



Schenectady County Community College: Annual Security Report 2010

Schenectady County Community College

2010 Annual Security Report

CLERY STATEMENT

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (1998) and The Higher Education Opportunity Act of 2008, Schenectady County Community College annually provides information relating to campus crime statistics and security measures to the U.S. Department of Education. The college community, prospective students, prospective employees and the general public may obtain Schenectady County Community College's Annual Security Report electronically at www.sunysccc.edu/student/campussafety. Crime statistics can be obtained electronically from the U. S. Department of Education Web site at <http://ope.ed.gov/security/>.

INTRODUCTION

Schenectady County Community College is committed to being a premier community college that empowers individuals to reach their greatest potential through exceptional and innovative education and training. Its mission is to provide quality, comprehensive education for transfer, careers, training and workforce development to a diverse population in a student-centered environment. We are committed to accessible and affordable education. Utilizing innovative practices and contemporary technology, SCCC fosters success through excellence in teaching and support services. Safety and Security of students, employees, faculty and visitors is a primary institutional goal addressed in the college's five year strategic plan "Gateway to Excellence" Goal 3 ; objective 8.

In the 2010 - 2011 academic year, Schenectady County Community College had a full time and

part time student enrollment of 6,490. There are 66 Full time faculty members, 177 adjunct instructors who are supported by 205 full time and part time employees. The college is a public event venue and College academic programs conduct numerous activities open to the public. A full service public library and two child care programs also operate on campus.

The College is located in the City and County of Schenectady in the Capital District Region of New York State. The campus is at 78 Washington Avenue in the City of Schenectady and consists of five major buildings on 50 acres of land adjacent the historic Mohawk River. Please see diagram of campus attached hereto as Appendix "A". Several minor or seasonal non-campus sites are also utilized.

CAMPUS SAFETY, POLICIES AND PROCEDURES

At Schenectady County Community College, the safety and well-being of our students, faculty, staff and visitors is a high priority. Historically, SCCC has been a safe campus with few major incidents; however, a safe and secure environment can only be maintained through the cooperation of all members of the campus community. These policies and procedures are published online on the College's webpage.

CAMPUS SECURITY FORCE

A contracted, private security firm provides security services on a 24-hour basis. The Campus Security Office is located in the main entrance way to the college, immediately adjacent to the student activity area and cafeteria. Incidents and crimes on campus are reported to security officers in person or by telephone (518) 381-1308 or 1309. Surveillance Cameras, direct emergency telephones (red phones), fire and security alarms and newly installed exterior emergency communication stations (blue lights) are all monitored at the security office.

Security officers are the first responders to an emergency. Trained security personnel are

deployed throughout the campus on foot and in patrol vehicles positioned in the parking areas to prevent and respond to emergencies. All security officers carry portable radios which have inter-operable communicating capability with College administrators and maintenance / facility staff. Officers who are assigned to the College are empowered by the College to enforce the institution's rules and regulations.

DAILY LOG

Each day the team leader for the Campus Security completes a Daily Security Report which lists routine events occurring that day. Non-routine events are further detailed in an Incident Report which is attached to the Daily Security Report. These are collected and kept in a binder which is maintained in the Office of the Assistant Vice President. Blank incident reports can be obtained on the campus website or at the Security Desk. Policies and procedures were last updated December 2010. A copy of the Incident Form is annexed hereto as Appendix "B".

One of their primary responsibilities is the prevention of all forms of loss. Security officers serve as escorts from campus buildings to the parking lots in the evening hours. Another primary responsibility of security officers is to serve as campus resource persons, providing information to the College community. Security officers are knowledgeable about the campus and are able to relay information in a courteous and professional manner. All security officers are certified First Aid responders. A public Safety Memorandum of Understanding (MOU) is in place with the Schenectady Fire Department for Fire and Paramedic ALS incident response.

The campus security force works closely with the College administration and local law enforcement agencies both in the investigation of crimes and in crime prevention. The Public Safety Memorandum of Understanding (MOU) is also signed by the Schenectady Police Department and the Schenectady County Sheriff's Office to address incident response, criminal

investigation and institutional intelligence sharing on-campus. A copy of the Memorandum of Understanding is annexed hereto as Appendix "C".

At the time of this report, the College is finalizing its recruitment of a full time Director of Campus Safety who will supervise the security staff and be accountable for the day to day performance of the security functions.

MAINTNENANCE SECURITY AND UTILIZATION OF CAMPUS SPACE

The Security Force and Maintenance / Facilities are both departments within the Administration Division. They have portable radio interoperability. During evening and off hours with reduced staffing in both these units, employees will operate on the same radio frequency to maintain communication. Campus telephone system can also be utilized by maintenance personnel to contact security should they detect an incident

Access to most campus spaces is restricted to occupants or visitors. Security and maintenance have access keys and cards to all areas on campus. Contract personnel gain access to appropriate space through the Security Office and this is documented appropriately. Campus spaces can be reserved. A formal "green sheet" approval form is approved by the appropriate individual and copies distributed to affected College Divisions / departments.

Campus security has the authority to take whatever steps are necessary to resolve situations and ensure the safety and security of all involved. Security officers may investigate incidents, question victims and witnesses, ask persons for identification, ask persons to explain their actions, and acquire as much information as necessary to provide the College with a complete report of the situation. A security officer has the authority to contact local law enforcement agencies, EMS services, or the fire department, if warranted. If an individual refuses to present identification, the security officer has the authority to ask that person to immediately leave the College campus.

Security officers are required to complete an incident report or a statement form upon receiving a complaint or a report of a criminal act or emergency. While the College does not have a formal program for voluntary, confidential reporting of incidents, anyone can complete a statement and submit it anonymously. All incident report and statement forms are delivered to the Office of the Vice President of Administration for review, appropriate action, and compilation of statistical reports. Copies of reports involving students are also forwarded to the Vice President of Student Affairs for review, consultation and / or disciplinary action per the student Code of Conduct. . According to the Student Code of Conduct, failure to respond to the directions of a security officer constitutes grounds for disciplinary action.

CAMPUS SAFETY COUNCIL

The Campus Safety Council is an important component of Campus Safety / Security. Comprised of stakeholders from various divisions throughout the College and co-chaired by the Vice Presidents of Student Affairs and Administration it is charged with continually reviewing The College Critical Incident Management Plan. The CSC performs post-incident assessments and compiles After Incident Action Reports (AIAR) for major incidents. plan. This plan is distributed each semester and made available to all employees on line. Recommendations to improve and strengthen the safety and security of the campus are submitted by the Council to the President of the College. In accordance with a mandate established in New York State Education Law Section 6431, the Campus Safety Council meets regularly and provides policy direction on safety at the College and makes recommendations to the College President for further action.

In 2010, the Campus Safety Council assisted with two major safety / security assessments. A Homeland Security Critical Infrastructure survey (may 2010) and an Employee Safety Survey (Dec 2010). Information gained by these surveys has been the basis of significant safety / security upgrades including the on-going recruitment of the Director for Campus Safety.

The Campus Safety Council provides on-campus Safety and Crime prevention information through monthly newsletters and the campus –wide (SyMON) TV Monitors. It has also been instrumental in providing a variety of training programs on HIPPA, Sexual Harassment, Workplace Violence, Fire Safety, NY Alert, and Regroup emergency communication methods.

Members to the Campus Safety Council serve on the College Response Team to support members of the College Response Team (CRT) during critical Incidents. They complete basic training in the Homeland Security National Incident Management System (NIMS) and DHS Incident Command System (ICS).

CAMPUS SECURITY AUTHORITIES

The College has a Director of Security position which is currently vacant. Said position became vacant in August 2011. A search is currently in progress. That Director is supervised by the Assistant Vice President for Administration. In addition to that, the College outsources its security personnel to a private licensed vendor, Morris Protective Services. Incidents on campus are reported to Campus Security and the Director of Security and Assistant VP for Administration are then notified.

In addition to these individuals whose primary role it is to maintain the security of the College, the Division of Student Affairs has significant responsibility for student and campus activities. The Division Vice President chairs the Campus Safety Council. Incidents and Crimes may be reported to other Campus Security Authorities (CSA's). These include the Vice President of Student Affairs who's division includes advisors, counselors, the ADA transition office and the athletic department. The Human Resource Coordinator / AAO is also designated has an individual to which infractions may be reported.

STUDENT CODE OF CONDUCT

The Division of Student Affairs is also responsible for student discipline. Students agree to comply with a code of conduct intended to help us reach our goal of providing a safe and secure learning environment where our students can thrive. Violations of the code are taken investigated, and may result in disciplinary action, including expulsion from the College, and may be reported to local and state police authorities when warranted. Examples of behaviors which are relevant to this report include:

- Disruptive conduct which substantially threatens, harms, or interferes with the peace and good order of the College community is a violation of the Code.
- Possession or use of any illegal controlled substance, drug, or drug paraphernalia is prohibited and will be reported to local and state authorities and will also be subject to disciplinary action by the College.
- Violation of campus safety regulations, including but not limited to, setting unauthorized fires, tampering with fire safety and/or firefighting equipment or rendering such equipment inoperable, turning in a false fire alarm, tampering or improper use of campus emergency phones, or failure to evacuate facilities upon the sounding of a fire alarm or drill is a violation of the Code.
- Conveyance of threats or the commission of any act which results in, or which may result in, harm to any person or the damage to College property or the property of others by willful and deliberate means is a violation of the Code.
- Unauthorized entry, use or occupancy of any building, structure, facility or college grounds is a violation of the Code.
- The intentional and/or reckless, but not accidental, destruction of property; damaging, destroying, defacing, tampering, misuse, or abuse of student, staff or College property, including rentals or leased facilities, is a violation of the Code.

- The possession, use or threat of use of any weapon on campus is strictly prohibited and will be reported to local and/or state authorities.
- The possession or use of explosives or explosive devices of any description for any purpose are a violation of this Code.

CRITICAL INCIDENT MANAGEMENT PLAN

The College's Safety Council is charged with maintaining and annually updating The SCCC "All Hazards" Critical Incident Management Plan (CIMP) which contains the school's comprehensive guidelines for addressing campus safety. It identifies the College Response Team which includes the College President, and other members of the President's Council and provides detailed guidance concerning the steps to be taken in responding to the emergency situation. The CIMP includes areas from establishing a central command for decision making, notification to authorities and media, involving police agencies, and post-crisis debriefing.

Schenectady County Community College's Critical Incident Management Plan (CIMP) is consistent with the New York State Executive Law 128, Schenectady County Comprehensive Emergency Management Plan, National Response Plan (NRP), State University of New York (SUNY) ERP requirements, National Incident Management System (NIMS) and Federal Emergency Management Agency (FEMA). It demonstrates the College's commitment to protecting the welfare of its community members as well as its intellectual property and facilities. In addition, the plan addresses our institutional commitment to providing a safe campus environment for all to learn, work and visit. Safety is the responsibility of everyone in our campus community and can be achieved through proper engineering, education, training, protective measures and enforcement of safety procedures.

The CIMP provides for coordinated emergency response by the security force, Lead College Administrators, and the Maintenance / facility department. After normal business hours, a Duty Administrator schedule is maintained to ensure administrative response. During non academic periods the Vice President and Assistant Vice President of Administration will be called by Security should an emergency arise.

CIMP procedures account for a determination of the incident emergency level from level zero (above normal) to level 3 (significant threat to life and property). Responding administrators are responsible for notifying the College President or his designee who can activate the College Response Team (CRT) which includes all members of the Presidents Council. Stockade Building Room 102 has been designated as an Emergency Operations Center (EOC). If this area is untenable, an alternate site will be determined by the CRT. The CRT is also responsible for issuing any required Emergency Notifications or Timely Warnings. Titles of CRT members responsible for issuing emergency notifications or timely warnings are: The College President, Vice President of Administration, Vice president of Student Affairs and Vice President of Academic Affairs.

A listing of specific emergency procedures appears below:

1. ACCIDENT ON A COLLEGE SPONSORED TRIP
2. ACTIVE SHOOTER PROCEDURE
3. ARREST OF A COLLEGE STUDENT OR EMPLOYEE
4. BOMB THREAT AND SUSPICIOUS PACKAGE
5. TELEPHONE BOMB THREAT
6. BOMB or SUSPECTED PACKAGE/LETTER THREAT
7. CHILD CARE CENTER/PRESCHOOL SITUATION
8. DEATH ON CAMPUS OF AN EMPLOYEE OR VISITOR
9. DEATH OF A STUDENT

10. DISTURBANCE ON CAMPUS
11. EMERGENCY CLOSING OF CAMPUS
12. EMERGENCY CLOSING –SECURING WORK AREA CHECKLIST
13. EMPLOYEE INJURED DURING WORKING HOURS
14. FIRE OR EXPLOSION IN A CAMPUS BUILDING/FACILITY
15. UPDATE ON OFPC CAMPUS FIRE STAFETY PROGRAM
16. CAMPUS FIRE REPORT
17. HAZARDOUS MATERIALS
18. HOSTILE INTRUDER ON CAMPUS
19. MEDIA INQUIRY ON CAMPUS
20. MEDICAL EMERGENCY REPORT
21. MISSING PERSON REPORT
22. OUTBREAK OF A CONTAGIOUS DISEASE (Updated 8/1/09)
23. SUICIDE CONCERN OR THREAT VIOLENT ACT ON CAMPUS

EMERGENCY EVACUATION PROCEDURE

The procedure for emergency evacuation from the campus buildings is as follows:

1. The signal for evacuation will be the continuous sounding of the alarm system (horns and strobe lights) or by an official announcement by a designated College official.
2. All faculty, staff and students are to evacuate the building. (Faculty and staff should inspect the area for which they have responsibility to insure that everyone has promptly evacuated the area.) Evacuate using designated primary and alternate evacuation routes. Close classroom door when you leave. Leave building in an orderly fashion. Report to Security anyone injured or unable to evacuate.
3. In the event of fire:
 - a. Activate the nearest emergency fire alarm box.

- b. Do not attempt to extinguish the fire.
- c. Do not use elevators. Use fire tower stairwells.
- d. Report to Security anyone injured or unable to evacuate.
- e. If heavy smoke prevents you from reaching a primary or alternative fire exits:
 - (i) go to the nearest classroom or office;
 - (ii) close the door and open the windows;
 - (iii) seal the cracks around the door to keep smoke out;
 - (iv) stay near the window until firefighters can reach you.

4. All information concerning the emergency should be directed to the College Security. Dial extension 1308 or 1309; or use the red emergency phones to report your location and/or any additional information.

EVACUATION OF INDIVIDUALS WITH DISABILITIES

In the event of an emergency situation that requires the evacuation of a building, some individuals with temporary or permanent disabilities may require evacuation assistance. The type of disability will determine the form of assistance. It is recommended that students register with ADA Transition Services (room 222 Elston Hall, phone 381-1345) if they have disabilities that may impact evacuation so that appropriate evacuation procedures can be in place to address the specific requirements.

It is recognized that individuals with permanent or temporary mobility disabilities will need assistance with evacuating. All staff, faculty, and students should be aware of life safety features in place to assist in emergency evacuations.

- **Fire Tower Stairs:** These are protected enclosures that are designed and constructed with a two-hour fire resistive rating. These rated stair exit enclosures provided a protected path of reasonable safety to the exterior of the building.

- **Evacuating** People who are not able to leave the building by using the stairs should go directly to nearest section of the building labeled “Area of Refuge”. Areas of Refuge are located near fire resistant staircase enclosures called Fire Towers. Their special construction provides the same temporary protection as the staircases in Fire towers. Due to their close proximity to staircases, it is important that anyone waiting in an Area of Refuge for evacuation assistance is cognizant of clearing the staircase area. This practice will ensure that individuals who are using the staircase are not being inadvertently blocked from evacuating.
- **Notify Security.** Each Fire Tower and Area of Refuge has a specific number assigned to it. This designation appears on the signage at each location. Areas of Refuge also have emergency communication devices that are labeled with the same numbered designation. Those individuals who are waiting in an Area of Refuge should activate the emergency communication device located in that particular Area of Refuge. Activating this emergency communication device will advise Security of the location that is designated on the emergency communication device that is being used (e.g., Area of Refuge 1, fifth floor). Security should be told how many individuals will need assistance at this location. In addition, individuals waiting in Areas of Refuge should ask staff, faculty and other students who are evacuating through Fire Tower staircases to notify emergency personnel of their location and their specific evacuation requirement(s). Security can also be contacted by personal cell phones at 381-1309.

EMERGENCY NOTIFICATIONS and TIMELY WARNINGS

Notification of an event is distributed through multiple channels. There is a system of portable radios through which notification of critical individuals can be achieved. The Building Fire Alarm system can be utilized for Active Notification as can the Regroup social network site.

Passive Broadcast capability is available through the SyMON TV system, SUNY NY Alert, Campus Email, and The Angel System. Individual contact can be achieved through SUNY NY Alert, Divisional Telephone Call trees, and the newly contracted (8/2011) School Messenger System.

Please note. SUNY NY ALERT is an emergency contact system that enables the College to send out critical information about serious campus emergencies and personal safety advisories. This information is disseminated concurrently through email, phone and text messaging to multiple addresses and phone numbers provided to the system by the students and personnel. Members of the College community are provided an opportunity to “opt out” of this emergency notification system during the registration period each semester (please go to the Elston Hall, Room 221 to complete the appropriate paperwork for “opting out”). Participation in SUNY NY Alert is strongly encouraged, but voluntary. The information provided by participants who wish to subscribe to the service is completely confidential.

ALCOHOL AND DRUGS- SUBSTANCE ABUSE

Substance abuse has a harmful and often devastating effect upon individuals, families and our communities. Consequently, Schenectady County Community College has developed a substance abuse program to assist our students. This was developed to provide students with a greater awareness and understanding of the health risks and some of the legal sanctions under local, state and federal laws that are associated with substance abuse. In addition, information is provided to identify various local agencies where assistance services are available to those individuals with substance abuse concerns.

During the academic year many programs and activities are presented to help students learn more about and deal with substance abuse.

College Drug and Alcohol Policy

- ALCOHOLIC BEVERAGE. Except for appropriate classroom activities or approved student

activities, the possession and/or consumption of any alcoholic beverage is a violation of the Student Code of Conduct. Possession and/or consumption of alcoholic beverages by students participating in a college club or college sponsored trip or an off-campus activity is also prohibited.

- **DRUGS AND/OR DRUG PARAPHERNALIA.** Possession or use of any illegal controlled substance, drug, or drug paraphernalia is prohibited and will be reported to local and state authorities and will also be subject to disciplinary action by the College. The College will cooperate with local and state authorities on any cases of suspected illegal use, possession or distribution of state- controlled drugs.

Overview of Local, State and Federal Alcohol and Drug Laws

Schenectady County Community College believes that it is important for students to know about the laws against illegal drugs and alcohol. Therefore, the policy provides a brief overview of local, state and federal laws governing the possession, use and distribution of alcohol and illegal drugs.

Alcohol Laws: Open Container Law

The City of Schenectady, like many other cities, towns and villages, has an ordinance prohibiting the consumption of or possession of an open container with the intent to consume an alcoholic beverage in any public place or in any vehicle. Violation of this law is punishable by a fine of up to \$250 or imprisonment up to 15 days. Second offenses warrant a fine of up to \$500 and up to 30 days of imprisonment.

New York Alcoholic Beverage Control Law

New York prohibits selling or giving any alcoholic beverage to a minor (anyone under 21) or to a person already intoxicated. A violation of this law can be punished by a fine of up to \$200, five days in jail, or both.

Any minor using false identification to purchase alcohol faces a maximum fine of \$100; or up to 30 hours of community service; or participation in an alcohol awareness program. If the I.D. used is a New York state driver's license, the minor faces a 90-day suspension.

New York Vehicle & Traffic Law

It is a misdemeanor punishable by a fine of at least \$350 and/or imprisonment for up to one year, plus suspension and/or revocation of your driver's license, to operate a motor vehicle with a blood alcohol content of 0.8%. Multiple convictions result in more serious penalties.

New York Public Health Law

It is a violation of this law to:

- a. sell or possess a hypodermic needle without a doctor's written prescription;
- b. grow marijuana or allow it to be grown;
- c. manufacture or sell an imitation controlled substance;
- d. inhale any glue that produces vapors;
- e. sell glue for this purpose.

The above are Class A misdemeanors punishable by up to one year in a local penitentiary. Any private vehicle, boat or plane used to transport an illegal substance can be seized and forfeited under the law.

New York Vehicle & Traffic Law

The rules and penalties for drinking and driving also apply to driving while impaired by the use of a drug.

New York Penal Law

Most crimes involving the unlawful possession and distribution of drugs are defined under the New York state Penal Law. The Penal Law contains exhaustive lists of various controlled substances, specific types of offenses, and sanctions ranging from a fine of not more than \$100 to

imprisonment for life. Examples of crimes under New York state law include loitering with the intent to use drugs, using or possessing drug paraphernalia, and selling or possessing actual controlled substances. A person with no previous drug or marijuana convictions in three years who is found guilty of possessing less than 25 grams (about 9/10 of an ounce) of marijuana for private use may be fined up to a maximum of \$100, whereas conviction of possessing even one gram of a controlled narcotic substance can result in imprisonment for up to one year. The criminal sanctions become more serious depending on the amount possessed and whether or not it is possessed with the intent to distribute.

For example, possession of even one gram of a narcotic drug with the intent to sell it is a Class B felony punishable by up to 25 years in prison. A person who is convicted of the sale of more than two ounces of a controlled narcotic substance in New York State can be sentenced to a term of imprisonment for life. However, the Penal Law also provides for a variety of sanctions depending on the offense.

HATE AND BIAS CRIMES

It is a goal of Schenectady County Community College, in cooperation with the local police jurisdiction, to protect all members of the College community by preventing and prosecuting bias and bias-related crimes or hate crimes that occur within the school's jurisdiction. Criminal activity motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, including race, religion, ethnicity, gender, sexual orientation, or student activities disability, is taken very seriously. Penalties range from fines to imprisonment for lengthy periods, and perpetrators who are students will also be subject to campus disciplinary procedures where sanctions including dismissal are possible.

In addition to preventing and prosecuting hate/bias crimes, the College's Student Services Office, Personnel/AAO Office and Security assist in addressing bias-related activities that do not

rise to the level of a crime. These activities, referred to as bias incidents and defined by the State University of New York as acts of bigotry, harassment, or intimidation directed at a member or group within the College community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, student activities disability, veteran status, color, creed, or marital status, may be addressed through the College's Discrimination Complaint Procedure or the campus Code of Conduct. Bias incidents can be reported to Campus Security as well as to the Affirmative Action Office.

SEXUAL ASSAULT PREVENTION PROGRAM

Schenectady County Community College has programs in place to protect all members of the College community from sexual assault, including programs for prevention and prosecution of these crimes that occur within the jurisdiction of Schenectady County Community College.

Assistance is provided to victims of sexual assaults to assist them in their recovery, and strict disciplinary action is imposed against the perpetrator, including notification to the local policing authorities. See Appendix "D" for further details about this program.

WORKPLACE VIOLENCE

In 2006, the New York State Legislature mandated that all public employers establish and implement programs to prevent violence in the workplace. In response to the mandate, Schenectady County Community College issued adopted a "no tolerance" policy which prohibits violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior toward any members of the College community, including students, staff and vendors.

Individuals violating this policy may be removed from College property and are subject to disciplinary action which may include termination, consistent with College policies, rules and

collective bargaining agreements, and/or referral to law enforcement authorities for criminal prosecution.

REGISTERED SEX OFFENDERS

Pursuant to New York State Correction Law, every registered sex offender within the state must notify the New York State Division of Criminal Justice Services (DCJS) if he or she is attending, enrolled, employed or residing at an institution of higher education. When a registered sex offender enrolls or becomes employed by the College, we are notified by DCJS. Upon receipt of such notification, the College disseminates relevant information about the offender to the appropriate members of the College community.

MISSING PERSONS

Protection of students and others lawfully on the College campus is a crucial function of the security department. Therefore, security must be notified if a student is believed to be missing. Security then works closely with the Assistant Vice President for Administration, other pertinent school officials, local police and family members to determine whether or not an investigation is warranted. If a further investigation is warranted, the College and security staff will work in partnership with the police to locate the missing person.

Appendix "A"



Campus Diagram



SCHENECTADY COUNTY COMMUNITY COLLEGE

INCIDENT REPORT FORM

(Incidents involving employees, students, visitors)

***** PLEASE PRINT LEGIBLY *****

INFORMATION ABOUT THE PERSON INVOLVED IN THE INCIDENT:		
Full Name:	Social Sec./SCCC ID#:	
Home Address:	Gender: M F	
Circle: Employee (Full-time, part-time, perm., temp.)	Student (SOM, SON, SOD, Other)	Visitor
Date of Birth:	Home phone:	Campus Phone:
Campus address:		
Job Title:	Supervisor:	

INFORMATION ABOUT THE INCIDENT:			
Date of Incident:	Time:	Police notified: Yes No	Case #:
Location of Incident:			
Describe what happened, how it happened, factors leading to the event, substances or objects involved Be as specific as possible (attach separate sheet if necessary):			
Were there any witnesses to the incident? Yes No			
If yes, attach separate sheet with names, addresses and phone numbers, or campus depts and phone.			
Was the individual injured? If so, describe the injury (laceration, sprain, etc), the part of body injured and any other information known about the resulting injury(s):			
Were the Police called? Yes No Explain: _____			
Was medical treatment provided? Yes No Refused			
If so, where (circle) : Emerg. Rm. The Workplace (Staff EMT) Walk In Clinic Other:			
Will the employee miss time from work as a result of this incident? Yes No Unknown			

Reporter Information:	
Printed Name:	Date:
Reporter Signature:	Title (if applies):

opy = Security, Campus Safety Council, File

Appendix "C"

Memorandum of Understanding/Campus Safety Act 2009

This Memorandum of Understanding, entered into by and between “the College”, Schenectady County Community College (SCCC) and these “Constituents”:

- The City of Schenectady;
- The City of Schenectady Fire Department;
- The City of Schenectady Police Department;
- The Schenectady County Office of Emergency Management;
- The Schenectady County Office of the Sheriff; and
- The Schenectady County Public Health Services.

This Memorandum of Understanding sets out the respective duties and obligations with regard to the coordination of law enforcement efforts between SCCC and the above named Constituents pursuant to the HR 748, Campus Safety Act of 2009.

All parties to this Memorandum of Understanding hereby agree as follows: 1. The City of Schenectady has primary law enforcement jurisdiction on all property owned, leased, or under the control of the College and will provide services on said property, except as otherwise specified in the Memorandum of Understanding.

2. The SCCC Vice President of Administration, and/or other designated College official(s), will take reasonable steps to notify the appropriate Constituents of any incident or situation on any property owned, leased, or under the control of the College that may affect the safety and/or well-being of any individual(s) on the SCCC campus or any property owned, leased, or under the control of the College.

3. The City of Schenectady Police Department and Office of the Sheriff will notify the SCCC Vice President of Administration and/or College President of any incident or situation on any property within the jurisdiction of the city/county that may affect the safety of any individual(s) on the SCCC campus or on any property owned, leased, or under the control of the College.

4. When the City Police and/or County Sheriff executes a warrant on any property owned, leased or under the control of the College, the Police/Sheriff will contact the SCCC Vice President of Administration and/or College President and request a SCCC Security Guard or designated College official, to accompany the Officer(s) on the SCCC campus. Efforts will be taken to refrain from interrupting an academic learning environment to affect an arrest or execute a search warrant, subject to and depending upon exigent circumstances. In the event of continuous close pursuit beginning in the jurisdiction of the City and continuing onto the College campus, the City Police Department and/or Office of the Sheriff will notify the SCCC Vice President of Administration and/or the College President as soon as possible. Number of arresting officers will be limited, as appropriate, to execute the warrant.

5. For major non-emergency events affecting any or all communities (the College, City and/or County), the designees from the Constituents and the College will meet in a timely manner to review various protocols and operational issues including, but not limited to, traffic planning, scheduling for additional personnel, mitigating and responding. This includes a willingness to provide appropriate Clery Act related data upon request from the Vice President of Administration.

6. The SCCC Vice President of Administration and the Constituents may enter into more specific and detailed operational procedures and guidelines, provided that such additional items are not inconsistent with the provisions of this Memorandum of Understanding.

7. Any party may terminate this agreement by notification in writing to all parties noted on this Memorandum of Understanding.

IN WITNESS OF WHICH THIS MEMORANDUM OF UNDERSTANDING has been executed on this _____ day of the month of _____ in the year _____.

SCENECTADY COUNTY COMMUNITY COLLEGE

By: _____ By: _____

Interim College President, Edward Baker Emergency Health Care Rep., Heidi DeBlock, MD;

By: _____

Vice President of Administration, Patricia Godlewski

CITY OF SCENECTADY

By: _____ By: _____

City Mayor, Brian Stratton City Chief of Police, Mark R. Chaires

By: _____ By: _____

City Fire Chief, Robert Farstad Public Safety Commissioner, Wayne Bennett

COUNTY OF SCENECTADY

By: _____ By: _____

County Commissioner of Public Health Services, Office of Emergency Management,

Russell A. Fricke, M.D., Ph. D. Thomas P. Constantine, Director

By: _____ By: _____

County Legislature Chair, Susan Savage County Manager, Kathleen Rooney

By: _____

County Under Sheriff, Gordon Pollard

APPENDIX "D"

Sexual Assault Prevention

Sexual Assault and the Law

Schenectady County Community College has programs in place to protect all members of the College community from sexual assault, including programs for prevention and prosecution of these crimes that occur within the jurisdiction of Schenectady County Community College.

NYS Penal Law contains the following legal provisions defining the crimes related to sexual assault:

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

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

Section 130.40/.45/.50 – Criminal Sexual Act. This series of offenses includes oral or anal sexual conduct with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes oral or anal sexual conduct with a person

under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to imprisonment for a period not to exceed 25 years.

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

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

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

If you are sexually or otherwise assaulted on campus:

Get to a safe place as soon as you can. Try to preserve all physical evidence; do not bathe, douche, or change your clothes. Contact Security at Schenectady County Community College

and/or the Police immediately (dial 9-1-1 in an emergency, or use a Red Emergency Phone located throughout the College campus).

Remember, assaults – sexual or otherwise – are crimes; they are not the victims' fault. Victims have the right to pursue adjudication of crimes that occur on the Schenectady County Community College campus through criminal courts and/or through the College's internal disciplinary process (e.g., the College's Sexual Harassment Policy; the Code of Conduct). Schenectady County Community College Security are trained to assist with prosecution in both systems.

Disciplinary Action

Where there is probable cause to believe the College's regulations prohibiting sexual misconduct have been violated, the College will pursue strong disciplinary action through its own channels. This discipline includes the possibility of suspension or dismissal from the College.

An individual charged with sexual misconduct will be subject to College disciplinary procedures, whether or not prosecution under New York State Criminal Statutes is pending.

The College will make every effort to be responsive and sensitive to the victims of these serious crimes. Protection of the victim and prevention of continued trauma is the College's priority. Assistance for any other personal or academic concerns will be reviewed and options provided.

Procedures for Resolving Complaints of Sexual Harassment

Introduction

In order to comply with federal and state requirements proscribing sexual harassment, the following policy is to provide for the processing of claims alleging sexual harassment.

Definitions

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

1. Submission to such conduct is made (either explicitly or implicitly) a term or condition of an individual's employment or enrollment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual;
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive working or academic environment;
4. Expressed or implied requests or demands are made in exchange for keeping or advancing in a job or receiving a higher grade.

Hostile Environment

It is recognized that supervisors and faculty members, by the nature of their positions, necessarily embody unequal power relationships with their subordinates and students respectively. Because of the inherent power differences in these relationships, the potential exists for the less powerful to perceive a coercive element in suggestions of activities outside those appropriate to the professional relationship. In light of this, all members of the College community are urged to be conscientious in evaluating their own behavior. A hostile environment may include, but is not limited to, such actions as:

1. Sex-oriented humor or abuse that includes derogatory or dehumanizing gender reference;

2. Physical contacts such as patting, pinching or frequently and intentionally brushing against another's body;
3. Subtle or overt pressure for sexual activity.

Retaliation is any adverse action taken to try to threaten or penalize someone for reporting or opposing a claimed discriminatory act or practice or to prevent the complainant from participating in a discrimination proceeding.

Retaliation against anyone who has filed a sexual harassment complaint whether the complaint is found to be valid or invalid is prohibited under this Policy and will be processed as a separate, independent complaint whether the retaliation is initiated by the harasser or anyone participating in or involved in the discrimination or the investigation of the discrimination complaint.

Encouraging or promoting retaliation against a complainant also violates this Policy. Examples of retaliation include, but are not limited to, unfair grading, unfair performance evaluations, unfair assignments, the withholding of or delay in providing necessary information, ridicule, oral or written threats, bribes, the unfair increase or decrease of work loads, the arbitrary denial of leave, or the cancellation of classes.

In addition to the protections against retaliation identified herein, the Americans with Disabilities Act (ADA) also protects individuals from coercion, intimidation, threats, harassment, or interference in the exercise of rights granted to him/her by the ADA.

Anyone intentionally filing a complaint in retaliation or bad faith to penalize or threaten a student, employee, contractor or intern or who encourages another to file such a complaint will be subject to formal action under this Policy and/or the SCCC Student Code of Conduct.

Procedures for Resolving Complaints of Sexual Harassment

Any student or employee at Schenectady County Community College who alleges that an act of discrimination based upon sex has been committed shall notify the Affirmative Action Officer and complete the complaint forms provided by the College within ten (10) business days after the alleged event occurred. Forms are available in the Personnel/Affirmative Action Office, which is located in Elston Hall, Room 126. The complainant will be provided with information regarding alternate dispute resolution procedures.

Procedures for Resolving Complaints of Sexual Harassment (continued)

Within 20 days after receipt of the complaint, the Affirmative Action Officer will investigate the reported complaint of sexual harassment. The goal of this informal phase is to resolve the issues to the satisfaction of all concerned. Every effort will be made to resolve complaints on an informal basis among the parties involved. Only those individuals with a need to know will be made aware of the complaint.

The Affirmative Action Officer will render a written decision and forward the decision to the President. The complainant will be notified in writing of the Affirmative Action Officer's decision.

Appeal Process:

1. Appeals shall be initiated in writing by the complainant and must be submitted to the President or designee within five (5) business days of receipt of the decision.

a. The President of the College will review the file of the complaint and render a decision in writing within ten (10) business days.

b. The complainant will be notified in writing and provided a copy of the President's decision.

2. Contractual obligations will be complied with throughout these procedures.

Procedures for Resolving Complaints of Sexual Harassment

The following is a list of agencies with which students and employees may file complaints alleging discrimination based on disability and gender. Each agency has specific rules and deadlines for filing complaints. It is recommended that the particular agency be contacted for additional information regarding agency procedures.

Schenectady County Commission of Human Rights

612 State Street

Schenectady, NY 12305

(518)388-4290

New York State Division of Human Rights

Corning Tower, 25th Floor

Albany, NY 12220

(518)474-2705

Mailing Address: PO Box 204, Albany, NY 12220-0049

U.S. Equal Employment Opportunity Commission

6 Fountain Plaza, Suite 350

Buffalo, NY 14202

(716)551-4441

TTY (716)551-5923; FAX (716)551-4381

New York Office

Office for Civil Rights

U.S. Department of Education

32 Old Slip, 26th Floor

New York, NY 10005-2500

(646)428-3900

FAX: (646)428-3843; TDD: (877)521-2172

Email: OCR.NewYork@ed.gov

Schenectady County Community College

78 Washington Avenue

Schenectady, NY 12305

(518) 381-1200

During the disciplinary process, the victim's rights are:

- To have a person or persons of the victim's choice accompany the victim throughout the disciplinary hearing.
- To be present during the entire proceeding.
- To be assured that his/her irrelevant past sexual history will not be discussed during the hearing.
- To make a "victim impact statement" and to suggest appropriate action(s) if the accused is found in violation of the code.
- To be informed immediately of the outcome of the hearing.

- During the disciplinary process, the rights of the "accused" are as described under the Disciplinary Procedure of the College's Code of Conduct.

Information and Support

If you are the victim of sexual assault or sexual misconduct, you may seek support services as well as the assistance described above. Individuals are available to educate you on decreasing the risk of sexual assault and to help you if you are a victim of a sexual assault. These individuals are specially trained and have experience in helping victims of a sexual assault. Counselors can be contacted through the Student Development Office, located in room 223 Elston Hall or by calling (518) 381-1365. Also available for information and support is the College's Coordinator of Personnel/Affirmative Action Officer; located in room 121 Elston, or by calling (518) 381-1331.

Educational Programs

Educational programs to promote awareness of rape, acquaintance rape, and sex offenses are presented to the campus community at New Student Orientation and throughout the entire academic year. For more information on these educational programs, please stop by the Student Services Office located in room 222 Elston Hall, or contact by phone (518) 381-1335.