall review the complaint, consult with the faculty member and student, and render a decision within one week. If upon review, the Dean/Director finds sufficient grounds of an inequitable award of the grade to warrant a grade change, he may do so in consultation with the Academic Committee. (See the Student Handbook for more information on the Academic Committee.)
4. If the issue is not yet resolved within a second two (2)-week period, or if the student wishes to appeal the decision of the Dean/Director, the student may submit a written appeal to the Academic Committee. The Academic Committee will consider the student's letter of appeal, and any other relevant materials provided by the Dean/Director, and make a determination regarding the appeal. The Academic Committee may, in its discretion, meet with the involved parties. In no case will the Academic Committee substitute its judgment on the merits of a student's work for the bona fide judgment of a faculty member. The decision of the Academic Committee is final. Note: If the student believes he or she has been the victim of harassment or discrimination, the Affirmative Action Policy found in Appendix A of this Student Handbook describes the process by which to file a formal complaint against any member of the Graduate College community.

GRADUATION REQUIREMENTS

To qualify for a degree a student must:

1. Complete satisfactorily the requirements in the degree program, including the major field examination and/or thesis, or internship as applicable;
2. Attain a minimum cumulative GPA of 3.0 overall.

In addition, a student also must have paid all sums due Student Services, must have made satisfactory provision for payment of any other financial obligations assumed while in Union Graduate College, and must have returned all books borrowed from the Library.

Students are solely responsible for assuring that the program presented for graduation fulfills all requirements, both in general and in specialized study. Student Services should be consulted when questions arise about the satisfaction of graduation requirements.

Union Graduate College will post degrees granted in December (effective 2010) and in June. The annual commencement ceremony will take place in June. Notice of intent to graduate must be sent to Student Services no later than 3 months prior to their graduation.

Waivers of Graduation Requirements

Request for waivers of graduation requirements must be made in writing to the Graduate College Registrar. The registrar will present the request to the Academic Committee for consideration. The ruling of the academic Committee is final. The student will be notified in writing by the registrar of the Academic Committee decision within five (5) business days of the rendering of the decision.

IMMUNIZATIONS

All full-time (>1.5 course/term) on-site students are required to submit immunization records prior to the start of classes. Part-time students (\leq 1.5 course per term on-site) are not required to submit the immunization records, but records will be required if a student chooses to take more than 1.5 courses on-site at any time.

Proof of immunization must be submitted to the Admissions/Registrar's Office prior to registration for all full-time students or part-time students taking >1.5 courses on-site. A form, with requirements, is available for this purpose from Student Services, on the student portal, or downloadable from the web site. Students may also provide a physician's written statement as proof of immunization but such documentation must provide all required information and be attached to our form.

Students whose religious beliefs prohibit immunization, or for whom immunizations pose a health risk, will be required to submit a statement in support of their request for a waiver.

LEAVE OF ABSENCE

If a student wishes to take a leave from a program they are required to discuss this with their academic advisor or Dean. A letter requesting the leave then is submitted to the Registrar and the Dean of their school indicating the time required. If receiving financial aid please be sure to notify the Financial Aid office also and verify any dates that may affect deferments.

REPEAT POLICY

Students who repeat a course they have previously failed will have both grades listed on the transcript. All credits attempted and total quality points earned will be used in calculating the cumulative grade point average. Students who repeat a course they have previously passed (with a grade of “C” or better) will have both grades listed on the transcript, but neither the quality points associated with the second grade nor the credits attempted or earned will be factored into their GPA.

VETERANS ADMINISTRATION EDUCATIONAL BENEFITS

Union Graduate College welcomes veterans to all of our programs. Students who are eligible to receive educational benefits under the various chapters administered by the V.A. may obtain more information by contacting Student Services at 518-631-9834.

Entitlement will vary depending on the education program.

Students claiming veterans' benefits are required to submit written monthly statements attesting to the fact that they are attending class. The following statement must be submitted in person or by mail before the fifth of every month to Student Services, Attn: Veterans' Benefits:

“I, the undersigned, attest that I have regularly attended the classes for those courses in which I am currently enrolled.”

Any veteran not forwarding this statement along with their signature, will be decertified, resulting in the termination of benefits.

With the exception of students eligible under Chapter 33, students pay tuition and fees upon registering and subsequently receive benefit checks from the V.A. on a timely basis.

Veterans who leave the Graduate College to perform military service are guaranteed readmission with the same academic status he/she had when last in attendance. The length of absence from the Graduate College cannot exceed five years under most circumstances.

Yellow Ribbon Program

The Graduate College participates in the Yellow Ribbon GI Education Enhancement Program, which is a provision of the Post-9/11 Veterans Educational Assistance Act of 2008. More information about this program may be found at:

http://www.gibill.va.gov/GI_Bill_Info/CH33/Yellow_ribbon.htm.

WITHDRAWALS

Add/Drop (first two weeks of a term – form required)

Students may change sections or courses of equal credit without financial penalty. Adding new courses may incur additional tuition liability according to the tuition schedule. Students may add courses the first two

weeks of a term (or 1st week during summer), with an advisor's approval and no additional late fee. Dropped courses are subject to financial obligations as listed in the withdrawal section.

Official Course Withdrawal (form required)

If a student officially withdraws from all of his/her courses before completing at least 60% of the term, his/her financial aid will be recalculated based on the student's withdraw date. The student's recalculated aid will be based on the percentage of time he/she completed in the term. The percentage of financial aid eligibility will be directly related to the percentage of the term completed. For example, if a student completed 10% of the term, he/she will be eligible for 10% of his/her financial aid. If he/she completes 30% of the term, he/she will be eligible for 30% of his/her financial aid.

Unofficial Withdrawals

If a student does not formally withdraw from all of his/her courses but stops attending courses before completing 60% of the term, the student is considered unofficially withdrawn from the college and his/her financial aid will be recalculated under Return of Title IV Aid regulations. In the case of an unofficial withdrawal, the effective date of withdrawal will be the last date of attendance recorded.

Complete Termination

Students who drop all registered courses through the last day of the add/drop period (for dates see each terms course listing) they will be eligible to receive the appropriate refund percentage as noted below. If a student is withdrawing from a program a letter to the Registrar and Dean of their school is required.

Schedule of Refunds

Requests prior to the start of the term or prior to the second class meeting (after the 1st) – refund is 100% of tuition and fees.

- Requests prior to the third class meeting (after the 2nd) – refund is 75% of the tuition and lab fees.
- Requests prior to the fourth class meeting (after the 3rd) – refund is 50% of the tuition and lab fees.
- After these periods there is no refund.

Exceptions

Students who withdraw to enter military service or have a military change of assignment prior to the end of the term are eligible for a 100% refund of the tuition and refundable fees for courses not completed. Documentation of such military services must be provided from the appropriate military official.

Course Cancellation:

If the College should elect to cancel a course due to enrollment limits or based on other circumstances any tuition paid for that course will be refunded in full.

Important Note: Students earn their financial aid by attending classes.

Federal Regulations require Union Graduate College to recalculate a student's financial aid eligibility if the student withdraws from or stops attending his/her class before completing at least 60% of the term. If a student

stops attending classes after the college's refund policy period, the student is liable for all his/her tuition and fees, even if the financial aid eligibility is reduced under the Return of Title IV Aid recalculation.

ACADEMIC HONESTY AND STUDENT CONDUCT POLICIES

Union Graduate College is dedicated to teaching its students the most productive academic approaches, the best professional practices, and the highest ethical standards. We believe these goals will develop graduates who conduct themselves with dignity, who are recognized for their honesty, and who are valued in their respective fields. Honoring the principle of academic honesty and respecting the College's policies are critical components of realizing the College's purposes and ideals.

Academic Committee

The Academic Committee is the body that is responsible for enforcing the Standards of Academic Honesty, the Student Disciplinary Code, Graduate College policies, and for adjudicating student grade appeals and other academic matters, such as recommending and applying Graduate School policy for the admission and academic performance of its students. The Academic Committee consists of nine voting members: the Dean and one faculty member from the School of Management; the Dean and one faculty member from the School of Education; the Dean from the School of Engineering and Computer Science; one at-large teaching faculty representative from any one of the schools; one student member; the Registrar; and, the Vice President of Enrollment are voting members. A vote of five of the voting members of the Academic Committee shall be necessary to constitute a decision of the Academic Committee.

Standards of Academic Honesty

In keeping with Union Graduate College's mission to prepare its students to be socially and ethically responsible, and to foster a community of trust and in which rightful achievement is properly rewarded, Union Graduate College requires that students comply with the College's standards of academic honesty. A student's primary responsibility is to conduct himself/herself with academic honesty; specifically, the College assumes that students will not resort to plagiarism, cheating, theft and mutilation of library books and periodicals, or any other form of academic dishonesty or academic fraud. Any student found guilty of violating the College's standards of academic dishonesty will be subject to appropriate disciplinary action according to the guidelines below. Since Union Graduate College is an institution of higher learning and not a criminal or civil court, the Guidelines for Adjudicating Charges of Academic Dishonesty are to be administered by members of the Graduate College community, rather than by outside parties or attorneys. The following procedural Guidelines, which will govern the adjudication of charges of Academic Dishonesty, are not to be regarded as a contract between the student and Union Graduate College.

I. Definitions

1. The term "College" means Union Graduate College.
2. The term "student" includes all persons taking courses at the College, both full-time and part-time, or otherwise pursuing postgraduate studies.
3. The term "faculty member" means any person employed by the College to teach, engage in research, or conduct classroom activities or who is otherwise considered by the College to be a member of its faculty.
4. The term "College official" includes any person employed by the College to perform assigned administrative or professional responsibilities.

5. The term “member of the College community” includes any person who is a student, faculty member, College official or any other person employed by the College. A person's status in a particular situation shall be determined by the Dean of the appropriate School.

6. The term “College premises,” also referred to as both the Graduate Center at 80 Nott Terrace and Union College campus, includes all land, buildings, facilities and other property in the possession of, or owned, used or controlled by either College (including adjacent streets and sidewalks).

7. The term “organization” means an association formed by its members, some of whom are students, who have complied with the formal requirements for Graduate College recognition, including but not limited to those requirements defined and outlined by the Student Assembly.

II. Preliminary Review

A faculty member who suspects a student of academic dishonesty shall first discuss the matter with the student. (All students are encouraged to bring any concerns that another student violated the standards of academic honesty to the attention of a faculty member.) If this does not resolve the issue to the satisfaction of the faculty member and the student, either or both parties will then contact and bring the matter to the Dean or Director of the School offering the course.

A preliminary meeting to review the allegations shall include the student (“accused student”), the faculty member making the allegations (“complainant”), and the Dean or Director of the School. The student will have an opportunity to respond to the allegations at this meeting. If the matter is not resolved at the preliminary review, then charges may be brought before the Academic Committee for a hearing. A quorum of the Academic Committee shall be five (5) voting members as described above.

III. Hearing

The following procedures are designed to be fundamentally fair, affording the accused student an impartial hearing and protecting against arbitrary or capricious actions on the part of the College. This is not a criminal or civil proceeding; thus, rules of evidence and the same level of due process do not apply.

1. At least forty-eight (48) hours prior to the hearing, the accused student shall: (1) be notified of the date, time, and place of the hearing; (2) be provided with a written copy of the charges; (3) be provided with a list of the members serving on the Academic Committee; and, (4) be given the opportunity to indicate any objections to those sitting on the Academic Committee. These objections shall be made in writing to the Chair of the Academic Committee and shall be delivered to the Chair at least twenty-four (24) hours prior to the meeting. No Academic Committee member shall be asked to disqualify himself/herself from the proceedings except for reasons related to the objectivity of the Academic Committee member; such determination is to be made by the Chair.

2. The accused student shall be permitted to have a member of the College community serve as an advisor during the hearing. This advisor may not address the Committee.

3. The accused student shall have an opportunity to be present and to participate in the hearing and to hear the information that supports the charges of the complainant.

4. The complainant shall present information in support of the charges. The accused student shall be given the opportunity to offer information that contravenes the charges. The accused student shall also be permitted to

suggest questions for the Academic Committee to pose to the faculty member, or to other persons offering information relevant to the charges.

5. The Chairperson of the Academic Committee may determine the order of presentation and whether witnesses should be present for all or part of the hearing.

6. The Chairperson of the Academic Committee, however, reserves the right to ask anyone to leave the room if the hearing becomes too adversarial or disruptive.

7. The accused student shall be permitted to take notes solely for personal use. An electronic tape of the hearing may be made upon written request from the accused student or at the election of the College for the purpose of the Academic Committee's deliberations or the review in connection with an appeal to the President of the College. This tape will be available for review by the accused student or the President (or designee).

The Academic Committee and the accused student shall adhere to the following procedures:

- **Failure to Appear:** If the accused student fails to appear before the Academic Committee on the date and at the time and place specified in the notice, the Academic Committee may take the testimony and information from the complainant and reach a decision based on that information.
- **Unable to be Present:** If the accused student is unable to appear before the Academic Committee on the date specified in the notice, he or she should notify the Chair prior to the hearing. If the Academic Committee determines that good cause exists for absence of the accused student, it may set a new date for the new meeting.
- **Basis of Finding:** In order to determine that the accused student has violated the standards of academic honesty, the majority of the Academic Committee members present must conclude that the information presented demonstrates that a violation has occurred by a preponderance of the evidence.

IV. Penalties

If the allegations are found to be substantiated by the Academic Committee, normally the penalty is failure in the course. Penalties may also include suspension from the College or expulsion from the College, withholding of a degree, or revocation of a degree already granted. Suspension or expulsion penalties shall be noted on the permanent record of the accused student.

V. Appeal

Within ten (10) days of being notified of the Academic Committee's decision, the student may appeal the decision of the Academic Committee in writing to the President of the Graduate College when the student believes one or more of the following conditions has occurred:

1. Was not supported by the information offered for consideration;
2. New facts or information became available after the hearing; or
3. The sanction imposed for the violation is unreasonably harsh or inappropriate.

The President may consult with the Academic Committee, its Chairperson, and/or anyone else appropriate in reviewing the appeal. The President's decision will be communicated to the student within 10 days. There will be no further appeal.

Student Disciplinary Code

All members of the Union Graduate College community are bound together by respect for the individual and for the collective rights of others. Any student who violates the safety and security of the Union Graduate College community is subject to disciplinary action by the Graduate College as outlined below in the Student

Disciplinary Code. Any member of the Graduate College community or a guest/visitor may file an incident report alleging student misconduct with any member of the Academic Committee.

Article I: Definitions

1. The term “College” means Union Graduate College.
2. The term “student” includes all persons taking courses at the College, both full-time and part-time, or otherwise pursuing postgraduate studies.
3. The term “faculty member” means any person employed by the College to teach, conduct research, or conduct classroom activities or who is otherwise considered by the College to be a member of its faculty.
4. The term “College official” includes any person employed by the College to perform assigned administrative or professional responsibilities.
5. The term “member of the College community” includes any person who is a student, faculty member, College official or any other person employed by the College. A person's status in a particular situation shall be determined by the Dean of the appropriate School.
6. The term “College premises,” also referred to as either campus, and includes all land, buildings, facilities and other property in the possession of, or owned, used or controlled by the Union Graduate College and Union College (including adjacent streets and sidewalks).
7. The term “organization” means an association formed by its members, some of whom are students, who have complied with the formal requirements for College recognition, including but not limited to those requirements defined and outlined by the Student Assembly.

Article II: Jurisdiction

Jurisdiction of the College under this Student Disciplinary Code shall extend to all students charged with a violation of this Code. Where College disciplinary proceedings have been instituted against a student who was also charged with violation of a federal, state or local law, proceedings under this Student Disciplinary Code may be carried out prior to, simultaneously with or following civil or criminal proceedings off campus, at the discretion of the Academic Committee. Where charges would also constitute, in whole or in part, a violation of the Affirmative Action Policy, they will not be adjudicated under this Code, but will be pursued under the Affirmative Action Policy.

Article III: Prohibited Conduct

Any student or organization found to have committed any of the following acts is subject to the disciplinary sanctions per Article IV, section D:

1. Acts of dishonesty, including but not limited to the following:
 - a. Furnishing false information to any College official, faculty member or office, including but not limited to furnishing false information on any application for any program offered by the College;
 - b. Forgery, alteration or misuse of any College document, record or instrument of identification; and
 - c. Tampering with the election of any College-recognized student organization.

Note: Acts of academic dishonesty are covered by the Graduate College’s Standards of Academic Honesty policy described above.

2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other College activities, including the College's public-service functions on or off College premises, or other authorized non-College activities when the act occurs on College premises.

3. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or other conduct that recklessly or intentionally threatens or endangers the physical or mental health or safety of any person. This includes bias or hate related crimes, sex offenses, acts of domestic violence, and stalking.
4. Attempted or actual theft of and/or damage to property of the College or property of a member of the College community or other personal or public property.
5. Hazing, defined as an act or situation that recklessly or intentionally endangers the mental or physical health or safety of any person, including the forced consumption of liquor or drugs, or that destroys or removes public or private property for the purpose of initiation, admission into, affiliation with or as a condition for continued membership in a group or organization.
6. Failure to comply with directions of College officials or local, state or federal law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
7. Unauthorized possession, duplication or use of College identification, access cards, or keys to any College premises.
8. Violation of published College policies, rules or regulations.
9. Conduct that may be considered a felony or misdemeanor level violation of federal, state or local law, if such conduct directly interferes with the College's mission and is not covered elsewhere in this Article.
10. Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances except as expressly permitted by law.
11. Use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly permitted by College regulations), or public intoxication if such conduct directly interferes with the College's mission and is not covered elsewhere in this Article or any other policy of the College. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age.
12. Illegal or unauthorized possession of firearms, explosives, other weapons or dangerous chemicals on College premises.
13. Any act, including participation in an on or off-campus demonstration, that disrupts the normal operations of the College or infringes on the rights of other members of the College community, including leading or inciting others to disrupt scheduled and/or normal College activities on or off College premises.
14. Intentionally causing an unreasonable obstruction of the freedom of movement of persons or the free flow of pedestrian or vehicular traffic on College premises or at College sponsored or supervised functions.
15. Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding or abetting another person to breach the peace on College premises or at functions sponsored by, or participated in by, the College or members of the academic community. Disorderly conduct includes, but is not limited to: any unauthorized use of electronic or other devices to make an audio or video record of any person while on College premises without his/her consent, except where activities recorded are public behavior. This prohibited conduct includes, but is not limited to, taking pictures of another person in a gym, locker room, dormitory room, restroom, or other place on or off campus where a person has a reasonable expectation of privacy.
16. Theft or other abuse of computer facilities and resources, including but not limited to:
 - a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
 - b. Unauthorized transfer of a file.
 - c. Use of another individual's identification and/or password.
 - d. Use of computing facilities and resources to interfere with the work of another student, faculty member or College official.
 - e. Use of computing facilities and resources to send obscene or abusive messages.

- f. Use of computing facilities and resources to interfere with normal operation of the College computing system.
- g. Use of computing facilities and resources in violation of copyright laws.
- h. Any violation of the College Computer Use Policy.

17. Unauthorized entry into College facilities that are locked or otherwise restricted as to use.

Article IV: Procedures

A. Filing Charges: A student's alleged misconduct may be reported in any one of the following ways:

- 1. By Union Graduate College Faculty, Administration or Staff;
- 2. By Union College Campus Safety staff; or
- 3. By any other individual submitting an account of incident to the College.

The person filing a charge (hereafter referred to as the "complainant") against a student for misconduct (the "accused student") shall do so in writing and direct the report of alleged violation(s) to any member of the Academic Committee. Complainants 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.

B. Investigation

A Dean, Director, or Vice President of the College shall review all incident reports in consultation with staff and shall conduct an investigation to determine whether the charge(s) allege a violation of this Code and whether evidence exists to support the charge(s). If the Dean, Director, or Vice President of the College determines the accused student will be charged with engaging in Prohibited Conduct, he or she will bring the issue before the Academic Committee. At this point, the accused student will be notified in writing of the charges, the nature of the evidence against him or her, and the forum where it will be adjudicated.

C. Hearing

The following procedures are designed to be fundamentally fair, affording the accused student an impartial hearing and protecting against arbitrary or capricious actions on the part of the College. This is not a criminal or civil proceeding; thus, rules of evidence and the same level of due process do not apply.

- 1. At least forty-eight (48) hours prior to the hearing, the accused student shall: (1) be notified of the date, time, and place of the hearing; (2) be provided with a written copy of the charges; (3) be provided with a list of the members serving on the Academic Committee; and, (4) be given the opportunity to indicate any objections to those sitting on the Academic Committee. These objections shall be made in writing to the Chair of the Academic Committee and shall be delivered to the Chair at least twenty-four (24) hours prior to the meeting. No Academic Committee member shall be asked to disqualify himself/herself from the proceedings except for reasons related to the objectivity of the Academic Committee member; such determination is to be made by the Chair.
- 2. The accused student shall be permitted to have a member of the College community serve as an advisor during the hearing. This advisor may not address the Committee.
- 3. The accused student shall have an opportunity to be present and to participate in the hearing and to hear the information that supports the charges of the complainant.
- 4. The complainant shall present information in support of the charges. The accused student shall be given the opportunity to offer information that contravenes the charges. The accused student shall also be permitted to suggest questions for the Academic Committee to pose to the faculty member, or to other persons offering information relevant to the charges.

5. The Chairperson of the Academic Committee may determine the order of presentation and whether witnesses should be present for all or part of the hearing.
6. The Chairperson of the Academic Committee, however, reserves the right to ask anyone to leave the room if the hearing becomes too adversarial or disruptive.
7. The accused student shall be permitted to take notes solely for personal use. An electronic tape of the hearing may be made upon written request from the accused student or at the election of the College for the purpose of the Academic Committee's deliberations or the review in connection with an appeal to the President of the College. This tape will be available for review by the accused student or the President (or designee).

The Academic Committee and the accused student shall also adhere to the following procedures: Failure to Appear: If the accused student fails to appear before the Academic Committee on the date and at the time and place specified in the notice, the Academic Committee may take the testimony and information from the complainant and reach a decision based on that information.

- Unable to be Present: If the accused student is unable to appear before the Academic Committee on the date specified in the notice, he or she should notify the Chair prior to the hearing. If the Academic Committee determines that good cause exists for absence of the accused student, it may set a new date for the new meeting.
- Basis of Finding: In order to determine that the accused student has violated the standards of academic honesty, the majority of the Academic Committee members present must conclude that the information presented demonstrates that a violation has occurred by a preponderance of the evidence.

D. Sanctions

The Academic Committee, in its sole discretion, determines appropriate sanctions. Sanctions depend on and are tailored to the seriousness of the offense. Examples of disciplinary sanctions include, but are not limited to: written warnings, loss of privileges, community service, probation, fines, restitution, suspension, and/or dismissal, with referral for prosecution. A Dean, Director, or Vice President of the College may impose a suspension prior to a final determination by the Academic Committee. Interim suspension may be imposed:

- (1) To ensure the safety and well-being of members of the College community or preservation of College property;
- (2) To ensure the accused student's own physical or emotional safety and wellbeing; or
- (3) If the accused student poses a threat of disruption of or interference with the operations of the College.

During the interim suspension, the accused student shall be denied access to the residence halls and/or to the College premises (including classes) and/or all other College activities or privileges for which the accused student might otherwise be eligible, as the Dean, Director, or Vice President may determine to be appropriate. Disciplinary violations may be considered by the College when thereafter making educational and/or employment decisions and shall be included in the accused student's educational records as follows: other than College expulsion or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the accused student's permanent academic record, but shall become part of the accused student's disciplinary record.

Article V: Appeals

A decision reached by the Academic Committee may be appealed by the accused student to the President of the College within ten (10) business days of a decision by the Academic Committee. Such appeals shall be in

writing and shall be delivered to the President. The President may take such action as the President deems advisable, including but not limited to reversing the determinations below, or upholding in whole or in part such determinations. The President may void, lessen or increase any sanctions imposed. The President's decision is final.

NOTE: Pursuant to the Higher Education Opportunity Act, the College will disclose, upon written request, to the alleged victim of a crime of violence or a nonforcible sexual act, or to the alleged victim's next of kin (if the alleged victim dies as a result of the alleged crime or offense), the final results of any disciplinary hearing dealing with the alleged crime or offense.

GRADUATE COLLEGE POLICIES OF NOTE

Union Graduate College honors the tradition of the university as a sanctuary of academic freedom and center of informed discussion. The basic significance of that sanctuary lies in the protection of intellectual freedoms: the rights of students to learn and to express their views, of professors to teach, and of scholars to engage in the advancement of knowledge, all free from external pressures or interference. The Graduate College recognizes that these freedoms can flourish only in an atmosphere of mutual respect, civility and trust among faculty and students, only when members of the Graduate College community are willing to accept self-restraint and reciprocity as the condition upon which they share in its intellectual autonomy.

Academic freedom and the sanctuary of the Graduate College campus extend to all who share these aims and responsibilities. They cannot be invoked by those who would subordinate intellectual freedom to political ends, or who violate the norms of conduct established to protect that freedom.

Application of Rules

These rules shall govern the conduct of all students, faculty, staff, visitors, licensees, invitees, and all other persons, whether or not their presence is authorized, upon all property under the control of the Graduate College ("campus"), to which such rules are applicable. These Rules are not to be construed as limiting or restricting the freedom of speech and peaceful assembly.

Prohibited Conduct

Neither any person, acting either singly or in concert with others, nor any organization shall:

1. Obstruct the free movement of persons and vehicles in any place to which these rules apply;
2. Deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures, and meetings, or deliberately interfere with the freedom of any persons (including invited speakers) to express their views;
3. Enter upon and remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others, remain (without authorization) in any building or facility after it is normally closed, or refuse to leave any building or facility after being asked to do so by an authorized administrative officer;
4. Take any action, create, or participate in the creation of any situation that recklessly or intentionally endangers mental or physical health, or that involves the forced consumption of liquor or drugs for the purpose of initiation into, or affiliation with, any organization.

Penalties

Any violator of any provision of these rules shall:

1. If a trespasser or visitor without specific license or invitation, be subject to ejection.
2. If a licensee or invitee, be directed to leave the premises and authorization to remain on campus will be revoked. In the event of a failure or refusal to do so, the licensee or invitee shall be subject to ejection.
3. If a student or student organization, be subject to the Student Disciplinary Code. Penalties include expulsion or such lesser disciplinary action as the facts of the case may warrant, including suspension, probation, loss of privileges, reprimand, warning, or rescission of permission for an organization to operate on campus.

4. In the case of any other member or non-student organization of the Graduate College community, be dismissed, suspended, or censured by the President. All of the above penalties will be in addition to any penalty pursuant to law which a violator or organization may be subject.

Procedures

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

In the case of a trespasser or visitor in violation of any provisions of these rules, the President or the President's designee shall inform the trespasser or visitor of the violation and direct the violator to leave such premises. In the event of a failure or refusal to do so, the President shall cause the violator's ejection from such property under the control of the College. In the case of a licensee or invitee, the President or the President's designee shall inform the licensee or invitee that the license or invitation is withdrawn and direct the violator to leave the campus or other property of the Graduate 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 property under the control of the Graduate College.

Enforcement

In the case of a student or student-organization, charges for violation of any of these rules shall be presented, heard, and determined by the Academic Committee through the procedures set forth in the Student Disciplinary Code. In all other cases the President or the President's designee shall be responsible for the interpretation and enforcement of these rules and shall designate the other administrative officers who are authorized to take action in accordance with such rules when required or appropriate to carry them into effect.

The provisions herein are not intended to curtail the rights of students, faculty, or staff to be heard upon any matter affecting their relationship with the Graduate 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: (1) to learn the cause of the conduct in question; (2) to persuade those engaged therein to desist; and (3) to employ permissible methods to resolve 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 the Graduate 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 follow the procedures set forth above. 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.

E. Enforcement

In the case of a student or student-organization, charges for violation of any of these rules shall be presented, heard, and determined by the Academic Committee through the procedures set forth in the Student Disciplinary Code.

In all other cases the President or the President's designee shall be responsible for the interpretation and enforcement of these rules and shall designate the other administrative officers who are authorized to take

action in accordance with such rules when required or appropriate to carry them into effect. The provisions herein are not intended to curtail the rights of students, faculty, or staff to be heard upon any matter affecting their relationship with the Graduate 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: (1) to learn the cause of the conduct in question; (2) to persuade those engaged therein to desist; and (3) to employ permissible methods to resolve 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 the Graduate 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 follow the procedures set forth above.

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.

ALCOHOL AND DRUG POLICY

Union Graduate College is committed to being in full compliance with federal, state and local laws. The Graduate College policy prohibits unlawful possession, use or distribution of alcohol or illicit drugs by faculty, staff, or students on Graduate College or Union College property or as part of any Graduate College activity. The Graduate College's Policy, as well as state and federal sanctions for the unlawful possession, use, manufacture or distribution of alcohol or illicit drugs, and counseling and treatment programs available to members of the Graduate College community, are detailed in this policy.

Consistent with the federal requirement, this policy is reviewed biennially to determine its effectiveness and to implement any changes needed to ensure that the Graduate College's sanctions are consistently enforced. Each student is responsible for his/her own actions. Students are responsible for understanding and complying with applicable laws. Union Graduate College will not be responsible for enforcing state and local laws, nor will it shield students from the legal consequences of their actions should they violate these laws.

Alcohol Policy

Union Graduate College adopts all prohibitions of New York law including:

- Persons over 21 who sell, give, or otherwise provide alcoholic beverages to anyone under 21 are guilty of an offense punishable by a fine and/or imprisonment.
- Students who are not of age may not possess or consume alcohol anywhere on the Graduate College and Union College campuses
- A third party injured by an impaired or intoxicated person under age 21 has a right of legal action against any person or organization which "knowingly" caused such impairment by unlawfully furnishing or assisting in procuring alcohol for the person under 21 years of age.
- In New York State one is legally intoxicated when their Blood Alcohol Content (B.A.C.) reaches .08%. One is Driving While Ability Impaired (DWAI) when the B.A.C. is at or over .05% but less than .08%. In addition, the Zero Tolerance Law (for those under 21 years of age) can result in a one-year revocation of the driver's license.

All students alleged to have violated this Alcohol Policy will be subject to sanctions under the Student Disciplinary Code, including removal from Union Graduate College.

Drug Policy

Union Graduate College strictly prohibits the possession, distribution, or the use of illegal drugs and narcotics, including but not limited to amphetamines, marijuana, cocaine, heroin, LSD and any associated paraphernalia. Federal and New York State laws provide many legal sanctions for the unlawful possession or distribution of controlled substances. These sometimes include severe criminal penalties such as fines and/or imprisonment. The severity of the penalty depends upon the nature of the criminal act and the identity and amount of the illicit drug involved. The Graduate College adopts all prohibitions of federal and New York law including:

- The distribution of any type of illicit or controlled substance and most particularly, the possession of illicit drug substances with the intent to distribute can result in severe criminal prosecution which ranges in severity from a minimum of 8-25 years imprisonment up to and including a maximum sentence of life imprisonment.
- The gradation of sanctions for the illegal use, distribution, or possession of illegal drugs and narcotics varies greatly. The Penal Code of New York State on illicit use of drugs, controlled substances and marijuana is extensive. However, students should be aware that legal sanctions related to the illicit use, possession or distribution of drugs will be severe in nature and are determined not only by the type and amount of drugs in question, but also whether or not the individual has any record of prior convictions. Any student or student organization alleged to have violated this Drug Policy will be subject to the Student Disciplinary Code. Any student found in illegal possession and/or use of controlled substances will be subject to the following minimum sanctions: 1st Offense: All students are subject to one (1) year disciplinary probation and must attend a substance abuse evaluation session. Session may include urinalysis drug screening. If deemed necessary, referral to an outside agency for drug abuse treatment may be required. 2nd Offense: All students are subject to removal from the institution. Any student involved in the illegal sale of any controlled substance will be subject to suspension and/or dismissal from the College.

Alcohol and UGC-Sponsored Events

Incremental to applicable Federal and New York State laws, Union Graduate College has the following rules:

- When alcohol will be available at UGC-sponsored events, it is the responsibility of the sponsor to comply with all requirements of New York State Law and Graduate College Policy. Sponsors are required to contact the Affirmative Action Officer to review the Graduate College's policies and procedures, which they will follow.

At sponsored events with alcohol all of the following must occur:

- The officer of the organization sponsoring the event must be present at all times while alcohol is available and/or served and must ensure that no one under the age of 21 possesses or consumes alcohol;
- A system of checking the age of guests must be used before alcohol is served;
- Everyone attending an event where alcohol is served must carry valid identification that verifies their date of birth. Graduate College students must also carry Graduate College identification;
- Guests must not have direct access to alcohol; servers must be used

- Hard liquor is prohibited at all events. The type of alcohol permitted is limited to wine and beer;
- Irresponsible distribution of alcohol is prohibited. Such distribution includes, but is not limited to, any occasion when the atmosphere or circumstances are such that the intended or likely outcome is either abuse of alcohol or to become intoxicated. Examples of irresponsible distribution of alcohol include, but are not limited to: funnels, shot parties, beer pong, chugging contests, or other organized drinking games;
- The event must be confined to the space indicated and all alcoholic beverages must remain in that space. It is imperative that the activities of the event not disturb the surrounding environment;
- The entrance to the event must be staffed by individuals from the sponsor or hired staff in proportion to the number of guests and as determined by the Affirmative Action Officer, at the time of registration;
- Intoxicated persons must not be served. Those arriving in an intoxicated condition, even if 21 or older, must be denied entrance;
- The amount of beer and wine and non-alcoholic beverages made available must be in proportion to the number of guests who will be above or below the age of 21;
- Food must be available and easily accessible;
- No alcohol may be served after 2:00 a.m., regardless of whether the event extends past 2:00 a.m.;
- For events at which alcohol will be served or consumed, there shall be no publicity distributed or posted which is primarily focused on the availability of alcohol; and
- No on-campus or Graduate College affiliated event may sell alcohol for the primary purpose of fundraising.

Graduate College administrators and/or staff may check in periodically at approved events to ensure that the events are operating in accordance with the Graduate College Policy. If Graduate College administrators and/or staff become aware of a violation of policy or disturbance at an approved event, they will promptly investigate. Graduate College administrators and/or staff will address violations they observe and will request the name and identification of any student believed to be in violation of any aspect of the Alcohol/Drug Policy. While Graduate College administrators and/or staff will make every effort to work with students to address and remedy alcohol violations or other problems, Graduate College administrators and/or staff are authorized to close events at which violations of Policy or other serious problems are evident. Sponsors of events are responsible and liable for the conduct of their guests at parties. Organizations must comply with these policies and applicable laws. Organizations and individuals involved who violate this policy will be subject to appropriate disciplinary sanction through the Student Disciplinary Code.

Seeking Assistance

Please call 911 if there is an immediate emergency involving alcohol and/or drug use during an event.

Medical Amnesty Protocol

The Graduate College recognizes that in an alcohol or other drug-related emergency, the potential for action by the Graduate College may act as a barrier to students seeking medical assistance for themselves or other students; therefore, the Graduate College has developed a medical amnesty protocol. The Graduate College's main concern is the well-being, health and safety of its students. An individual seeking medical assistance for another student during an alcohol or other drug-related emergency will not face action by the Graduate College for the possession or use of alcohol or other drugs. The recipient of medical attention will avoid formal action by the Graduate College for the possession or use of alcohol or other drugs if she/he agrees to contact the

Student Assistance Program Counseling Center at the Wellness Corporation, at 1-800 -326-6142. A trained counselor will make appropriate recommendations, which may include a referral for further health services. Union Graduate College students have access to up to four visits with a local mental health provider, no fee, through the school's contract with the Wellness Center. The student will be referred to the local provider by the Wellness Corporation. The policy reflects the Graduate College's priority on safety and does not rule out an evaluative response to the incident. The student's permanent educational record will reflect no formal disciplinary action, but the Graduate College may require a professional alcohol/drug evaluation. The policy refers to isolated incidents only and does not protect any who flagrantly and repeatedly violate the College's alcohol policy.

For assistance or referral contact:

Student Assistance Program Counseling Center at the Wellness Corporation, at 1-800 -326-6142.

ANTI-DISCRIMINATION AND HARASSMENT POLICY

Union Graduate College does not discriminate on the basis of race, color, sex, sexual preference, age, religion, creed, national origin, marital status, Vietnam Era Veteran status, disabled Veteran status, or disability in its programs and activities. The Graduate College has adopted an Affirmative Action Policy that prohibits discrimination and harassment of any kind, including sexual harassment, which is set forth in Appendix A to this Handbook. If you have been the victim of discrimination or harassment on the basis of age, color, disability, ethics or national origin, gender, race, religion, or sexual orientation as a result of the actions of another member of the Graduate College community, you are encouraged to report the actions to the Affirmative Action Advisor to the President at (518) 631-9840

This individual can assist you in initiating disciplinary procedures against the offender, refer you to available counseling resources and assist you in dealing with this incident. If you are uncomfortable reporting the incident to Advisor, speak to an advisor, friend, etc., and ask for his/her assistance. Graduate College policy is to respect the rights and decisions of victims of harassment. The Graduate College encourages all victims to report any incident of harassment. A fuller explanation of the procedures may be found in Appendix A of the Student Handbook

COMPUTER ETHICS POLICY

Union Graduate College's Computer Ethics Policy provides for access to information technology resources and communications networks within a culture of openness, trust, and integrity. In addition, the Graduate College is committed to protecting itself and its students, faculty, and staff from unethical, illegal, or damaging actions by individuals using these systems. The Graduate College endorses the following statement of Software and Intellectual Rights that was developed through EDUCOM, a non-profit consortium of colleges and universities committed to the use and management of information technology in higher education:

"Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledgment, right to privacy, and right to determine the form, manner, and terms of publication and distribution. Because electronic information is volatile and easily reproduced, respect for the work and

personal expression of others is especially critical in computer environments. Violations of authorial integrity, including plagiarism, invasion of privacy, unauthorized access, and trade secret and copyright violations, may be grounds for sanctions against members of the academic community."

Purpose

The purpose of this policy is to outline the ethical and acceptable use of information systems at the Graduate College. These rules are in place to protect students, faculty, and staff, i.e., to ensure that members of the Graduate School community have access to reliable, robust IT resources that are safe from unauthorized or malicious use. Insecure practices and malicious acts expose the Graduate College and individual students, faculty, and staff to risks including virus attacks, compromising of network systems and services, and loss of data or confidential information. Security breaches could result in legal action for individuals or the College. In addition, security breaches damage the College's reputation and could result in loss of services. Other misuses, such as excessive use by an individual, can substantially diminish resources available for other users. The computing resources of the Graduate College include but are not limited to the College's network, its Internet connection, and computing systems. In addition, this policy also applies to the use of personally owned computers that are connected to the College's network. The Graduate College and Union College reserve the right for authorized personnel to monitor use of computing and software problems, preventing system misuse, assuring compliance with Internet Access Service Agreements and this policy, and complying with legal and regulatory requests for information.

The computing equipment and facilities at Union Graduate College are a resource of Union Graduate College with access given for administrative, academic and research use. In order to continue to provide information technology services to students and faculty at Union Graduate College and Union College, it is expected that all individuals who are given access to the computing equipment and facilities will conduct themselves responsibly and professionally. Such access is a privilege and not a right. Every user of the College's IT resources is required to know this policy and to conduct their activities within the scope of this policy. Failure to comply with this policy may result in loss of computing privileges and/or disciplinary action.

Responsibilities of Graduate Students

Students are expected to act responsibly and maintain the integrity of computer resources, by observing the following:

1. Sharing user passwords with anyone is prohibited. If students choose to do so, they are responsible for that person's actions.
2. Prior written consent is required for opening, examining, copying, modifying or deleting any files belonging to another user.
3. Copying or altering any licensed software is prohibited.
4. Damaging or modifying any computer hardware or software to cause it to malfunction or "crash" is prohibited.
5. Hardware or software must not be used for commercial purposes other than related to Graduate College coursework or activities.
6. Students must not bypass accounting mechanisms (e.g., passwords, anti-virus programs) by decryption or an intentional introduction of a virus.
7. Violating copyright or licensing agreements regarding software or software documentation is prohibited.
8. Students must not deliberately waste computer resources (e.g., printing blank pages, unnecessary copies, toner, etc.).
9. It is prohibited to knowingly harass, intimidate, defame or threaten other members of the Graduate College or Union College community by electronic mail (also see the Graduate College's Harassment Policy).

10. Students must not download recreational software that could adversely affect the performance of the College's network.
11. Students must not engage in activities that would knowingly cause excessive traffic on Union's or the Graduate College's network. One example would be the use of multiple, concurrent downloads/uploads from/to the network/Internet. The Graduate College prohibits the use of computing and networking facilities and resources for creating, transmitting, distributing or storing any information, data or material that: (a) infringes any copyright, trademark, trade secret, or other intellectual property right; (b) constitutes child pornography; or (c) is libelous, defamatory, or constitutes an illegal threat or abuse or encourages conduct that would constitute a criminal offense or give rise to civil liability.

The unauthorized distribution of copyrighted material may subject an individual to civil and criminal penalties, in addition to Graduate College sanctions. Any student alleged to have violated this Computer Ethics Policy will be subject to the Student Disciplinary Code.

EMERGENCY AND EVACUATION PROCEDURES

If a fire condition or any other emergency that requires immediate building evacuation is discovered in the Graduate Center, take the following action:

1. Immediately evacuate the building. If needed, consult a building evacuation route map that is posted on every floor. As you leave, notify other occupants.
2. Activate a fire alarm pull station if there is a fire.
3. Close room and/or hallway and stairwell doors as you evacuate.
4. Once you leave the building, do not re-enter for any reason.

Employees, students and visitors should become familiar with building evacuation routes before an emergency occurs. Building evacuation route maps are located on every floor of the Graduate Center. The purpose of any evacuation is to empty a building or area of all occupants as quickly and safely as possible.

1. In most cases that require evacuation of a building (fire, explosion, bomb threat), occupants should proceed to a clear or safe location away from the building, but where they can be accounted for. Campus Safety Officers or Fire/Police officers may direct you to other locations. Please comply with their requests in order to effect a safe evacuation.
2. Evacuation of persons with disabilities will be given the highest priority. They will be evacuated by the most expeditious and safe means available. If you are aware of person(s) with disabilities in your building who require assistance, please notify a Campus Safety Officer or a Fire/Police officer.
3. When evacuating the building, do not run. Walk and remain quiet. Be observant to your surroundings and know a second means of escape from your building in the event that your primary route is obstructed.
4. Occupants, once outside the building, should congregate with co-workers to make sure that everyone has evacuated safely. People should congregate at the far end of the parking lot near the Holiday Inn. During inclement weather, the Holiday Inn will allow Graduate College occupants to congregate in their lobby.

If you discover that someone is unaccounted for, notify a Campus Safety Officer or a Fire/Police officer. When there is an immediate threat to safety of students or staff, the Student Services Office will activate the intercom feature of the telephone system whereby a message is sent and played over the speaker phone without picking up the receiver, unless notification would compromise efforts to contain the emergency. As required by code, the building is equipped with a fire alarm system. If time allows, an e-mail will be sent to the Union Graduate College list serve. This system will be tested annually in accordance with federal law.

POLICY ON FIREARMS AND DANGEROUS SUBSTANCES

According to New York State law, Graduate College and Union College policy, possession or use of firearms and/or other such materials (including but not limited to handguns, shotguns, rifles, bb guns/rifles, paint guns, pellet guns, sling shots, martial arts weapons) anywhere on the college campus is strictly prohibited. This includes Union College- and Graduate-College operated buildings and property or automobiles parked on College property. The possession of a New York State weapons permit does not authorize the person to have a firearm on campus.

When on the Union College Campus compliance with Union College's rules and regulations is also required. In accordance with New York state law, the use or possession of fireworks on campus is strictly prohibited. Any or all chemicals that either can be made to possess or that inherently possess volatile, explosive or dangerous properties are forbidden on campus, except under the academic supervision of a member of the Graduate College faculty or a Graduate College official.

HATE OR BIAS CRIMES POLICY & PROCEDURES

Union Graduate College is committed to providing an educational atmosphere in which students can pursue their academic endeavors and can achieve their maximum potential. Maintaining a safe environment for students, faculty, and staff is of the highest priority at the Graduate College.

The following protocol has been adopted by the Graduate College for victims of bias-related activity and for those individuals at the Graduate College who are otherwise involved in bias-related activity.

Bias-related incidents behaviors which constitute an expression of hostility against the person or property of another because of the targeted person's race, religion, sexual orientation, ethnicity, national origin, gender, age, or disability. Bias-related incidents include, but are not limited to, non-threatening name calling and using degrading language or slurs that are directed toward a person because of his or her membership or perceived membership in a protected class and that create a hostile environment for that person. If a violation of the Student Disciplinary Code is accompanied by bias-related motivation, the sanctions imposed by the Academic Committee for that violation may be more severe.

What is a Bias-Related Incident?

Bias-related incidents are defined as behavior that constitutes an expression of hostility against the person or property of another because of the targeted person's race, religion, sexual orientation, ethnicity, national origin, gender, age, or disability. They include:

- spray-painting homophobic language in a public space of a residence hall
- yelling derogatory comments about women in the Campus Center
- hanging posters that mock persons with disabilities

Procedures for Responding to Bias-Related Incidents and Crimes

If anyone in the Union Graduate College Community (i.e., faculty, staff, or students) becomes aware that bias-related activity has allegedly occurred on the Union Graduate College Campus, the following procedures, to the extent reasonably practicable under the circumstances, are to be applied:

1. Determine whether emergency medical treatment is necessary. If medical attention is necessary, immediately contact 911 for assistance. If the incident occurs while on the Union College campus, contact Union College Campus Safety (388-6911 or 388-6178)
2. If medical treatment is not necessary, immediately contact the Union Graduate College Student Services Office during business hours (631-9910) or the Union Graduate College Safety Officer during off-business hours (518-466-0519) to report the incident if it has not already been reported.
3. The Union Graduate College Campus Safety Officer responding to the bias-related activity is to, if possible, photograph physical injuries, offensive graffiti, and evidence of vandalism. In addition, he or she should record where and when the activity occurred and document names of witnesses if applicable. Further, the Campus Safety Officer should document detailed information about the perpetrator(s), if available. He or she should also retain any physical evidence of the incident, if possible, or, in the case of a crime, turn same over to public law enforcement officials. Any and all reports of this nature will be retained in the Graduate College's Student Services Office.
4. The Union Graduate College Campus Safety Officer or the Student Services personnel should also, if they suspect that a bias related crime has occurred, report same to the appropriate law enforcement officials and cooperate with same in its investigation of the incident(s).
5. If the alleged perpetrator is a Union Graduate College student or student's guest acting against a member of the College community, the victim may file charges pursuant to the Student Disciplinary Code.
6. All bias-related activity shall be considered confidential, to the extent permitted by law. Every reasonable effort will be made by Union Graduate College to preserve any personal information obtained during the investigation or adjudication of the matter. However, maintaining full confidentiality may be challenging in this context. If anyone in the Union Graduate College Community (i.e., faculty, staff, or students) becomes aware that bias-related activity has allegedly occurred on or around the Union Graduate College Campus, the following procedures, to the extent reasonably practicable under the circumstances, are to be applied:
 1. If you have been the victim of a bias crime and immediate medical treatment is necessary, please call 911.
 2. If medical treatment is not necessary, immediately contact Student Services at 631-9830 if during business hours, or the Graduate College Campus Safety Officer at 631-9912 if after business hours.
 3. If any member of the Graduate College community suspects that a bias-related crime has occurred, he or she should report the incident to the appropriate law enforcement officials and cooperate with same in its investigation of the incident(s).
 4. If the alleged perpetrator is a Graduate College student or student's guest acting against a member of the Graduate College community, the victim may file charges pursuant to the Student Disciplinary Code.
 5. All bias-related activity shall be considered confidential, to the extent permitted by law. Every reasonable effort will be made by the Graduate College to preserve any personal information obtained during the investigation or adjudication of the matter. However, maintaining full confidentiality may be challenging in this context. All forms of bias crimes and all attempts to commit such acts are regarded as serious. Graduate College offenses are likely to result in suspension, required withdrawal or expulsion. Any student alleged to have violated this Bias Crime Policy will be subject to the Student Disciplinary Code. The New York Penal Law encompasses the offenses identified above, and prosecution may take place independently of charges

under Graduate College regulations. Please see Appendix B for the text of the New York Hate Crimes Act of 2000.

Union Graduate College Resources

Affirmative Action Officer, Marie Fuda. Human Resources Office (518) 631-9840

Off-Campus Resources

NYS Division of Human Rights

Albany Regional Office

Empire State Plaza - Agency Building 2

Albany, NY 12220

(518) 474-2705

Equal Employment Opportunity Commission (EEOC)

New York District Office

201 Varick Street - Room 1009

New York, NY

(212) 741-8815 or (800) 669-4000

Counseling Services

Victims of bias-related activity often feel shock, anger, fear, powerlessness and depression. They may need support in order to cope with the incident and life in the aftermath of same if the targeted person is a Union Graduate College student, the student may voluntarily seek assistance from area counseling services for any personal or psychological problems arising from the bias related activity. The Graduate College has contracted with The Wellness Corporation to provide mental health counseling. Students should call 1-800-326-6142

HAZING - POLICY PROHIBITING HAZING

Union Graduate College prohibits hazing. From a legal perspective, hazing is a crime. From a student's perspective, hazing damages the self-esteem of the targets of the hazing. From an organizational perspective, hazing degrades the values of the organization. From a campus community perspective, hazing creates an environment of disrespect that contradicts the values of our academic community. For all of these reasons, the Graduate College takes a strong position against any and all forms of hazing.

"Hazing" means any act: that is committed by a person, whether individually or in concert with others, against a student in connection with being initiated into, affiliating with, holding office in, or maintaining membership in any organization that is affiliated with the Graduate College; and that is intended, or should reasonably be expected, to have the effect of humiliating, intimidating, or demeaning a student or endangering the mental or physical health of a student. Hazing also includes soliciting, directing, aiding, or otherwise participating actively or passively in such acts.

Examples of hazing include, but are not limited to: physical brutality; paddling in any form; forced consumption of food, alcohol or other drugs; creation of excessive fatigue; required calisthenics; "kidnapping"; physical and psychological shock; engaging in public stunts; morally degrading or humiliating games and activities; activities that are not normally performed by the active membership; and any other

activities that are not consistent with the regulations and policies of the Graduate College. Hazing occurs regardless of the consent or willingness of a person to participate in the activity. Hazing may occur on or off the campus property. This policy is intended to be consistent with State law. The policy will be reviewed periodically and revised in light of legal developments.

Reporting Hazing

Students and other members of the Graduate College community are strongly encouraged to report hazing incidents. To maximize safety, all reports of hazing should first be to the Deans of the appropriate School. In addition, the Graduate College may refer conduct that may constitute a violation of criminal law to appropriate law enforcement officials, subject to the requirements of governing law. Student groups and organizations are also subject to suspension or revocation of Graduate College recognition for policy violations. Students and student organizations who violate this policy will be subject to the Student Disciplinary Code.

Emergency:	911
Union Graduate College Non-Emergency:	518-631-9912
Union College Non-Emergency:	518-388-6911 or 518-388-6178

HOUSING: RULES AND REGULATIONS FOR STUDENTS LIVING IN GRADUATE COLLEGE FACILITIES

Students living in Union Graduate College/Union College-owned facilities are expected to comply with the terms and conditions of residence as indicated in the Residence Contract, the Handbook, and the Graduate College Catalog. The Residence Contract is binding for the time outlined on student's lease. Failure to reside in the assigned room or pay room charges will not release students from their financial liability to the Graduate College. All students, except those assigned to rooms previously designated for single occupancy, should expect a roommate. The Student Services Office reserves the right to re-assign and consolidate students when deemed necessary. In such cases, students without roommates will be contacted in writing.

The Graduate College takes no responsibility for losses due to fire, theft, water damage, or any other causes. Students are advised to obtain renter's insurance to supplement family insurance coverage. The risk of having personal property in the college residence apartment is borne entirely by the student. Students are advised to keep their rooms locked at all times.

ID CARDS POLICY

ID cards are issued to all members of Union Graduate College community. This is done to identify you as a member of the community and as proof of your authorization to be on campus and to allow you access to the Graduate Center. You must carry your ID card with you and will be required to produce it upon request by a member of the Campus Safety Department or other authorized agents of Union College and the Graduate College. Refusal or failure to produce your ID card may result in Student Disciplinary charges.

ID cards may be obtained in the Student Services Office located on the first floor of the Graduate Center. The Graduate College ID card is the property of the Graduate College and is to be used for purposes of

identification and transaction of college business only. Any ID card which has been replaced is no longer valid and therefore must be destroyed.

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is the landmark 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. Because the law is tied to participation in federal student financial aid programs, it applies to most public and private institutions of higher education. It is enforced by the U.S. Department of Education. According to this law:

- Schools must publish an annual report disclosing campus security policies and three years worth of selected crime statistics;
- Schools must make timely warnings to the campus community about crimes that pose an ongoing threat to students and employees;
- Each institution with a police or security department must have a public crime log;
- The U.S. Department of Education centrally collects and disseminates the crime statistics;
- Campus victims are assured of certain basic rights; and
- Schools that fail to comply can be fined by the Department of Education.

The Campus Safety and Risk Committee will provide upon request all campus crime statistics as reported to the United States Department of Education. The Graduate College, through the Associate Director of Institutional Research who is the campus contact at the Graduate College for such statistics, shall provide hard copy of crime statistics within 10 days of a request.

Union Graduate College established its own campus in September 2009; however the College will continue to utilize classrooms and facilities on the Union College campus. The College was not required to collect its own campus crime statistics until the building was occupied (September 2009) a separate campus was established in January, 2009. The link to information below includes crime statistics for an area approximately five blocks surrounding the Union Graduate College campus. This information is updated annually.

<http://www.uniongraduatecollege.edu/pdf/students/safety/Clery.pdf>

Emergency: 911

Union Graduate College Non-Emergency: 631-9900

Union College Non-Emergency: 388-6911 or 388-6178 (while on the Union College campus)

LIFE SAFETY VIOLATIONS POLICY

The abuse of any LIFE SAFETY EQUIPMENT in any campus building or facility is a SERIOUS VIOLATION of Union College and the Graduate College policy.

False fire alarms and willful damaging of any life safety equipment constitutes a real danger. Fire extinguishers, pull stations, alarm bells, smoke and heat detectors and alarm panels are in place for your safety. Use of these systems for other than fire emergencies, tampering with these systems or the intentional causing

of a false fire alarm will result in a fine and possible dismissal from the Graduate College. (Tampering includes moving, modifying, obstructing or in any way altering life safety equipment.)

MISSING PERSONS POLICY

Upon receipt of a report of a missing student, the Graduate College will conduct an investigation to determine the safety and current location of the person. If a person is determined to be missing after business hours, the Campus Safety Officer should be notified at 631-9912. The Campus Safety Officer will notify Student Services. Student Services staff will contact and help coordinate the investigation with the Schenectady Police Department. If the student has been missing for more than 24 hours, the Graduate College will also inform the missing student's registered/designated emergency contact. The Graduate College will utilize a similar policy in the event other campus community members such as faculty, staff, prospective students or other visitors to campus are reported missing.

An individual will be considered missing, if a roommate, classmate, faculty member, family member or other campus person has not seen the person for 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. An individual will also be considered missing immediately if his or her absence has occurred under circumstances that are suspicious or cause concerns for his or her safety.

PETS ON CAMPUS POLICY

No pets or animals, are allowed, in the Graduate Center, or on the Union Graduate College campus, unless for seeing or hearing impaired in which case they must be leashed on all occasions.

POSTING SIGNS AND FLYERS POLICY

Institutions of higher education need places where members of the institution can publicly present information about programs, activities, and issues. In recognition of this important function, Union Graduate College has developed a policy that will allow Graduate College academic programs, graduate student associations, and staff or faculty organizations to display signs or flyers on Graduate College premises.

A sign is any non-permanent written or graphic material on paper, cardboard, chalkboard, cloth or other, placed on public display for the purpose of advertising or information dissemination. A flyer is considered a sign as defined except distributed individually, i.e. through the student and faculty mailboxes.

Students who wish to post signs in the Graduate Center must receive approval through the Student Services office. When on the Union College Campus compliance with Union College's rules and regulations is also required.

SCHOOL CLOSINGS AND RELIGIOUS OBSERVANCES POLICIES

We participate in the School Closing Network which includes most major local radio and television stations and their websites. Decisions regarding **GRADUATE** classes are generally made by 2:00 pm for late afternoon courses and by 4:00pm for evening classes. Notice will be posted at www.uniongraduatecollege.edu. There may be instances that only classes starting after a certain hour are cancelled.

Religious Observances: Classes will be held; students observing holidays should contact their professors in advance to make up work and/or exams.

SEXUAL ASSAULT POLICY

The Graduate College is an educational community where strong emphasis is placed on self discovery and awareness, combined with a mutual respect and consideration for the lives and feelings of others. In such a setting, there is no place for conduct that diminishes, uses, or abuses other individuals. Any violation of trust, any form of sexual intimidation or exploitation, jeopardizes the mission of the institution and threatens the educational experience and well-being of students. The Graduate College will not tolerate sexual assault, and the institution will take appropriate action, as deemed necessary, to prevent and address such conduct.

The applicable laws and penalties for conviction for sex offenses are set forth in Appendix B of the Student Handbook. Any allegations that a person has violated any of these laws will be referred to the appropriate state or local authorities and also be grounds for disciplinary action. A person found to have violated any of these laws will be subject to both the statutory penalties that may be imposed by the courts of the state as well as the sanctions imposed by the College.

Definition of Sexual Assault

The Graduate College defines sexual assault (including but not limited to rape) as committing any of the following acts: Any sexual physical contact that involves the use or threat of force or violence or any other form of coercion or intimidation. Any sexual physical contact with a person who is unable to actively consent whether because asleep or under the influence of alcohol or other drugs to the point where the person is incapable of making or communicating reasonable judgments, or due to any incapacity or impairment, whether mental or physical.

Both "stranger rape" and "acquaintance rape" (in which the assailant and victim know each other), and both men and women can be perpetrators. Sexual physical contact includes, but is not limited to, kissing, fondling or otherwise touching another's private body parts. "Incapacity" or "impairment" includes, but is not limited to, being asleep or under the influence of alcohol or other drugs, as described above. The term "active consent" includes the following conditions:

- Each person involved in sexual contact not only agrees to the sexual activity but agrees freely and knowingly.
- It is the responsibility of the initiator of sexual contact to obtain active consent from the other person and to determine that consent is freely and knowing given.
- Silence or passivity should not be presumed to confer consent.
- A verbal "no" or other verbal expression of dissent and/or physical resistance, no matter how indecisive or weak or passive, always means NO.

Procedures

If you have been the victim of sexual assault, please call 911 immediately. All forms of sexual assault and all attempts to commit such acts are regarded as serious. Graduate College offenses that are likely to result in suspension, required withdrawal or expulsion. Any student alleged to have violated this Sexual Assault Policy will be subject to the Student Disciplinary Code. The New York Penal Law encompasses the offenses

identified above, and prosecution may take place independently of charges under Graduate College regulations.

Campus Sexual Assault Victim Bill of Rights

As a survivor of sexual assault, you have the right:

- To have any allegation of sexual assault treated seriously and to be treated with dignity.
- To have information on existing medical, counseling, mental health, or student services for victims of sexual assault, both on the campus and in the community, whether or not the crime is reported to campus or civil authorities.
- To have any allegation of sexual assault investigated and adjudicated by the appropriate criminal and civil authorities of the jurisdiction in which the crime occurred.
- To full and prompt cooperation and assistance of campus personnel in notifying the proper authorities.
- To be free from any suggestion that the victim is responsible for the commission of the crime.
- To be free from any suggestion that the victim was negligent or assumed the risk of being assaulted.
- To be free from any suggestion that the victim must report the crime to be assured of any other right guaranteed under the policy.
- To be free from any suggestion that the victim should refrain from reporting crimes in order to avoid unwanted personal publicity.
- To have an advocate present, in any campus disciplinary proceeding that the institution permits to the accused.
- To be notified of the outcome of any disciplinary proceeding against the accused.
- To full, prompt, and victim sensitive cooperation of campus personnel in obtaining, securing and maintaining evidence, including a medical examination if it is necessary to preserve evidence of the assault.
- To be informed of, and assisting in, exercising any rights that may be provided by law to compel the disclosure of the results of testing of sexual assault suspects for communicable diseases.
- To be informed of, and assisted in, exercising any rights to be confidentially, or anonymously, tested for sexually transmitted disease or immunodeficiency virus.
- To have access to counseling, under the terms and conditions as apply to other students seeking such counseling, from appropriate campus mental health service entities, or by other sexual assault victims, at the election of the victim.
- To require campus personnel to take reasonable and necessary action to prevent further unwanted contact of victims with their alleged assailants including, but not limited to, the immediate relocation of the victim to safe alternate housing and transfer of classes, if requested, if such changes are reasonably available.

Sexual Assault/Domestic Violence Resources

In the event of a sexual assault or domestic violence, we encourage you to seek medical attention and supportive counseling as soon as possible. Emergency contraception may also be available. Please contact 911 or one of the following area resources for help:

Domestic Violence Shelter of Schenectady

44 Washington Avenue, Schenectady

Hotline: 374-3386

Main number: 374-3394

Rape Crisis Service of Planned Parenthood

1040 State Street, Schenectady

Emergency Hotline: 346-2266

New York State Sexual Violence Hotline
1-800-942-6906

Twenty-four hour hotline that provides referrals to local services for victims of sexual violence.

Albany County Crime Victims Sexual Violence Center
112 State St., Albany
447-5500

Provides assistance to victims of sexual assault and/or domestic violence when the victim is a resident of Albany County or the alleged crime occurred in Albany County.

New York State Office for The Prevention of Domestic Violence
80 Wolf Road, Colonie
457-5800

A state agency that can provide a referral to local resources.

New York State Coalition Against Sexual Assault
63 Colvin Ave., Albany
482-4222

Provides referrals to local services.

SMOKING POLICY

Union Graduate College is a smoke free campus. No smoking or use of tobacco products are allowed on college owned property.

A. Compliance with Policy Effective implementation of the Graduate College Smoking Policy depends upon the courtesy, sensitivity, and cooperation of all members of the Graduate College community.

B. Scope of Policy

The Graduate College Smoking Policy applies to all buildings and grounds owned, rented or leased by the Graduate College. All members of the Graduate College community -students, faculty, staff and campus visitors -are expected to comply with this policy.

C. Notification of Policy

Notification of this policy to members of the Graduate College community and visitors shall be made by including the policy in the Handbook and the Graduate College website. At least one copy of this policy shall be posted in the Graduate College.

Signs shall be displayed at the entrances/exits of all Graduate College buildings and other appropriate locations stating that smoking is prohibited within the building and anywhere on the Graduate College campus.

D. Reporting of Violations of the Policy

Violations of this policy should be reported to the Academic Committee. There shall be no reprisals against anyone seeking assistance in enforcing this Policy. Any student allegedly in violation of this policy will be subject to the Student Disciplinary code.

SNOW REMOVAL POLICY

Snow Removal is a vital grounds keeping duty and a major safety concern. Your cooperation and assistance in this effort is required to maintain safe passage in and through the campus. Therefore, upon proper notice, you may be required to relocate your vehicle to a designated area on or off campus until snow removal operations are completed. Vehicles not removed after proper notice will be towed at the owner's expense. Refer to the website to determine how you will be notified of snow removal schedules.

STUDENTS WITH DISABILITIES POLICY

Union Graduate College is committed to protecting students with disabilities from discrimination in any form and to promoting access to educational opportunities for all of its students. Thus, the Graduate College will provide academic adjustments to qualifying students as required by Section 504 of the Rehabilitation Act of 1973 and the American with Disabilities Act of 1990.

An individual with a disability may request a reasonable accommodation when she or he knows that there is an educational barrier that is preventing her or him, due to a disability, from effectively performing their studies. Union Graduate College recommends that an individual request a reasonable accommodation before his/her performance suffers or conduct problems occur. A “disability” is defined as an individual who: has a physical or mental impairment that substantially limits one or more major life activities of such individual, has a record of such impairment, or is regarded as having such impairment.

Together with the request for accommodation, the student seeking accommodation must submit documentation of disability. The documentation must support the accommodation request by demonstrating by the opinion of a competent qualified health care provider that the student requesting accommodation has a physical, mental or learning impairment which substantially limits a major life activity and sets forth the nature, manner and duration of that limitation. This documentation generally must be within the last 24 months. The College reserves the right to require further evaluation.

This opinion of the qualified health care provider must reflect the student's present level of functioning of his/her major life activity affected by the disability. The opinion of the qualified health care provider must also provide detailed data that support the requests for any reasonable accommodation.

Applicants or students must pay the cost of obtaining the professional opinion of the qualified health care provider. The Graduate College has the discretion to require supplemental assessment of a disability. If the Graduate College requires an additional assessment for purposes of obtaining a second professional opinion, then the College shall bear any cost not covered by any third party.

While a student can request a particular type of accommodation, it is the College that determines how to meet a particular need. Therefore, alternative accommodations may be provided which are more cost effective or efficient than those requested by the student seeking accommodation.

An applicant or student must request a reasonable accommodation by contacting the Graduate College Registrar. Academic adjustments will be provided to the extent that the modification does not fundamentally alter the nature of a service, program or activity or would result in undue financial or administrative burdens. Written notification of the Graduate College's decision will be mailed to the student. The decision can be appealed within ten days by submitting a written request to the President. The President's decision will be communicated to the student. There will be no further appeal.

VEHICLES ON CAMPUS POLICY

Students may park in the Graduate Center parking lot during business and extended hours. No long-term parking is permitted. Students do not need a parking permit for the Graduate Center lot however they may be asked to present a valid Union Graduate College ID.

While parking on the Union College campus, Union College parking rules are enforced. The parking policy and traffic regulations apply to anyone who has a car on the Union campus. This includes students, faculty, staff and visitors. Parking decals are required, please see Vehicle Registration annually. The number of parking spaces on the campus is not sufficient to accommodate a vehicle for every student and employee (while there are generally enough parking spaces to accommodate the number of registered cars at any given time, it is not possible for everyone to park right next to the place where he/she works or attends classes.) This policy is designed to manage the available spaces as well as to maintain open areas for traffic flow and safety purposes.

All roadways on the Union campus are considered fire lanes to ensure that emergency vehicles have access to all buildings and residence halls. No parking is allowed in fire lanes. The campus speed limit is 15 miles per hour on all campus roadways and in parking lots. Violators will be ticketed. Reckless driving or driving under the influence will most likely result in immediate suspension of privileges pending the adjudication of Conduct Charges. For a complete list of regulations governing parking and driving on campus, including possible sanctions for violations, you may consult the Campus Safety Website: <http://www.union.edu/PUBLIC/SAFETY/PoliciesAndRegulations.html> or go to the Campus Safety Office for a hard copy, which you will receive when you register your vehicle.

Vehicle Registration for the Union College campus:

To register on the Union Campus:

- Go to Campus Safety at The Inn (near corner of Nott and Erie)
- Complete Vehicle Registration form
- Bring copy of car registration
- Bring driver's license
- Pay \$15 annual fee (check to Union College or Cash)

Towing

Any vehicle (whether registered or not) may be towed off Union College Campus at the owner's expense upon the accumulation of five (5) or more unresolved tickets. The Graduate College or Union College is not responsible for loss or damage to your car or personal property while parked on Campus grounds or when it

is towed. Vehicles must be parked within approved lined spaces.

Appeals of parking or other traffic-related violations must be made in writing within seven (7) days of the violation notice (ticket) and submitted to the Union College Campus Safety Department between 8:00 a.m. and 4:00 p.m. Monday through Friday. Notification will be made by the Union College Campus Safety Department within ten (10) business days.

VIOLENT FELONY OFFENCE INVESTIGATION POLICY AND PROCEDURE

Students who have been the victim of a violent felony offense are encouraged to seek medical attention even if they do not plan to press charges. Students should also report the violent felony offense to a UGC campus safety officer if it is after business hours or report the offense to Student Services if the offense occurs during normal business hours by calling 631-9830.

After reporting an incident to the Campus Safety Officer or Student Services, the victim may choose to

- Do nothing and keep the report on file in the Student Services Office (to be opened later if the victim chooses)
- Bring conduct charges. See the UGC Student Handbook for the Code Of Conduct procedures
- Bring criminal charges through local authorities.

Note: College officials are required, in accordance with New York State law, to promptly report all violent felonies occurring on campus properties to the police. Rapes are violent felonies. This does not mean that survivors of rape themselves are required to talk to police or press charges.

This does not mean that survivors of sexual assault are required to talk to police. Union Graduate College strongly encourages all victims to report the incident to the College. We are here to support you and to help ensure a safe community for everyone. Please see the Sexual Assault Policy & Procedures for the Campus Sexual Assault Victim Bill of Rights.

Conduct and criminal charges can be filed against a student simultaneously. If conduct charges are filed, the UGC Student Disciplinary Code will be followed as outlined in this Handbook.

If the student chooses to report the incident to the local police

- The police then will ask if she/he wants to press criminal charges
- The student may wish to consider asking to speak with the Sex Crimes Prosecutor in the Schenectady District Attorney's Office
- If the student wishes to press criminal charges, an investigator will be brought in and the process of criminal investigation will begin

Assault in Progress (fighting between students or others)

- Do not physically intervene if personal harm can come to you.
- Use nearest telephone to contact Student Services or Campus Safety Officer (if on duty) for assistance (518) 631-9912. Call 911 if warranted.
- Faculty/Staff: Appraise the situation:

- Verbal fight
- Pushing and shoving
- Blow and bodily contact
- Weapons
- Take Charge
 - Address students by name, if possible, talk calmly, telling student to separate.
 - Disperse crowd by asking other students to leave the scene
 - Intervene using physical intervention as a last resort
 - Separate combatants, respecting personal space
 - Settle down the aggressor, remaining calm, rational and professional

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is the landmark federal law, originally known as the Campus Security Act, requiring colleges and universities across the United States to disclose information about crime on and around their campuses. Because the law is tied to participation in federal student financial aid programs, it applies to most public and private institutions of higher education. It is enforced by the U.S. Department of Education.

According to this law:

- Schools must publish an annual report disclosing campus security policies and three years worth of selected crime statistics;
- Schools must make timely warnings to the campus community about crimes that pose an ongoing threat to students and employees;
- Each institution with a police or security department must have a public crime log;
- The U.S. Department of Education centrally collects and disseminates the crime statistics;
- Campus victims are assured of certain basic rights; and
- Schools that fail to comply can be fined by the U.S. Department of Education.

The Campus Safety and Risk Committee will provide upon request all campus crime statistics as reported to the United States Department of Education. The Graduate College, through the Associate Director of Institutional Research who is the campus contact at the Graduate College for such statistics, shall provide hard copy of crime statistics within 10 days of a request. Please visit the following U.S. Department of Education website for campus crime statistics: <http://ope.ed.gov/security/>

REFERENCE GUIDE

Issue	Contact	Building	Phone
Absence from Class	Instructor		
Academic Advising	Advisor	Graduate Center	See Catalog
Admissions	Diane Trzaskos	Graduate Center	518-631-9830
Admissions Dir. and Registrar	Rhonda Sheehan	Graduate Center	518-631-9835
Affirmative Action Advisor	Jane Fleury	Graduate Center	518-631-9851
Alumni Relations	Natalia Kutzer	Graduate Center	518-631-9852
Ambulance			911
Bill Payment	Admissions and Registrar	Graduate Center	518-631-9910
Bookstore @ Union College	Tim Porter	Reamer Campus Center-Union Campus	518-399-6189
Union College Campus Safety		College Park Hall Union Campus	518-388-6178 OR 911 if emergency
Campus Safety Office at The Graduate College		Graduate Center	518-631-9912 (during normal business hours) 911 after hours or cell?
Career Development	Jane Fluery	Graduate Center	518-631-9851
Communications and Media Relations	President's Office	Graduate Center	518-631-9840
Copy Center @ Union College	Paul DiBiase	Reamer Campus Center-Union Campus	518-388-6640
Credit (Transfer)	Academic Advisor or Registrar	Graduate Center	518-631-9835
Dean, School of Education	Lynn Gelzheiser (Interim)	Graduate Center	518-631-9870
Dean, School of Engineering and Computer Science	Robert Kozik	Graduate Center	518-631-9881
Dean, School of Management	Bela Musits	Graduate Center	518-631-9890
Director, Center for Bioethics and Clinical Leadership	Sean Philpott/ Ann Nolte	Graduate Center	518-631-9860
Emergency			911
Fax-1 st Floor - secure		Graduate Center	518-631-9901
Fax-2 nd Floor		Graduate Center	518-631-9902
Fax-3 rd Floor		Graduate Center	518.631-9903
Financial Aid	Nikki Gallucci	Graduate Center	518-631-9836
International Students	Rhonda Sheehan	Graduate Center	518-631-9835
IT	Bob Keenan	Graduate Center	518-631-9848
Main Number- Union Graduate College		Graduate Center	518-631-9910

Parking Inquiries	Campus Safety @ Union College	Campus Operations	518-388-6381
Poison Control Center			1-800-222-1222
Police Department of Schenectady/ Non-emergency			518-374-7744
President's Office	Marie Fuda	Graduate Center	518-631-9840
Public Relations	Sarah Bilofsky	Graduate Center	518-631-9855
Readmission from Leave	Admissions and Registrar	Graduate Center	518-631-9830
Reduce Course Load	Academic Advisor and Registrar	Graduate Center	See catalog
Student Services	Jaye Willis	Graduate Center	518-631-9910
Trolley @ Union College			518-248-5111
Vice President for Enrollment Management and Student Services	Joanne Fitzgerald	Graduate Center	518-631-9842
Vice President for Finance, Budget and Operations	Joe McDonald	Graduate Center	518-631-9869
Walking Escort Service @ Union Campus	Campus Safety @ Union College	Campus Operations	518-388-6178
Withdrawal from Course	Admissions and Registrar/ Academic Advisor	Graduate Center	518-631-9830

The Student Handbook is not intended to be a complete statement of all Union Graduate College policies, procedures and academic regulations. Information contained in this Handbook is subject to change at any time, with or without notice. The Student Handbook does not represent a contract between Union Graduate College and its students. The information contained herein supersedes that published in previous handbooks.

APPENDIX A

AFFIRMATIVE ACTION POLICY

POLICIES AND PROCESSES

SANCTIONS

AFFIRMATIVE ACTION ADVISOR TO THE PRESIDENT

AFFIRMATIVE ACTION COMMITTEE

PROCEDURE FOR PROCESSIONS COMPLAINTS OF DISCRIMINATION

MISCELLANEOUS RULES

GENERAL POLICY CONSIDERATIONS

Union Graduate College is committed to the principle of providing equal opportunity for all of its faculty, employees and students and to all applicants for admission or employment. As such, Union Graduate College does not discriminate on the basis of age, race, gender, color, religion, creed, ethnicity, national origin, ancestry, marital status, sexual orientation, disability/handicap, veteran status, or any other status protected under applicable federal, state, and local laws. It is the College's policy that all employment decisions should be based on valid criteria.

This applies to all employees and students.

POLICIES AND PROCESSES

Affirmative Action

- It is the policy of Union Graduate College that all persons be provided equal opportunities without regard to age, race, gender, color, religion, creed, religion, ethnicity, national origin, ancestry, marital status, sexual orientation, disability/handicap, veteran status, or any other status protected under application federal and state laws.
- This policy applies to all aspects of the employment relationship including advertising, recruitment, hiring, transfers, training, promotion, compensation, separation, wage and salary administration, as well as to all construction, vending and procurement activities. It requires that all employment decisions and human resource policies be administered solely on the basis of an individual's ability and qualifications without regard to age, race, gender, color, religion, creed, religion, ethnicity, national origin, ancestry, marital status, sexual orientation, disability/handicap, veteran status, or any other status protected under application federal and state laws.

Non-Discrimination and Anti-Harassment

- Union Graduate College is committed to a business and learning environment that is free of discriminatory intimidation or harassment on the basis of age, race, gender, color, religion, creed, religion, ethnicity, national origin, ancestry, marital status, sexual orientation, disability/handicap, veteran status, or any other status protected under application federal, state and local laws. Union Graduate College prohibits any such discrimination or harassment and it will not be tolerated.
- Under this policy, harassment is verbal or physical conduct that express hostility or aversion toward an individual because of his or her age, race, gender, color, religion, creed, religion, ethnicity, national

origin, ancestry, marital status, sexual orientation, disability/handicap, veteran status, or any other status protected under application federal, state and local law to the extent prohibited by law which has the purpose or effect of substantially interfering with an individual's work performance, creates an intimidating, hostile, or offensive business or learning environment, or otherwise adversely affects an individual's employment. Such harassment is a form of discrimination. It may occur in a variety of situations including, but not limited to slurs or epithets, stereotyping, denigrating jokes, the use of language or the display of written materials that show hostility or aversion to a particular group or to individuals believed to be part of that group, the dissemination or publication of materials or messages that are abusive, profane, threatening, defamatory, or offensive, or the conditioning of employment terms on submitting to harassing or discriminatory conduct.

Sexual Harassment Prevention

- Both federal and state law treats sexual harassment as a form of prohibited sex discrimination. Union Graduate College is committed to maintaining a learning and work environment that is free of sexual harassment as that term is defined under federal and state law, and to take effective action to prevent and correct sexual harassment by or against members of the College community.
- Sexual harassment is defined as unwelcome behavior of a sexual nature that relates to the gender or sexual identity of an individual and that has the purpose or effect of creating an intimidating or hostile work or academic environment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive business or learning environment.
- Sexual harassment occurs in a variety of situations that share a common element: the inappropriate introduction of sexual activities or comments into the work or learning situation. Often, sexual harassment involves relationships of unequal power, and contains elements of coercion—as when compliance with requests for sexual favors becomes a criterion for granting work, study or grading benefits. However, sexual harassment may also involve relationships among equals, as when repeated sexual advances or demeaning verbal behavior have a harmful effect on a person's ability to study or work in the academic setting. Activities such as
 - Comments repeatedly emphasizing the sexuality or sexual identity of an individual; or
 - Persistent requests for social-sexual encounters and favors; or
 - Physical contact of an offensive nature; or
 - Indecent exposure; or
 - Realized sexual encounters; or
 - Sexual crimes

constitute sexual harassment when they are of such severity as to create a hostile work or learning environment, or are requested in exchange for a change in the students, or employees conditions of learning or employment, the latter being referred to as *quid pro quo* sexual harassment. Examples of *quid pro quo* sexual

harassment are where one or more of the following terms or conditions accompanies demands or requests for sexual favors:

- Explicit or implicit promises of rewards for cooperation via misuse of institutional authority, e.g. to affect a subordinate's admission/employment, academic/professional advancement, financial aid/salary, grades/performance ratings, graduation/tenure, etc.
- Explicit or implicit threats of punishment for non-cooperation via misuse of institutional authority, e.g. to affect a subordinate's admission/employment, academic/professional advancement, financial aid/salary, grades/performance ratings, graduation/tenure, etc.
- Intimidation which creates a hostile or offensive academic/business environment; interferes with an individual's scholastic/work performance; prevents an individual's full enjoyment of educational/professional opportunities; or induces conformance, stress, anxiety, fear, or sickness on the part of the harassed person.

To avoid the potential for sexual harassment and conflict of interest, it is the policy of the College that no intimate relationship should exist between supervisor (or evaluator) and subordinate or between teacher and student. If a sexual relationship develops in such a situation, the direct supervisors of those involved must be notified and the supervisory authority and/or responsibility for grading, evaluation, etc. will be transferred promptly to another individual.

Protection of Complainants against Retaliation

- Retaliatory action against any person filing a complaint of any type of discrimination, including sexual harassment, is strictly prohibited. The Affirmative Action Advisor to the President (the "Advisor"), while attempting to mediate any discrimination or harassment complaint, will establish mutually agreed upon safeguards against retaliation as a part of the settlement.
- In addition, retaliatory action against any individual or group for participating in, or cooperating with an investigation or complaint of discrimination under these procedures is strictly prohibited.

Restrictive Membership Clubs

Official functions of Union Graduate College will not be held in clubs or other facilities that maintain restrictive membership requirements relating to age, race, gender, color, religion, creed, religion, ethnicity, national origin, ancestry, marital status, sexual orientation, disability/handicap, veteran status, or any other status protected under application federal and state laws. In addition, Union Graduate College will not pay for membership in such clubs, nor any bills or expenses incurred at such clubs.

SANCTIONS

Union Graduate College, in its sole discretion, shall determine appropriate sanctions to be imposed on individuals found to be engaging in sexual harassment, or a violation of any other of the policies hereby established. Examples of possible sanctions are warning letters to personnel or student discipline files; poor job performance ratings impacting upon salary, work assignment, promotion, and contract renewal, job termination or suspension or expulsion of a student.

AFFIRMATIVE ACTION ADVISOR TO THE PRESIDENT

Please note that for all time frames described below, winter break is excluded, as is Thanksgiving weekend.

The Affirmative Action Advisor to the President shall be appointed by the President and shall serve at the pleasure of the President.

The Affirmative Action Advisor to the President shall have the following duties, and responsibilities:

- a. To assure that the entire College Community is aware of Affirmative Action-related policies and his/her identity and availability.
- b. Hold meetings at least once a year with the Affirmative Action Committee to discuss current cases pending at the College and developments in the law, which affect this policy.
- c. Conduct annual training sessions, mandatory for all faculty and staff on this policy and procedures.
- d. Receive any complaint of any faculty, staff, student, or administrator who believes that he/she has been a victim of harassment or discrimination and explain Discrimination Complaint Procedures to complainant.
- e. Notify the President in the event that there is a conflict of interest between the complainant, the accused and any member of the Committee.
- f. Notify the supervising Dean or VP, that a complaint has been filed.
- g. Investigate the complaint as the Affirmative Action Advisor deems appropriate, which may include
 - initially discussing the factors of the case separately with the complainant and the respondent and discuss the possible actions to be taken. At these meetings, the Advisor will give copies of the Discrimination Complaint Procedure and the Appeal Procedure to the complainant and to the respondent;
 - interviewing, the complainant, the subject(s) of the complaint (respondent) and witnesses, as may be deemed appropriate by the Advisor;
 - requesting, obtaining and/or reviewing any relevant evidence—e.g. notes, e-mails, etc;
 - accessing related personnel files, Office of the President and/or student records, and documents relating to complaint from any document repositories at the College.
- h. Within 40 days of the date a complaint is made, the Affirmative Action Advisor will make a preliminary determination of probable cause of discrimination or harassment or no probable cause and the reasons therefore and document and transmit in writing to both complainant and respondent and the Affirmative Action Committee, the preliminary determination and recommend sanctions, if any.
- i. Within a week of the day of receipt of the preliminary determination, the respondent or complainant may provide to the Advisor a written response to the preliminary determination of the Advisor. This response may either admit or dispute the determination made or the findings and bases for the findings made by the Advisor. Matters not disputed shall be deemed admitted. Respondent's and complainant's responses, if any, shall promptly be provided to the Committee by the Advisor.
- j. Within three weeks of the day of receipt of the preliminary determination (and two weeks after the opportunity of the respondent or complainant to admit or dispute) the Affirmative Action Committee will meet or come to consensus by phone or e-mail exchange and relay to the Advisor its determination, and sanctions recommended, if any. The determination may be the need for a hearing. The Advisor will communicate such findings to the complainant and notify him/her that if he/she is not satisfied with the determination and sanction(s) that he/she has the right of the appeal to the President as hereafter set forth in this policy. The appeal to the President may include a request for a hearing of the Affirmative Action Committee.
- k. The complainant and the respondent will be notified by the Advisor if the Committee's determination

is that a hearing is to be conducted and the complainant and the respondent will also be notified of the names of the persons chosen as the Panel, and they will be advised that they each may file a response within a week an outline of any additional evidence to be offered at the hearing in support of their position including a list of proposed witnesses.

1. If complainant or respondent appeals, the Advisor will notify President and the Chair of the Affirmative Action Committee that an appeal has been filed, and provide the President with a complete record of the proceedings to the date of the appeal.

AFFIRMATIVE ACTION COMMITTEE

Please note that for all time frames described below, winter break is excluded, as is Thanksgiving weekend.

The Affirmative Action Committee shall consist of 6 persons: 2 members appointed by the President from the Administration/Staff, 2 full-time Union Graduate College-tenured faculty members appointed by the Faculty, and 2 student members. A slate of four student members shall be recommended to the President annually by the Student Government. Terms of all members shall commence on July 1st and end June 30th.

Administration/Staff and Faculty members shall serve two year staggered terms. The Committee shall elect a Chair from its ranks. Student members shall not serve as chair and shall not participate in processes that do not involve students.

Affirmative Action Committee Procedures:

- a. Within three weeks of the day of receipt of the Advisor's preliminary determination (and two weeks after the opportunity of the respondent or complainant to respond) the Affirmative Action Committee will meet or come to consensus by phone or e-mail exchange and determine whether:
 - b. to adopt the preliminary determination;
 - c. to amend the determination and/or the recommended sanctions; or
 - d. if consensus cannot be reached, to conduct a hearing.
- e. If the Committee shall determine that a hearing is necessary, the Chair will appoint three members of the Committee, one from Administration/Staff, one from the faculty, and one student, as a panel to conduct the hearing (the "Panel"). The student will be replaced by a staff or faculty member if students are not involved in the case. The Panel shall elect one non-student member to be Chair of the Panel.
- f. The complainant and the respondent will be notified by the Advisor if the Committee's determination is that a hearing is to be conducted and the complainant and the respondent will also be notified of the names of the persons chosen as the Panel, and they will be advised that they each may file a response within a week an outline of any additional evidence to be offered at the hearing in support of their position including a list of proposed witnesses.
- g. Within three (3) business days of receipt of the notice identifying the members of the Panel, the complainant and respondent will each be allowed to disqualify one person from the Panel if so desired. If an individual is disqualified, the Committee Chair will appoint another member of the Committee to serve on the Panel. The Chair shall endeavor to replace an Administration/Staff member with another, a faculty member with a faculty member and a student member with a student member where possible, but if not possible the Chair may appoint any other member of the Committee to replace a disqualified member of the panel.
- h. The record before the Panel upon which it shall base its recommendation to the President will be comprised of the:
 - Submissions of the parties;

- Any testimony taken during the hearing;
 - Any documents or other evidence submitted and accepted by the Panel;
 - All records or material reviewed by the Advisor in reaching a determination on the complaint but excluding materials such as interpretations or analyses prepared by the Advisor in the case.
- g. The Advisor shall prepare and give the record to the Panel except for information or testimony to be taken during the hearings. In addition, she/he shall make a copy of the record available for review by the complainant and respondent.

Conduct of the Hearing

- a. The Panel shall give the parties written notice of the date, time and place of the first session of the hearing at least a week in advance.
- b. The respondent(s) and the complainant(s) have the right to be represented or aided by a member of the Union Graduate College community.
- c. A transcript will not be kept unless the Panel determines otherwise. Proceedings will be recorded.
- d. The Panel hearings shall be closed.
- e. All parties, participants, and witnesses will observe strict rules of decorum.
- f. The Panel will strive to conduct the hearing as expeditiously as possible. Any rulings made during the course of the proceeding shall require the approval of at least two members.
- g. The order of presentation on the matters to be examined in the hearing shall be as follows: the Complainant or her/his representative first offer evidence in support of the complaint followed by the adverse party, followed by the Advisor if the Advisor determines additional evidence should be brought to the attention of the Panel. Complainant, respondent or the Advisor may present evidence through witnesses, documentation, or in a narrative manner. Six copies of all documents offered shall be made available by the party offering the document, such that there is a copy for the complainant, respondent, Advisor and each Panel member. All documents shall be identical to the original. The complainant, respondent and the Advisor shall each have the right to cross exam witnesses and to challenge the authenticity, or relevance of other evidence.
- h. Complainant, respondent and the Advisor shall have the opportunity for rebuttal in the same order. Additional rebuttal by each side may be permitted at the discretion of the Panel. This procedure may be altered if the Panel believes that orderly development of the issues requires a different method of examination.
- i. Neither complainant, respondent or the Advisor or their representative(s) are to discuss the proceedings with members of the Panel unless the Panel is meeting as a body. This does not, however, preclude Complainant, respondent or the Advisor or her/his representative from reviewing with the Panel Chair purely technical matters such as the names of witnesses or the nature of documents to be introduced at a hearing.
- j. The Panel is not bound by the rules of evidence, or by the rules of law relating to due process, and its determinations shall not be challengeable when made in good faith. Neither complainant nor respondent shall be entitled to be represented by an attorney. When new matters, not set forth in the submissions of the parties prior to the hearings, or in the notices from the Committee or the Panel to the parties, are raised at the hearing, the parties shall be afforded a reasonable opportunity to prepare and to respond to the new material, and the Panel may in its discretion, but is not required to, refer the matter to the Advisor for reconsideration. Discussion of the matter by the members of the Panel, including discussion of procedural matters, should be limited to occasions when the Panel is meeting

as a body.

- k. In the conduct of the hearing, in its deliberations and in its determinations the Panel should be sensitive to the interests of both the complainant and the respondent, but that if it shall determine that a preponderance of the credible evidence establishes a violation of the policy, its first duty is to the College to assure that appropriate action is taken to redress the situation and to assure that such violations of this policy do not recur.
- l. Within a week of final deliberations, the Panel's recommendation shall be submitted to the President. Written dissenting or concurring opinions are permitted and shall be submitted with the recommendation.

Findings and Decisions

- a. Within three weeks after receipt of the recommendation from the Committee, or in the case of a hearing, from the Panel, the President, shall issue in writing a decision on the case, and shall inform all parties: the complainant, the respondent, the Advisor and the Chair of the Committee of the decision, and the basis for the decision. The President shall not be required to adopt the determination or recommendations of the Panel or of the Advisor.
- b. The President's decision shall be final.

PROCEDURE FOR PROCESSIONS COMPLAINTS OF DISCRIMINATION

Who May File a Complaint

Any employee, applicant for employment, or student at Union Graduate College who believes that she/he has been discriminated against in violation of this policy may file a complaint of discrimination. A group of eligible people may jointly file a complaint.

When to file

In order to pursue redress through Union Graduate College's affirmative action procedures an aggrieved employee or student should meet with the Affirmative Action Advisor to the President (the "Advisor") as soon as possible after the alleged act of discrimination to discuss the complaint.

Where to File

An employee, student, or applicant who wishes to file a complaint of discrimination must first meet with the Advisor or, in his/her absence, the Vice President for Student Services who shall act in the Advisor's capacity until the Advisor returns.

How to File a Complaint

When the employee or student meets with the Advisor, the employee or student will be asked to provide the following information:

- Name of Complainant; Signature of Complainant.
- Home Address (Street, County, City, State, Zip Code).
- Home Telephone Number (including area code).
- Business or College Address (complete).
- Business or College Telephone Number (including area code).
- Position Held.

- Basis for filing a complaint of discrimination (age, race, gender, color, religion, creed, ethnicity, national origin, ancestry, marital status, sexual orientation, disability/handicap, veteran status, or any other status protected under applicable federal, state, and local laws.).
- Place of alleged discriminatory act.
- Person (respondent) who committed alleged act of discrimination.
- Person designated to represent the complainant if she/he wants to be assisted. (The complainant may select a faculty member, staff person, or student from UGC. The representative may not be an attorney nor may it be anyone who has a conflict of interest in the matter.)
- A detailed account of the events that led to the filing of the complaint of discrimination.

MISCELLANEOUS RULES

Confidentiality

Due to the sensitive nature of these complaints, the Advisor, and all informed parties shall endeavor to maintain confidentiality. However, if credible evidence establishes a violation of the policy, the College shall take such steps to assure that appropriate action is taken to redress the situation immediately and to assure that such violations of this policy do not recur. Where not inconsistent with this duty, the College, the Advisor and other informed parties shall take such steps as shall reasonably be required to protect any requested confidentiality or anonymity of the victims of the violations of this policy;

Conflict of Interest Resolution

In the event that a complaint is filed against a person who has a major responsibility under these procedures, the Committee will make a recommendation to the President who shall determine the appropriate change(s) in procedures or persons implementing this policy, and inform the Committee, Advisor, complainant and respondent in writing of such changes. Where there is a conflict of interest with the President, the Board Chair shall name someone to act in the place and stead of the President.

Record Retention Time of Discrimination Complaints

The Advisor will retain the complaints in a locked confidential file for three (3) years. At the end of the three years, the complaints will be boxed, archived, and maintained by the College. Access to the files will be limited to the President or his/her designee and the Advisor. The Advisor and the President will review the files after seven (7) years and a decision to dispose or to retain the files for a longer period will be made at that time. Nothing in this policy shall affect any obligation of Union Graduate College to comply with lawfully issued process such as subpoenas and Court Orders in regard to these documents.

Record Retention Demographics

The College shall maintain for a minimum period of three years, beginning with the year after the year of compilation or acquisition, the following records:

- Records indicating the racial composition of the student body, faculty, and administrative staff for each academic year;
- Records sufficient to document that scholarship and other financial assistance is awarded on a racially nondiscriminatory basis;

- Copies of all brochures, catalogues, and advertising dealing with student admissions, programs, and scholarships.
- Copies of all materials used by or on behalf of the school to solicit contributions.

APPENDIX B

SUMMARY OF N.Y. STATE SEX OFFENSES, STALKING & DOMESTIC VIOLENCE LAWS

Whether or not specifically stated, it is an element of every offense defined below that the sexual act was committed without consent of the victim. Lack of consent can be express by word, or evidenced by the victims actions or deeds, or can be implied from forcible compulsion, from incapacity to consent, or from circumstances in which the victim does not expressly or impliedly acquiesce in the actor's conduct. A person is deemed incapable of consent when he or she is: less than seventeen years old; or mentally disabled; or mentally incapacitated; or physically helpless.

130.20. Sexual misconduct

A person is guilty of sexual misconduct when:

1. He or she engages in sexual intercourse with another person without such person's consent; or
2. He or she engages in oral sexual conduct or anal sexual conduct with another person without such person's consent; or
3. He or she engages in sexual conduct with an animal or a dead human body.

Sexual misconduct is a class A misdemeanor.

130.25. Rape in the third degree

A person is guilty of rape in the third degree when:

1. He or she engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than seventeen years old;
2. Being twenty-one years old or more, he or she engages in sexual intercourse with another person less than seventeen years old; or
3. He or she engages in sexual intercourse with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

Rape in the third degree is a class E felony.

130.30. Rape in the second degree

A person is guilty of rape in the second degree when:

1. being eighteen years old or more, he or she engages in sexual intercourse with another person less than fifteen years old; or
2. he or she engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It shall be an affirmative defense to the crime of rape in the second degree as defined in subdivision one of this section that the defendant was less than four years older than the victim at the time of the act.

Rape in the second degree is a class D felony.

130.35. Rape in the first degree

A person is guilty of rape in the first degree when he or she engages in sexual intercourse with another person:

1. By forcible compulsion; or
2. Who is incapable of consent by reason of being physically helpless; or
3. Who is less than eleven years old; or
4. Who is less than thirteen years old and the actor is eighteen years old or more.

Rape in the first degree is a class B felony.

130.40. Criminal sexual act in the third degree

A person is guilty of criminal sexual act in the third degree when:

1. He or she engages in oral sexual conduct or anal sexual conduct with a person who is incapable of consent by reason of some factor other than being less than seventeen years old;
2. Being twenty-one years old or more, he or she engages in oral sexual conduct or anal sexual conduct with a person less than seventeen years old; or
3. He or she engages in oral sexual conduct or anal sexual conduct with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

Criminal sexual act in the third degree is a class E felony.

130.45. Criminal sexual act in the second degree

A person is guilty of criminal sexual act in the second degree when:

1. being eighteen years old or more, he or she engages in oral sexual conduct or anal sexual conduct with another person less than fifteen years old; or
2. he or she engages in oral sexual conduct or anal sexual conduct with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.

It shall be an affirmative defense to the crime of criminal sexual act in the second degree as defined in subdivision one of this section that the defendant was less than four years older than the victim at the time of the act.

Criminal sexual act in the second degree is a class D felony.

130.50. Criminal sexual act in the first degree

A person is guilty of criminal sexual act in the first degree when he or she engages in oral sexual conduct or anal sexual conduct with another person:

1. By forcible compulsion; or
2. Who is incapable of consent by reason of being physically helpless; or
3. Who is less than eleven years old; or
4. Who is less than thirteen years old and the actor is eighteen years old or more.

Criminal sexual act in the first degree is a class B felony.

130.52. Forcible touching

A person is guilty of forcible touching when such person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. For the purposes of this section, forcible touching includes squeezing, grabbing or pinching.

Forcible touching is a class A misdemeanor.

130.55. Sexual abuse in the third degree

A person is guilty of sexual abuse in the third degree when he or she subjects another person to sexual contact without the latter's consent; except that in any prosecution under this section, it is an affirmative defense that (a) such other person's lack of consent was due solely to incapacity to consent by reason of being less than seventeen years old, and (b) such other person was more than fourteen years old, and (c) the defendant was less than five years older than such other person.

Sexual abuse in the third degree is a class B misdemeanor.

130.60. Sexual abuse in the second degree

A person is guilty of sexual abuse in the second degree when he or she subjects another person to sexual contact and when such other person is:

1. Incapable of consent by reason of some factor other than being less than seventeen years old; or
2. Less than fourteen years old.

Sexual abuse in the second degree is a class A misdemeanor.

130.65. Sexual abuse in the first degree

A person is guilty of sexual abuse in the first degree when he or she subjects another person to sexual contact:

1. By forcible compulsion; or
2. When the other person is incapable of consent by reason of being physically helpless; or
3. When the other person is less than eleven years old.

Sexual abuse in the first degree is a class D felony.

130.65-a. Aggravated sexual abuse in the fourth degree

1. A person is guilty of aggravated sexual abuse in the fourth degree when:
 - a) He or she inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person and the other person is incapable of consent by reason of some factor other than being less than seventeen years old; or
 - (b) He or she inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than seventeen years old.
2. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the fourth degree is a class E felony.

130.66. Aggravated sexual abuse in the third degree

1. A person is guilty of aggravated sexual abuse in the third degree when he inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person:
 - (a) By forcible compulsion; or
 - (b) When the other person is incapable of consent by reason of being physically helpless; or
 - (c) When the other person is less than eleven years old.
2. A person is guilty of aggravated sexual abuse in the third degree when he or she inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.
3. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the third degree is a class D felony.

130.67. Aggravated sexual abuse in the second degree

1. A person is guilty of aggravated sexual abuse in the second degree when he inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person:
 - (a) By forcible compulsion; or
 - (b) When the other person is incapable of consent by reason of being physically helpless; or
 - (c) When the other person is less than eleven years old.
2. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the second degree is a class C felony.

130.70. Aggravated sexual abuse in the first degree

1. A person is guilty of aggravated sexual abuse in the first degree when he inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person:

- (a) By forcible compulsion; or
- (b) When the other person is incapable of consent by reason of being physically helpless; or
- (c) When the other person is less than eleven years old.

2. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the first degree is a class B felony.

130.75. Course of sexual conduct against a child in the first degree

1. A person is guilty of course of sexual conduct against a child in the first degree when, over a period of time not less than three months in duration:

- (a) he or she engages in two or more acts of sexual conduct, which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact, with a child less than eleven years old; or
- (b) he or she, being eighteen years old or more, engages in two or more acts of sexual conduct, which include at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact, with a child less than thirteen years old.

2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.

Course of sexual conduct against a child in the first degree is a class B felony.

130.80. Course of sexual conduct against a child in the second degree

1. A person is guilty of course of sexual conduct against a child in the second degree when, over a period of time not less than three months in duration:

- (a) he or she engages in two or more acts of sexual conduct with a child less than eleven years old; or
- (b) he or she, being eighteen years old or more, engages in two or more acts of sexual conduct with a child less than thirteen years old.

2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.

Course of sexual conduct against a child in the second degree is a class D felony.

130.85. Female genital mutilation

1. A person is guilty of female genital mutilation when:

- a) a person knowingly circumcises, excises, or infibulates the whole or any part of the labia majora or labia minora or clitoris of another person who has not reached eighteen years of age; or

(b) being a parent, guardian or other person legally responsible and charged with the care or custody of a child less than eighteen years old, he or she knowingly consents to the circumcision, excision or infibulation of whole or part of such child's labia majora or labia minora or clitoris.

2. Such circumcision, excision, or infibulation is not a violation of this section if such act is:
 - (a) necessary to the health of the person on whom it is performed, and is performed by a person licensed in the place of its performance as a medical practitioner; or
 - (b) performed on a person in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed in the place it is performed as a medical practitioner, midwife, or person in training to become such a practitioner or midwife.
3. For the purposes of paragraph (a) of subdivision two of this section, no account shall be taken of the effect on the person on whom such procedure is to be performed of any belief on the part of that or any other person that such procedure is required as a matter of custom or ritual.

Female genital mutilation is a class E felony.

130.90. Facilitating a sex offense with a controlled substance

A person is guilty of facilitating a sex offense with a controlled substance when he or she:

1. knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance or preparation, compound, mixture or substance that requires a prescription to obtain to another person without such person's consent and with intent to commit against such person conduct constituting a felony defined in this article; and
2. commits or attempts to commit such conduct constituting a felony defined in this article.

Facilitating a sex offense with a controlled substance is a class D felony.

120.45 Stalking in the fourth degree.

A person is guilty of stalking in the fourth degree when he or she intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct:

1. is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or
2. causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or
3. is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

Stalking in the fourth degree is a class B misdemeanor.

120.50 Stalking in the third degree.

A person is guilty of stalking in the third degree when he or she:

1. Commits the crime of stalking in the fourth degree in violation of section 120.45 of this article against three or more persons, in three or more separate transactions, for which the actor has not been previously convicted; or
2. Commits the crime of stalking in the fourth degree in violation of section 120.45 of this article against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime, as defined in subdivision five of section 120.40 of this article, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or
3. With intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or
4. Commits the crime of stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.

Stalking in the third degree is a class A misdemeanor.

120.55 Stalking in the second degree.

A person is guilty of stalking in the second degree when he or she:

1. Commits the crime of stalking in the third degree as defined in subdivision three of section 120.50 of this article and in the course of and in furtherance of the commission of such offense: (i) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, shotgun, machine gun, electronic dart gun, electronic stun gun, cane sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, slingshot, slungshot, shirken, "Kung Fu Star", dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapon; or (ii) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or
2. Commits the crime of stalking in the third degree in violation of subdivision three of section 120.50 of this article against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime as defined in subdivision five of section 120.40 of this article, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or
3. Commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree as defined in subdivision four of section 120.50 of this article against any person; or
4. Being twenty-one years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or

5. Commits the crime of stalking in the third degree, as defined in subdivision three of section 120.50 of this article, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.

Stalking in the second degree is a class E felony.

120.60 Stalking in the first degree.

A person is guilty of stalking in the first degree when he or she commits the crime of stalking in the third degree as defined in subdivision three of section 120.50 or stalking in the second degree as defined in section 120.55 of this article and, in the course and furtherance thereof, he or she:

1. intentionally or recklessly causes physical injury to the victim of such crime; or
2. commits a class A misdemeanor defined in article one hundred thirty of this chapter, or a class E felony defined in section 130.25, 130.40 or 130.85 of this chapter, or a class D felony defined in section 130.30 or 130.45 of this chapter.

Stalking in the first degree is a class D felony.

Selected excerpts from the Domestic Violence Prevention Act

§ 459-a. Definitions.

As used in this article:

1. "Victim of domestic violence" means any person over the age of sixteen, any married person or any parent accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of an act which would constitute a violation of the penal law, including, but not limited to acts constituting disorderly conduct, harassment, menacing, reckless endangerment, kidnapping, assault, attempted assault, or attempted murder; and (i) such act or acts have resulted in actual physical or emotional injury or have created a substantial risk of physical or emotional harm to such person or such person's child; and (ii) such act or acts are or are alleged to have been committed by a family or household member.
2. "Family or household members" mean the following individuals:
 - (a) persons related by consanguinity or affinity;
 - (b) persons legally married to one another;
 - (c) persons formerly married to one another regardless of whether they still reside in the same household;
 - (d) persons who have a child in common regardless of whether such persons are married or have lived together at any time;
 - (e) unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; or
 - (f) any other category of individuals deemed to be a victim of domestic violence as defined by the department in regulation.
3. "Parent" means a natural or adoptive parent or any individual lawfully charged with a minor child's care or custody.
4. "Residential program for victims of domestic violence" means any residential care program certified by the department and operated by a not-for-profit organization in accordance with the regulations of the department for the purpose of providing emergency shelter, services and care to victims of domestic violence.

Residential programs for victims of domestic violence shall include, but shall not be limited to:

(a) "Domestic violence shelters", which shall include any residential care facility organized for the exclusive purpose of providing emergency shelter, services and care to victims of domestic violence and their minor children, if any;

(b) "Domestic violence programs" which shall include any facility which otherwise meets or would meet the requirements of paragraph (a) of this subdivision, except that victims of domestic violence and their minor children, if any, constitute at least seventy percent of the clientele of such program; and

(c) "Safe home networks" which shall include any organized network of private homes offering emergency shelter and services to victims of domestic violence and their minor children, if any. Such network shall be coordinated by a not-for-profit organization.

5. "Non-residential program for victims of domestic violence" means any program operated by a not-for-profit organization, for the purpose of providing non-residential services to victims of domestic violence, including, but not limited to, information and referral services, advocacy, counseling, and community education and outreach activities and providing or arranging for hotline services. Victims of domestic violence and their children, if any, shall constitute at least seventy percent of the clientele of such programs.

§ 459-b. Residential services for victims of domestic violence.

In accordance with section one hundred thirty-one-u of this chapter and the regulations of the department, a social services district shall offer and provide necessary and available emergency shelter and services at a residential program for victims of domestic violence to a victim of domestic violence who was residing in the social services district at the time of the alleged domestic violence whether or not such victim is eligible for public assistance.

§ 459-c. Non-residential services for victims of domestic violence.

1. In accordance with the provisions of this section and the regulations of the department, a social services district shall offer and provide non-residential services including but not limited to, information and referral services, advocacy, counseling, community education and outreach activities, and hotline services, to a victim of domestic violence whether or not the victim is eligible for public assistance. A social services district may provide such non-residential services directly or may purchase such services from a not-for-profit organization operating a residential program and/or a non-residential program for victims of domestic violence.

2. To the extent that funds are appropriated expressly therefore and a social services district has exhausted its allocation under title XX of the federal social security act, state reimbursement shall be available for fifty percent of the expenditures made by a social services district for those non-residential services provided to victims of domestic violence which are included in the social services district's multi-year consolidated services plans and annual implementation reports approved by the department pursuant to section thirty-four-a of this chapter.

NEW YORK HATE CRIMES ACT OF 2000

§ 485.00 Legislative findings.

The legislature finds and determines as follows: criminal acts involving violence, intimidation and destruction of property based upon bias and prejudice have become more prevalent in New York state in recent years. The intolerable truth is that in these crimes, commonly and justly referred to as "hate crimes", victims are intentionally selected, in whole or in part, because of their race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation. Hate crimes do more than threaten the safety and welfare of all citizens. They inflict on victims incalculable physical and emotional damage and tear at the very fabric of free society. Crimes motivated by invidious hatred toward particular groups not only harm individual victims but send a powerful message of intolerance and discrimination to all members of the group to which the victim belongs. Hate crimes can and do intimidate and disrupt entire communities and vitiate the civility that is essential to healthy democratic processes. In a democratic society, citizens cannot be required to approve of the beliefs and practices of others, but must never commit criminal acts on account of them. Current law does not adequately recognize the harm to public order and individual safety that hate crimes cause. Therefore, our laws must be strengthened to provide clear recognition of the gravity of hate crimes and the compelling importance of preventing their recurrence.

Accordingly, the legislature finds and declares that hate crimes should be prosecuted and punished with appropriate severity.

§ 485.05 Hate crimes.

1. A person commits a hate crime when he or she commits a specified offense and either: (a) intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or (b) intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

2. Proof of race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of the defendant, the victim or of both the defendant and the victim does not, by itself, constitute legally sufficient evidence satisfying the people's burden under paragraph (a) or (b) of subdivision one of this section.

* 3. A "specified offense" is an offense defined by any of the following provisions of this chapter: section 120.00 (assault in the third degree); section 120.05 (assault in the second degree); section 120.10 (assault in the first degree); section 120.12 (aggravated assault upon a person less than eleven years old); section 120.13 (menacing in the first degree); section 120.14 (menacing in the second degree); section 120.15 (menacing in the third degree); section 120.20 (reckless endangerment in the second degree); section 120.25 (reckless endangerment in the first degree); subdivision one of section 125.15 (manslaughter in the second degree); subdivision one, two or four of section 125.20 (manslaughter in the first degree); section 125.25 (murder in the second degree); section 120.45 (stalking in the fourth degree); section 120.50 (stalking in the third degree); section 120.55 (stalking in the second degree); section 120.60 (stalking in the first degree); subdivision one of section 130.35 (rape in the first degree); subdivision one of section 130.50 (criminal sexual act in the first degree); subdivision one of section 130.65 (sexual abuse in the first degree); paragraph (a) of subdivision one of section 130.67 (aggravated sexual abuse in the second degree); paragraph (a) of subdivision one of section 130.70 (aggravated sexual abuse in the first degree); section 135.05 (unlawful imprisonment in the second degree); section 135.10 (unlawful imprisonment in the first degree); section 135.20 (kidnapping in the second degree); section 135.25 (kidnapping in the first degree); section 135.60 (coercion in the second degree); section 135.65 (coercion in the first degree); section 140.10 (criminal trespass in the third degree); section 140.15 (criminal trespass in the second degree); section 140.17 (criminal trespass in the first degree); section 140.20 (burglary in the third degree); section 140.25 (burglary in the second degree); section 140.30 (burglary in the first degree); section 145.00 (criminal

mischief in the fourth degree); section 145.05 (criminal mischief in the third degree); section 145.10 (criminal mischief in the second degree); section 145.12 (criminal mischief in the first degree); section 150.05 (arson in the fourth degree); section 150.10 (arson in the third degree); section 150.15 (arson in the second degree); section 150.20 (arson in the first degree); section 155.25 (petit larceny); section 155.30 (grand larceny in the fourth degree); section 155.35 (grand larceny in the third degree); section 155.40 (grand larceny in the second degree); section 155.42 (grand larceny in the first degree); section 160.05 (robbery in the third degree); section 160.10 (robbery in the second degree); section 160.15 (robbery in the first degree); section 240.25 (harassment in the first degree); subdivision one, two or four of section 240.30 (aggravated harassment in the second degree); or any attempt or conspiracy to commit any of the foregoing offenses.

* NB Effective until November 11, 2010

* 3. A "specified offense" is an offense defined by any of the following provisions of this chapter: section 120.00 (assault in the third degree); section 120.05 (assault in the second degree); section 120.10 (assault in the first degree); section 120.12 (aggravated assault upon a person less than eleven years old); section 120.13 (menacing in the first degree); section 120.14 (menacing in the second degree); section 120.15 (menacing in the third degree); section 120.20 (reckless endangerment in the second degree); section 120.25 (reckless endangerment in the first degree); section 121.12 (strangulation in the second degree); section 121.13 (strangulation in the first degree); subdivision one of section 125.15 (manslaughter in the second degree); subdivision one, two or four of section 125.20 (manslaughter in the first degree); section 125.25 (murder in the second degree); section 120.45 (stalking in the fourth degree); section 120.50 (stalking in the third degree); section 120.55 (stalking in the second degree); section 120.60 (stalking in the first degree); subdivision one of section 130.35 (rape in the first degree); subdivision one of section 130.50 (criminal sexual act in the first degree); subdivision one of section 130.65 (sexual abuse in the first degree); paragraph (a) of subdivision one of section 130.67 (aggravated sexual abuse in the second degree); paragraph (a) of subdivision one of section 130.70 (aggravated sexual abuse in the first degree); section 135.05 (unlawful imprisonment in the second degree); section 135.10 (unlawful imprisonment in the first degree); section 135.20 (kidnapping in the second degree); section 135.25 (kidnapping in the first degree); section 135.60 (coercion in the second degree); section 135.65 (coercion in the first degree); section 140.10 (criminal trespass in the third degree); section 140.15 (criminal trespass in the second degree); section 140.17 (criminal trespass in the first degree); section 140.20 (burglary in the third degree); section 140.25 (burglary in the second degree); section 140.30 (burglary in the first degree); section 145.00 (criminal mischief in the fourth degree); section 145.05 (criminal mischief in the third degree); section 145.10 (criminal mischief in the second degree); section 145.12 (criminal mischief in the first degree); section 150.05 (arson in the fourth degree); section 150.10 (arson in the third degree); section 150.15 (arson in the second degree); section 150.20 (arson in the first degree); section 155.25 (petit larceny); section 155.30 (grand larceny in the fourth degree); section 155.35 (grand larceny in the third degree); section 155.40 (grand larceny in the second degree); section 155.42 (grand larceny in the first degree); section 160.05 (robbery in the third degree); section 160.10 (robbery in the second degree); section 160.15 (robbery in the first degree); section 240.25 (harassment in the first degree); subdivision one, two or four of section 240.30 (aggravated harassment in the second degree); or any attempt or conspiracy to commit any of the foregoing offenses.

* NB Effective November 11, 2010

4. For purposes of this section:

- (a) the term "age" means sixty years old or more;
- (b) the term "disability" means a physical or mental impairment that substantially limits a major life activity.

§ 485.10 Sentencing.

1. When a person is convicted of a hate crime pursuant to this article, and the specified offense is a violent felony offense, as defined in section 70.02 of this chapter, the hate crime shall be deemed a violent felony offense.

2. When a person is convicted of a hate crime pursuant to this article and the specified offense is a misdemeanor or a class C, D or E felony, the hate crime shall be deemed to be one category higher than the specified offense the defendant committed, or one category higher than the offense level applicable to the defendant's conviction for an attempt or conspiracy to commit a specified offense, whichever is applicable.

3. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class B felony: (a) the maximum term of the indeterminate sentence must be at least six years if the defendant is sentenced pursuant to section 70.00 of this chapter; (b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of this chapter; (c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter; (d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter.

4. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the indeterminate sentence shall be not less than twenty years.

* 5. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a hate crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at hate crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community.

* NB Effective November 1, 2010