

To the Students of FM

Welcome to Fulton-Montgomery Community College.

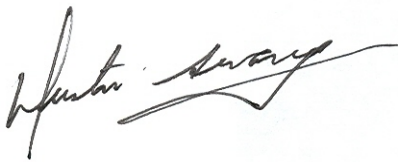
In this student handbook, The Source, you will find a variety of programs and services offered at FM that are designed to help you be a successful college student. It also includes a description of the multitude of student clubs and diverse organizations that are on campus to help you enjoy your college experience. Please take time to familiarize yourself with this handbook and all that it has to offer.

Included within this handbook is detailed information about your responsibilities as a college student. As you enter FM, you enter a new phase of your education. College expectations of you are higher than you may have experienced in high school; but I am confident that you can attain them. Here at FM everyone is expected to conduct themselves with honesty and integrity, be open to new ideas, celebrate the diversity of those around you, and conduct yourself in a civil and professional manner. If you follow the student code of conduct and are considerate of everyone on campus, I know that you will do well at our college.

Of course, in addition to your studies, you should have fun! College can be one of the most rewarding times of your life. You will develop new friendships and create memories that you will have for a lifetime. In order to make the most of your college experience get involved in student clubs, student senate, athletics, co-curricular activities, and the events at FM.

If you take advantage of all that FM has to offer, I am sure that you will be successful in your studies and enjoy your college experience.

Best wishes for a great year.

A handwritten signature in black ink, reading "Dustin Swanger". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Dustin Swanger, Ed.D.
President

Fulton-Montgomery Community College

Vision

Fulton-Montgomery Community College strives to be an innovative leader in higher education.

Mission

Fulton-Montgomery Community College provides accessible higher education and quality programs with a focus on student success. FM partners with the community through engagement in economic development and by providing cultural and intellectual opportunities.

Values

Fulton-Montgomery Community College is guided by the following values:

- Excellence in education and teaching
- Student learning and scholarship
- Caring Personalized Service
- Innovation
- Civility
- Integrity
- Quality Facilities
- Diversity
- Accessibility
- Community engagement
- Continuous improvement
- Leadership

FM Civility Statement

FM is committed to fostering an environment of civility. All members of the FM community and visitors have the right to experience, and the responsibility to create and maintain, an environment of mutual respect and support that is civil in all aspects of human relations. Civility facilitates professional growth and achievement and promotes an environment where each person can reach his or her full potential.

Fulton-Montgomery Community College (FM) is a College of the State University of New York and provides college level education to students from a variety of educational backgrounds. Admission to FM is determined without regard of race, color, national origin, religion, creed, age, disability , sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction.

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STUDENT RIGHTS AND RESPONSIBILITIES

STUDENT RESPONSIBILITY - It is the student's responsibility to familiarize himself/herself with all the College's Rules and Regulations as set forth in official College publications. **Failure to read this handbook does not excuse students from the requirements and regulations herein.**

PAYMENT AND COLLECTIONS - College tuition, fees, and all costs associated with on-campus housing, meal plans, and books are the responsibility of the student. Students who incur a debt to the College will be responsible for all collection and attorney fees associated with the collection of that debt, including collection costs which will be at a minimum of 25 percent of the debt, plus any and all attorney and court costs.

HUMAN RIGHTS - The College expects all students, staff and faculty to practice high regard for the human dignity of other persons. It seeks to prevent all types of discrimination on the basis of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction. Repeated disregard for the rights and dignity of others will result in disciplinary action by the College. Any student who feels that he/she has been the victim of discrimination or harassment should first bring his/her complaint to the Vice President for Student Affairs to discuss such problems and to seek recourse, including lodging an official complaint which requires a formal hearing. If a formal hearing is requested, the procedures established by the College and published in the Faculty Handbook shall be followed. Such a hearing shall be confidential.

ATTENDANCE - Students are expected to be present and on time for all scheduled classes and laboratories. In cases where a student is tardy or absent, the student is responsible for materials or assignments presented in his/her absence. The degree to which attendance affects a student's final grade will be determined by the individual instructor and stated in the course syllabus.

STANDARDS OF STUDENT CONDUCT - FM has the right and the authority to protect its educational purpose through the setting of standards for on campus and off campus conduct for students. Standards of conduct are found in Appendix C.

ACADEMIC FREEDOM STATEMENT

INTRODUCTION

Fulton-Montgomery Community College fully endorses the free exchange of ideas and the exploration of topics and issues on campus and in the global context. To support such exchange of ideas, the College and the Board of Trustees support the following statement regarding academic freedom.

POLICY

Academic Freedom is a time-honored responsibility and special privilege for all members of the academy including full-time and part-time faculty, staff and students that protects the following activities:

- Providing constructive criticism on academic and institutional policies and procedures and the ability to recommend such policies and procedures to FM;
- Teaching classes with available instructional resources and pedagogies that promote critical thinking and investigation in their respective disciplines;
- Conducting academic research;
- And, maintaining authority to uphold academic standards and assign appropriate grades.

ACADEMIC CALENDAR

FALL 2018

Aug. 31	Fri.	Last day to register for Fall Session w/o \$25 late fee
Sept. 5	Weds.	First Day of Classes for Fall Session
Sept. 6-11	Thurs. – Tues.	Late Registration (Subject to \$25.00 late fee)
Sept. 6	Thurs.	Late Payment (Subject to \$25.00 late fee)
Sept. 11	Tues.	Last Day for Student-Initiated Schedule Changes
Sept. 19	Weds.	Late Payment (subject to additional \$50 late fee)
Sept. 24	Mon.	Course Planning Begins for Winter and Spring 2019 Online Registration Only
Sept. 25	Tues.	1 st 5-Week Session Individual Course Withdrawal Deadline (Session 01)
Oct. 1	Mon.	Deadline to Apply for Fall 2018 Graduation
Oct. 5	Fri.	1 st 7-Week Session Individual Course Withdrawal Deadline (Session 02)
Oct. 8	Mon.	Columbus Day Holiday – No classes (limited services/facilities may be available) Saturday Oct. 6 classes will be in regular session
Oct. 9	Tues.	Online Registration Opens for Winter and Spring 2019
Oct. 9	Tues.	Staff Development Day – No Day Classes. Evening Classes will meet.
Oct. 19	Weds.	1 st 10-Week Session Individual Course Withdrawal Deadline (Session 03)
Oct. 22	Mon.	On-Campus Registration Begins for Winter and Spring 2019

Oct. 24	Weds.	Mid-Term Grades Due at Noon
Oct. 31	Weds.	2 nd 5-Week Session Individual Course Withdrawal Deadline (Session 04)
Nov. 12	Mon.	Veteran's Day Holiday – No classes (limited services/facilities may be available)
Nov. 14	Weds.	Last Day for Individual Course Withdrawals
Nov. 21	Weds.	2 nd 10-Week Session Individual Course Withdrawal Deadline (Session 06)
Nov. 21	Weds.	Classes end at 5 p.m. for Thanksgiving Holiday(limited services/facilities may be available)
Nov. 22-25	Thurs. – Sun.	Thanksgiving Holiday – No classes (limited services/facilities may be available)
Nov. 26	Mon.	2 nd 7-Week Session Individual Course Withdrawal Deadline (Session 05)
Dec. 3	Mon.	3 rd 5-Week Session Individual Course Withdrawal Deadline (Session 07)
Dec. 7	Fri.	Special Friday Makeup Session (for evening classes only)
Dec. 14	Fri.	Last Day of Classes
Dec. 17-18	Mon. – Tues.	Final Exams
Dec. 20	Thurs.	Final Grades Due at Noon
Dec. 22 – Jan. 1	Sat. – Tues.	Christmas/New Year Break – Campus Closed

WINTER 2019

Dec. 21, 2018	Fri.	Last Day to Register for Winter Session without \$25 Late Fee
Jan. 2	Weds.	First Day of Classes for Winter Session
Jan. 2	Weds.	Late Payment (Subject to \$25 Late Fee)
Jan. 14	Mon.	Last Day for Individual Course Withdrawals
Jan. 18	Fri.	Last Day of Classes for Winter Session
Jan. 21	Mon.	M.L. King, Jr. Holiday – No classes (limited services/facilities may be available)
Jan. 22	Tues.	Final Grades Due for Winter Session

SPRING 2019

Jan. 22	Tue.	Last day to Register for Spring without \$25 Late Fee
Jan. 22	Tue.	Orientation (Half-day AM Session)
Jan. 23	Weds.	First Day of Classes for Spring Semester
Jan. 23-29	Weds. – Tues.	Late Registration (subject to \$25 late fee)
Jan. 23	Weds.	Late Payment (subject to \$25 late fee)
Jan. 29	Tues.	Last Day for Student-Initiated Schedule Changes
Feb. 6	Weds.	Late Payment Period (subject to additional \$50 fee)
Feb. 13	Weds.	1 st 5-Week Session Individual Course Withdrawal Deadline (Session 01)
Feb. 13	Weds.	Deadline to Apply for Spring 2019 Graduation
Feb. 13	Weds.	Course Planning Begins for Summer and Fall 2019 Online Registration Only
Feb. 18	Mon.	President’s Day Holiday – No classes (limited services/facilities may be available) Sat, Feb. 16 classes will be in regular session
Feb. 25	Mon.	1 st 7-Week Session Individual Course Withdrawal Deadline (Session 02)
March 4	Mon.	Online Registration Opens for Summer and Fall 2019
March 8	Fri.	1 st 10-Week Session Individual Course Withdrawal Deadline (Session 03)
March 13	Weds.	Mid-Term Grades Due
Mar. 16–24	Sat. – Sun.	Spring Recess – No classes (limited services/facilities may be available)
March 25	Mon.	On-Campus Registration Begins for Summer and Fall 2019
March 27	Wed.	2 nd 5-Week Session Individual Course Withdrawal Deadline (Session 04)
March 28	Thurs.	Founder’s Day – No day/evening classes (limited services/facilities may be available)
April 4	Thurs.	Individual Course Withdrawal Deadline
April 15	Mon.	2 nd 10-Week Session Individual Course Withdrawal Deadline (Session 06)
April 19	Fri.	Good Friday Holiday – No classes (limited services/facilities may be available)
April 23	Tues.	2 nd 7-Week Session Individual Course Withdrawal Deadline (Session 05)
April 25	Thurs.	3 rd 5-Week Session Individual Course Withdrawal Deadline (Session 07)

May 3	Fri.	Special Friday Make-up Session (for evening classes only)
May 8	Weds.	Last Day of Classes for Spring Semester
May 9-10	Thurs. – Fri.	Final Exams
May 13	Mon.	Final Grades Due at Noon
May 16	Thurs.	Academic Awards Ceremony (evening)
May 22	Weds.	Commencement (evening) at Proctors
May 27	Mon.	Memorial Day Holiday – No classes (limited services/facilities may be available)

SUMMER 2019

Summer Add/Drop Period, for all sessions, is 24 hours after the first class meeting day (date will vary by class).

SUMMER DAY SESSION I		
May 24	Fri.	Last day to Register for “Day Session I”, “Summer Eve 8 and 10-week Sessions” without \$25 late fee
May 27	Mon.	Memorial Day Holiday – No classes (limited services/facilities may be available)
May 28	Tues.	First Day of Classes For “Summer Day Session I”
May 28	Tues.	Late Payment for “Summer Day Session I” (subject to \$25 late fee)
June 18	Tues.	Last Day for Individual Course Withdrawals for “Summer Day Session I”
June 21	Fri.	Special Friday Make Up Day for “Summer Day Session I”
June 28	Fri.	Last Day of Classes for “Summer Day Session I”
July 1	Mon.	Final Grades Due for “Summer Day Session I”
SUMMER DAY SESSION II		
June 28	Fri.	Last day to Register for “Summer Day Session II” w/o a \$25 late fee
July 1	Mon.	First Day of Classes for “Day Session II”
July 1	Mon.	Late Payment for “Day Session II” (subject to \$25 late fee)
July 4	Thurs.	Independence Day Holiday – No classes (limited services/facilities may be available)
July 23	Tues.	Last Day for Individual Course Withdrawals for “Day Session II”
July 26	Fri.	Special Friday Make Up Day for “Day Session II”
Aug. 2	Fri.	Last Day of Classes for “Day Session II”
Aug. 5	Mon.	Final Grades Due for “Day Session II”

SUMMER 8-WEEK EVENING SESSION		
May 24	Fri.	Last day to Register for “Day Session I”, “Summer Eve 8 and 10-week Sessions” w/o \$25 late fee
May 27	Mon.	Memorial Day Holiday – No classes (limited services/facilities may be available)
May 28	Tues.	First Day of Classes For “8-Week Evening Session”
May 28	Tues.	Late Payment for “8-Week Evening Session” (subject to \$25 late fee)
July 2	Tues.	Last Day for Individual Course Withdrawals for “8-Week Evening Session ”
July 4	Thurs.	Independence Day Holiday – No classes (limited services/facilities may be available)
July 12	Fri.	Special Friday Make Up Day for “8-Week Evening Session ”
July 19	Fri.	Last Day of Classes for “Summer 8-Week Evening Session”
July 22	Mon.	Final Grades Due for “8-Week Evening Session ”
SUMMER 10-WEEK SESSION		
May 24	Fri.	Last day to Register for “Day Session I”, “Summer Eve 8 and 10-week Sessions” without \$25 late fee
May 27	Mon.	Memorial Day Holiday – No classes (limited services/facilities may be available)
May 28	Tues.	First Day of Classes for “10-Week Session”
May 28	Tues.	Late Payment for “10-Week Session” (subject to \$25 late fee)
July 4	Thurs.	Independence Day Holiday – No classes (limited services/facilities may be available)
July 11	Thu.	Last day for Individual Course Withdrawal for “10-Week Session”
July 26	Fri.	Special Friday Make Up Day for “10-Week Session”
Aug. 2	Fri.	Last Day of Classes for “10-Week Session”
Aug. 5	Mon.	Final Grades Due for “10-Week Session”

COLLEGE CLOSING INFORMATION

Should it be necessary to close the College for weather or emergency reasons, the local radio and television stations will carry the news. Also, up-to-date information may be found on the FM website at www.fmcc.edu. Sign up for SUNY Alert. Login to My FM and click on SUNY Alert link to enroll.

HOW TO STAY INFORMED

1. Check your FM email daily via MyFM link on the College website at www.fmcc.edu
2. Sign up for SUNY Alert. Login to My FM and click on SUNY Alert link to enroll.
3. Check out the FM website for announcements.
4. Read the campus bulletin boards.
5. Attend Student Senate Association and FCA Corporation meetings. The Student Senate Association meets monthly. The schedule of meetings is available from the Student Activities Office in the lower level of the Student Union. The FCA Corporation meets 3 times a year - in early Fall, in early Spring, and a closing meeting in May. The FCA Board of Directors meets monthly. Visit the Student Activities Office for more information.
6. Check out the FM Social Media sites for announcements. Follow Fulton-Montgomery Community College on Facebook, FMCC_SUNY on Twitter, and fm_college on Instagram.

PHONE DIRECTORY FOR STUDENT SERVICES

The main College telephone number is (518) 736-FMCC (3622). Direct dial numbers are listed for some offices. There is a staff directory located on the FM website. <http://www.fmcc.edu/about/directory/>

SUBJECT	CONTACT	BLDG or OFFICE	PHONE
Absence	Instructor		Various
Absence - Extended	Academic Dean	A207	8005
Academic Advisement	Student Development Center	N107	8140
Academic Assistance	Instructor		Various
Academic Programs	Dean's Office	C207	8010 or 8005
Admission	Admission's Office	A117	8301
Athletics	Director of Athletics	P109	8113
Books & Supplies	Raider Trader College Store	Student Union	762-8022
Career Programs	Student Development Center	N107	8161
Child Care Center	Director FM Playmates	Day Care	762-5333
Class Schedules	Student Development Center	N107	8140

Clubs	Student Activities Office	Student Union	8131
COCAL	Director of Employment Services and Individualized Learning	C207	8931
Course Change	Student Development Center	N107	8140
CSTEP	Coordinator	N107	8153
Curriculum Change	Student Development Center	N107	8140
Employment	Career Resource Center	N107	8161
Financial Aid	Financial Aid Office	A105	8201
Graduation Requirements	Student Development Center	N107	8140
HPOG	Coordinator	C135	8940
Insurance	Bursar's Office	A107	8601
Library Information	Library Front Desk	L102	8058
Lost and Found	Public Safety Office	P144	8405
Parking Permits	Public Safety Office	P144	8405
Payment of Bills	Bursar's Office	A107	8601
Quest	Coordinator	N107	8505
Reading/Study Assistance	Learning Center	L203	8061
Scholarships/Loans	Financial Aid Office	A105	8201
Student Activities	Student Activities Office	U020	8131
Student Records	Registrar's Office	A109	8701
Student Senate Assoc.	SSA Office	Student Union	8131
Students with Disabilities	Coordinator of Accessibility Services	N107	8145
TRiO	Coordinator	L213	8067
Tutoring	Learning Center	L203	8061
Veteran's Affairs	Financial Aid Office	A105	8203
Withdrawal	Student Development Center	N107	8140
Work Study	Financial Aid Office	A101	8201

STUDENT SERVICES

RAIDER TRADER COLLEGE STORE – The Raider Trader College store is located in the Student Union. You can purchase all your required course materials (new, used, rental and digital) as well as a wide variety of general merchandise. The store has school supplies, emblematic gifts and clothing, back packs, snacks and health and beauty items. Computers and technology are also available, the store is an authorized Apple dealer. The hours of the store are Monday-Friday 8:15 AM – 4:00 PM, hours are extended during the first week of classes in the fall and spring semesters. Please visit the store website at <http://www.bkstr.com/fultonmontgomeryccstore/home/en>

EMPLOYMENT AND CAREER SERVICES – FM offers a variety of career and employment resources including Career Cruising and College Central Network, both online resources. Students have full access to Career Cruising which includes assessments, educational tools, and career information. College Central gives students access to many resources including articles and podcasts covering a broad range of career topics, resume and cover letter tools, as well as a job posting board. Resume and cover letter critiques are available as well as assistance with interviewing and job searching techniques. More information can be found in the Student Development Center.

DINING SERVICES – Dining services are located in the Student Union (Union Stations), the X Kitchen, in Raiders Cove (NY Commons Deli) located in the Physical Education Building, and outside the Evans Library (Books & Bytes). Breakfast, lunch, and dinner are served Monday-Friday. Dining services are also available for our residential students on the weekends. The hours of operation are posted at the entrance of the main dining room and are posted on the website at www.dineoncampus.com/fmcc.

DISABILITY SERVICES – Fulton-Montgomery Community College is committed to providing equal access to educational opportunities and programs for qualified students. FM complies with federal and state laws to offer reasonable accommodations for students with disabilities. Students requesting accommodations for a placement test and/or other campus programs and services must first self-disclose information regarding their disability to the Coordinator of Accessibility Services located in the Student Development Center. Students may need to provide documentation of disability and functional limitations from an appropriate credentialed professional. This information is confidential and kept separate from their academic file. Requests for services are on a semester to semester basis and may vary depending on the course schedule and the individual student needs. Students may also need to meet with the Academic Success Coordinator located in L-203A for specific services such as alternate testing and note taking services. Possible accommodations may include, but are not limited to, use of smart pens, note takers for class lectures, audio textbooks, sign language interpreters, financial aid waivers with a reduced schedule and text to speech software.

MENTAL HEALTH COUNSELING – If you would like an appointment with a counselor stop by the Student Development Center or call 518-736-3622 ext 8148. Services are available Monday-Friday by appointment. The services are completely confidential and not associated with the student's school information. Confidential referral forms are located outside (N-107F) in the Student Development Center.

TRANSFER SERVICES – Located in the Student Development Center, the Transfer Counselor provides transfer guidance to any student who is interested in pursuing an education after FM. Students can make an individual appointment or attend a transfer workshop to discuss transfer opportunities, the transfer process, and how to go about finding a school that will be the right fit. Throughout the academic year representatives from various colleges visit our campus to speak with students. There is a Transfer Fair on campus in both the Fall and Spring semesters. The Transfer Fairs are attended by dozens of four year college and university representatives who will be able to assist in helping students through the transfer process.

STUDENT HOUSING – FM offers on-campus housing which provides students the unique opportunity to live where they learn! Residence life at FM is focused on developing a community that promotes civility and student success. Housing options include Fulton and Montgomery Halls which offer suite style rooms accommodating four students per suite in two double bedrooms located off of a large shared common room and kitchenette area with a full size refrigerator and microwave provided. Raiders Hall also features suites that accommodate 4 student in two single rooms and one double room located off of a shared common room. Students assigned to Raiders Hall are encouraged to bring personal refrigerators and microwaves. For more information contact the Office of Residence Life at (518) 736-FMCC (3622) Ext. 8821.

STUDENT I.D. CARDS – The College issues photo I.D. cards to all currently registered students. This card is required to use the Evans Library and to access specialized labs, such as the computer labs and dining services if a meal plan is in effect. All students are expected to carry their valid photo I.D. card at all times and produce it upon request. Validation to verify enrollment status is required every semester. Contact the Department of Public Safety, located in the Physical Education Building, or call 736-FMCC (3622) Ext. 8405 for more information.

STUDENT SENATE ASSOCIATION – The Student Senate Association (SSA) represents the student body in identifying broad social, academic and cultural needs and determining ways to meet those needs. This is done through the SSA, a body that consists of the SSA officers and a representative of each SSA-sponsored club and organization. The SSA meets monthly and the meetings are open to all students to discuss issues relevant to all facets of the student life.

Each club has a voting SSA representative. Elections for Student Senate Officers for the following academic year are held each spring, with the exception of the election of a Freshman Senator which occurs each September. The SSA receives an allocated portion of the Student Activity fee to sponsor the Student Activities, the Athletics program, and the clubs and organizations listed below.

STUDENT ACTIVITY FEE – The Student Activity Fee (Fee) funds the activities of the SSA and also the Student Activities Board (SAB) and the Fulton-Montgomery Athletic Association (FMAA). Fulmont College Association (FCA) is the Fiscal Agent for SSA, SAB and FMAA. The Fee is approved annually by the College’s Board of Trustees as part of approving the College’s annual “Tuition and Fee Schedule”. On behalf of the SSA, SAB and FMAA, the College assesses the Fee to all full time and part time students; Collects the Fees; and Remits 100% of the collected Fees to their Fiscal Agent, FCA.

In accordance with the SSA bylaws, the College's Board of Trustees, through the College President, allocates the Student Activity Fee among the SSA, SAB, and FMAA. The SSA, SAB, and FMAA organizations allocate their funds to approved clubs, organizations and activities via an annual budgeting process that includes approval by the College President. These Annual Budgets are available in the office of the FCA Accountant for review by any and all students.

STUDENT CLUBS AND ORGANIZATIONS

The following is a list of the clubs and organizations sponsored by the SSA that are currently active at FM. Formation of new clubs is encouraged. Students interested in participating in one of the existing clubs or in forming a new one should contact the Student Activities Office in the lower level of the Student Union. Be active! Join or start a club!

ABLE - Abilities Beyond Limitation through Education is the club for students who wish to explore ways to make attending college easier for students with disabilities. Students work together on projects to raise money for club outings and activities to support this mission.

American Sign Language – The American Sign Language Club collaborates with the local deaf community to meet and greet in ASL- a visual, spatial concept language which is not related to English. They advocate for equal rights of deaf individuals and promote that the only thing the deaf cannot do is hear.

Community Outreach FM – The Community Outreach Club helps communities in Fulton and Montgomery counties by raising money and volunteering in soup kitchens, schools, community fundraisers, donating, etc.

Criminal Justice Club – The Criminal Justice Club allows students to meet and interact with various law enforcement professionals from federal, state, county and local agencies in an informal setting. Students hear from speakers, view videotapes and participate in field trips to learn about the diversity of the criminal justice field. This exposure allows club members insight into their interests in the pursuit of their goals. Students also have the ability to work closely with the criminal justice professionals in volunteer programs.

Electrical Technology Club – The Electrical Technology Club gives students the opportunity to explore technology related subjects through conferences and field trips to industry sites. Club members help to offset travel expenses through fund-raisers and hands-on projects.

Fitness Club – The Fitness Club is where you can learn to change your body and your life for the better through group fitness, peer support and learning to eat better.

FM Biz Hub – The Business Club is open to all students and is active in both social and service oriented activities. Typical activities include sponsoring families during the holiday season, organizing a recognition lunch for clerical staff, and trips to such places as Boston, New York, Lake Placid, Burlington, Montreal, Quebec City, and Washington D.C.

Foggy Mountain Players – The Foggy Mountain Players members work closely with the FM’s Theater Department to produce campus plays and musicals. Club members include students interested in set design, acting, directing, costume design, and other areas of theatrical production. Other club activities include talent shows, tours of local theaters, and trips to Albany, Boston, and New York City to see shows.

Fulton-Montgomery Athletic Association (FMAA) – The Fulton-Montgomery Athletic Association fosters student participation in the governance of athletics at the College and to act as liaison between the athletic department and the Student Senate Association. Membership is not limited to athletic team members.

Garden and Trails - The Garden and Trails Club assists in building and maintaining gardens and trails on the campus fosters a sense of community between students, FMCC employees, Liberty Enterprises, HFM BOCES, and the local community. The Club invests students in caring for their physical environment by supporting and raising awareness of their relationship with the world around them providing them with the opportunity for education, recreation and general wellness, and raising awareness about the topic of sustainability.

Graphic Arts and Photography Club – The Graphic Arts and Photography Club focuses on providing a link to industry via professional outside organizations. Club members may participate in monthly dinner meetings with a chapter of the International Association of Printing House Craftsmen. Printing plant tours are integrated with the club’s event schedule. Community services include job printing for some non-profit organizations and fund-raiser donations to civic organizations.

Martial Arts Club - The Martial Arts Club teaches participants about discipline and patience that can be used in everyday life. Students are taught the fundamentals of self-defense. It is a fun way for people to get in shape and meet new friends.

Musicians Club – The Musicians Club hones the skills of budding musical artists. Collectively students play music that participants have written along with pieces from the past and present. This club holds a talent show in the fall and spring semester.

MISA (Medical Imaging Student Association) – MISA members are typically first and second year radiologic technology students, but membership is open to anyone. MISA serves the college, the community and its members. MISA participates in fund-raising activities and community/college activities that relate to the medical imaging profession. Examples of these include: sponsored trip to the ‘Bodies’ exhibit in New York City, sponsorship of families during holidays, on-campus symposiums that provide continuing education credit for area radiologic technologists and community awareness events for relevant health topics like Alzheimer’s disease. MISA typically donates excess treasury proceeds to local organizations such as the YMCA, local animal shelters and the FMCC Foundation.

Peer Tutor Club – The Peer Tutor Club is open to any person who is actively working as a tutor. The Peer Tutor Club brings together some of the brightest students on campus. The club has participated in food drives, fundraisers and review sessions for finals. The Peer Tutor Club is also active in the community through the March of Dimes Walk-a-thon. Any student who is interested in becoming a tutor and joining the Peer Tutor Club should inquire at the Learning Center, located in the Evans Library.

Phi Theta Kappa – Phi Theta Kappa is the international honor society of two-year colleges. Alpha Alpha Upsilon chapter at FM has often earned the coveted 5-star status. PTK designs and implements activities around the hallmarks of Leadership, Fellowship, Scholarship, and Service.

Residence Life Club – The Resident Life Club provides an opportunity for residential students to plan programming and events for the campus community. This club is open to all FM students.

Society for the Study of Modern Visual Culture (Gaming Club) - The Society for the Study of Modern Visual Culture is open to all students who enjoy playing video games and learning about how these games are created. This club plans such events as gaming tournaments, trips to gaming conferences, as well as bringing various speakers on campus to speak on this intriguing subject. The video gaming room is located in the basement of the Student Union and all are always welcome!

Spectrum Club (Gay-Straight Alliance) – The Spectrum Club offers the opportunity for students to discuss issues related to sexual orientation, diversity, and sex-based discrimination. The club sponsors on-campus speakers who promote tolerance. Members also attend conferences at other colleges where they can share ideas with their peers.

Student Activities Board – The Student Activities Board (SAB) consists of active student volunteers who choose, plan, and implement college-wide social, cultural, educational and community service events and programs. Students who are interested in being on the SAB should contact the Student Activities Office, located in the lower level of the Student Union.

Student Art Guild – The Student Art Guild promotes visual fine arts on campus and in the community. Through hosting exhibitions, field trips and creative projects, the Art Guild enhances the students' as well as the communities' accessibility to the fine arts. With diverse exposure to fine arts, a greater appreciation of artistic expression can be fostered.

Student Nurses Association (SNA) – The Student Nurses Association (SNA) is comprised of first and second year nursing students, the SNA serves its students, the college community, and the general community. The SNA sponsors or participates in a number of health-related activities such as blood pressure clinics, food drives, health fairs, and March of Dimes Walk America, AIDS Walk-a-thon, campus speakers and Coats for Kids. Members volunteer at area Soup Kitchens and Mental Health Association programs. SNA provides mentors for the Career Exploration Program at Centro Civico.

Students of the World Club – The Students of the World Club is not only for international students. This club promotes cross-cultural awareness by sponsoring service projects, recreational outings, plus on and off campus activities.

Table Top Gaming Club – The FM Table Top Gaming Club is designed for students who enjoy playing Magic the game and other role playing card games.

Think Peace – The Think Peace Club has four simple goals: Help promote peace through patience, equality, awareness, civility, and empathy; help promote peaceful/nonviolent methods of resolving conflict, help promote peace by respecting the dignity, diversity, and human rights of all people; support the practice of civility individually, in the school community, and in the local community.

Veterans Club - The Veteran’s Club offers an opportunity for Military Veterans, spouses, dependents and anyone who supports the military to assist peers with the transition from military to college. The Veteran’s Club also provides community service activities, fundraising, and donating to local community veteran organizations.

Wall Street Club – The Wall Street Club is an investment club. The purpose of the club is for students and faculty to have fun and learn about investing together.

ATHLETICS

FM is a member of the National Junior College Athletic Association (NJCAA), Region III and the Mountain Valley Collegiate Conference and has been represented in both regional and national competition by successful teams and individual team members. The College offers Women’s Softball, Basketball, Cross-Country, Bowling, Golf and Volleyball teams and Men’s Baseball, Basketball, Cross-Country, Bowling, Golf and Soccer teams. For details, contact the Director of Athletics in the Physical Education Building or check out Athletics website at www.fmraidersathletics.com.

FITNESS CENTER

The FM Fitness Center offers a state-of-the-art facility that allows students, faculty and staff to work out while on campus. Fitness center hours are posted on the website and at the Center.

OPEN RECREATION

Students are able to use the Physical Education building throughout the entire week for open recreation activities (Hours are available through the Athletic Office). The gymnasium is open on designated week nights and weekends.

THE EVANS LIBRARY & LEARNING COMMONS

The Evans Library & Learning Commons, which includes Library and Learning Center Services, offers an atmosphere that supports academic success by offering pro-active reference service, academic skills support, and just-in-time technology assistance.

The Evans Library - The Evans Library includes a collection of approximately 30,000 print books and periodicals, a media collection consisting of instructional and popular DVDs as well as a wide range of online educational resources including over 30,000 e-books and 50 databases. Traditional library services such as circulation, course reserves, and equipment loans (including laptops & tablets) are offered as well. Collaborative and independent spaces for academic study are also available. The Evans Library offers a wide range of Information Literacy services to support student learning and instruct students on the exploration, use, and creation of information. Visit <https://library.fmcc.edu> for more information.

The Evans Library is proud of its specialized resources, which include The Kenneth R. Dorn Regional History Collection, the Information Literacy Classroom, and an Academic Computing lab with PCs and MACs, all located on the second floor. Through affiliations with other SUNY libraries and membership in the Capital District Library Council, the Library facilitates access to a variety of additional resources at no cost to its students. Photocopiers & WePa printer kiosks (debit/credit/print card required) are available for patron use at minimal cost while scanning is free of charge.

Important: A valid FM College photo ID is required when using most Library resources and must be presented upon request.

Learning Center: Students can gain assistance with their academic course work by working with peer and professional tutors. The campus tutoring labs are located on the first and second floor of the Evans Library. In the Writing Center, located on the first floor, students can develop their college writing skills as well as work with course-specific tutors or develop general study-skills. In the Mathematics Lab, located on the second floor, assistance is available to students who are taking math or physical science (Physics/Chemistry) courses. Course-specific peer tutors may also be located in labs that pertain to their subject area, such as the electronics lab or the multimedia lab. Students can also access online tutorial support in Writing, Math, Statistics, Accounting, Chemistry, Biology and APA through www.etutoring.org. In addition to tutoring, the Alternative Testing Center is located on the second floor of Evans library. Learning center hours are generally 8-4:30 (some days later in Math and Writing lab) weekdays with Friday 8-4pm.

EVANS LIBRARY HOURS:

Monday – Thursday	8:00 am – 9:00 pm
Friday	8:00 am – 4:00 pm
Saturday	Closed
Sunday	4:00 pm – 9:00 pm

**Schedule subject to change - go to <https://library.fmcc.edu> for current information*

ACADEMIC ADVISEMENT & REGISTRATION

An important aspect of a student's education involves making informed decisions regarding the selection of an academic major and semester coursework. The College has maintained a high quality program of academic advisement and registration that offers individual advising appointments for new and continuing students. This personalized approach to advisement is an effective method for helping students acclimate to the College environment by providing an academic and career assessment to set academic goals, discuss program and course requirements, and address identified academic support needs.

All incoming students at FM are assigned an Academic Advisor after their first registration appointment. Your advisor will be your campus "go to" person and assist you with any questions or concerns you may have surrounding your degree program, course requirements, class scheduling and other items related to your academic success. We will work together to ensure you will be able to achieve all your college goals. Students are able to register online or in an advisors office.

Information regarding online and in person registration will be emailed to you. Each semester, course schedules are posted on MyFM. Students are encouraged to review the course schedule and Degree Works (FM's online degree audit) prior to their advisement appointment.

COMMENCEMENT

Commencement, the College's annual graduation ceremony, is held once per year at the end of the spring semester in May. Students are responsible for purchasing a cap and a gown which are available at the Raider Trader College Store. Students who complete all requirements in December receive their diplomas after successful completion of course work and may attend Commencement in May. May applicants for graduation participate in Commencement as unverified candidates for graduation as long as they were registered for all requirements; final verification of graduation and issuing of diplomas occurs after commencement is held. August graduates participate in the Commencement that follows degree completion unless they meet all conditions for Early Participation in Commencement by April 1. Students seeking approval for Early Participation in Commencement must be registered for all remaining graduation requirements, scheduled to be completed by August, and shall not exceed six credits in any combination or two courses up to eight credits. Students must file an application for August graduation, submit a form requesting approval for Early Participation in Commencement, and provide written verification of summer enrollment.

STUDENT EMAIL AND ONLINE TOOLS

All registered students are provided with **FM email (Gmail)**. FM Student Email is actually Gmail branded for FM. It is free and is the official email account you will use to communicate with faculty and administrative offices and to receive official notifications from FM. You must regularly check this account for messages.

MyFM gives you access to your unofficial transcripts, billing and financial aid information. It allows you to update information like your address and your password.

The **Blackboard Learning Management System** is used by FM faculty to deliver online course content, whether it is a fully-online course, a blended course, or a traditional course.

After you register for classes, you will receive a letter that contains your student identification number (you may hear this referred to as your PowerCAMPUS ID) and your user name that you will use to access My FM, FM email and Blackboard. A second letter will provide your initial password. If you misplace or do not receive your letters, you may request this information in person at the Registrar's Office with a photo ID.

MyFM, MyAid and Blackboard can be accessed from the FM homepage (www.fmcc.edu).

Your Username is composed of your first initial of your first name and the first initial of your last name plus 5 random numbers. (For students who had an account created between 2012 and 2017, the 5 numbers are the last 5 digits of your PowerCAMPUS student identification number This is found on the back of your FM ID).

MyAid is an on-line information system allowing students to check the status of their financial aid application, view a list of documents needed or received, review financial aid awarded, accept/decline any pending financial aid awards, view your student loan history and check the status of your student loans for the current year. Your student ID for this tool is your social security number.

GRADE DEFINITIONS

Quality Points

A	Superior Achievement	4.0
A-		3.7
B+		3.3
B	Above Average Achievement	3.0
B-		2.7
C+		2.3
C	Average Achievement	2.0
D	Minimal Passing	1.0
F	Below Minimal Passing	0.0
W	Withdrawal	*
I	Incomplete	*
S	Satisfactory	*
U	Unsatisfactory	*
AU	Audit	*
N	Non-Attendance (mid-semester grade only)	*
NE	No evaluation has been made at this time (mid-semester grade only)	*
IP	In Progress	*

*= Special grades. No grade points assigned; is not used to compute grade point average

HOW TO COMPUTE YOUR GRADE POINT AVERAGE

The following illustrates how a semester grade point average may be computed:

COURSE	CREDITS	GRADE	QUALITY POINTS	TOTAL QUALITY POINTS
ENG 103	3	C+	2.3	6.9
BUS 101	3	B	3.0	9.0
BUS 103	3	A-	3.7	11.1
MAT 120	4	A	4.0	16.0
PSY 101	3	C	2.0	6.0
	16			49.0

49 QUALITY POINTS ÷ 16 = 3.06 GRADE POINT AVERAGE

*Total quality points for each course is the product of the credits for the course and the quality points represented by the grade earned.

CUMULATIVE GRADE POINT AVERAGE

The cumulative grade point average is computed at the conclusion of each semester by dividing the total quality points by the total number of credits attempted (total credits, both passed and failed) during all of the semesters at FM. If a student feels that the final grade does not reflect their performance as a function of the instructor's criteria for grading, they may appeal for a review of grades (see Appendix F) in the back of this booklet.

TRANSCRIPTS

Final grades are issued for all credit courses and are recorded on the student's official transcript. Midterm grades give students feedback on their academic progress but are not noted on the transcript. Midterm grades are only issued for semester-length courses. Students can view and print midterm and final grades with their login and password. Grades are not mailed out. Students may request a printed grade report in person at the Registrar's Office with a photo ID. Grades and transcripts reports are withheld when there is an outstanding obligation to the College (e.g. unpaid tuition, parking fine, etc.)

Students who need a transcript for an official purpose (transfer, employment) must request an official transcript in writing. Fulton-Montgomery Community College has retained Credentials Inc. to accept transcript orders over the Internet and appointed Credentials Inc. as the designated agent for processing and sending official electronic transcripts on behalf of FM. Official copies of your transcript can be requested either through Self Service at <https://ss.fmcc.edu> or through a link under Academics, <http://www.fmcc.edu/academics/registrar-office/transcript-requests/>. Transcripts have a cost of \$5 for each transcript (expedited shipping will incur additional fees). Transcript requests for in-person pick up will also be accepted at the Registrar's Office service window with a photo ID.

ACADEMIC STANDING

Students who have completed a semester with 6 credits or more and with a grade point average of 3.20 or above for that semester, will be placed on the Dean's List in recognition of superior academic achievement. This distinction will be noted on the official transcript. Students who have a cumulative average of 3.5 or higher after completing a minimum of 15 semester hours will be invited to join the College's academic honor society, Phi Theta Kappa.

ADDING/DROPPING FROM COURSES

Students may initiate the adding or dropping of a course(s) through the first week of a class. To add a course, an Add/Drop Form must be completed by the student, approved by the student's advisor, signed by the instructor, and then turned in to the Registrar's Office or Student Development Center to be processed. A course may be dropped during the first week of a class through the same procedure except that the instructor's signature is not required. During the second week of a class, an add-drop may be initiated by the College for reasons of inappropriate placement (over placement or under placement) in a course. Approval must be obtained from the Academic Dean, the student's advisor, the instructor, and the student for such an administrative add-drop.

Courses may be both added and dropped during the first days of each semester (consult the College Calendar for deadlines) with no grade assigned to those courses dropped. After this period, a course MAY NOT BE ADDED OR DROPPED. NOTE: The Add/Drop form MUST BE SUBMITTED to the Registrar's Office to complete this process.

WITHDRAWAL FROM A COURSE

Students may choose to withdraw from an individual course anytime following the add/drop period, and up to the date which is two-thirds (2/3) of the class sessions. These specific withdrawal dates can be found on the Academic Calendar or check with your academic advisor.

WITHDRAWAL FROM THE COLLEGE

Enrolled students who decide to leave the College must complete the student withdrawal procedure. They must report to the Student Development Center to complete the withdrawal form and then follow the procedures outlined on the form to be sure their obligations to the College have been met. Students who have officially terminated enrollment at the College as of the start of classes but prior to the end of the semester will be assigned a grade of "W" for each course in which they are registered.

Students who do not complete the withdrawal procedure may be assigned grades of "F" in each course in which they are registered. Students who are receiving financial aid and are contemplating leaving the College should consult with the Financial Aid Office. As per federal financial aid regulations, financial aid recipients who stop attending classes, regardless of whether they follow the college withdrawal procedures, will have their financial aid awards recalculated according to the last date of attendance reported by the faculty.

FINANCIAL AID

The College participates in a variety of loan, grant, scholarship, and part-time employment programs. A number of these programs are available to part-time students as well as full-time students. Any student receiving financial assistance must maintain satisfactory academic progress standards. FM, together with organizations associated with the College, sponsor additional financial aid and scholarship programs.

Informational brochures, application forms, and counseling are available from the Financial Aid Office located in the Student Welcome Center. All students are urged to contact this office for up-to-date and accurate information.

Office Hours: 8:00 a.m. – 5:00 p.m. Monday – Thursday
8:00 a.m. – 4:00 p.m. Friday
Summer Hours: 8:00 a.m. – 4:00 p.m. Monday – Thursday
8:00 a.m. – 3:00 p.m. Friday

ACADEMIC STANDARDS

In order to maintain matriculated status in a college degree or certificate program and receive all the benefits associated with it including eligibility for financial aid such as grants, loan, scholarships, VA educational benefits, and academic standing in one's

chosen major, students must earn a minimum GPA (grade point average) and earn a minimum number of credits as outlined in the chart below. Academic progress is evaluated at the end of the Summer term, Fall and Spring semesters.

After attempting this many credits	6-11	12-23	24-35	36-47	48-59	60-71	72-83	84-91	92+
Earn at least this many credits	3	6	12	21	30	42	54	62	62
With a cumulative GPA of at least:	.50	.50	1.00	1.50	1.75	1.90	2.00	2.00	2.00
COMPLETION RATE									100%

Evaluation is based on credits attempted, earned, and grade point average. Earned credit includes credit earned at FMCC, transfer credit, advanced placement credit, experiential credit, and credit awarded through college level examination programs (CLEP).

Students not meeting the above chart requirements (based on cumulative data) will further be evaluated for current academic progress from a second evaluation as follows:

- A full-time student (12 + hours) will be considered in good academic standing if the most recent semester average is at least 2.0 and at least 12 hours are passed.
- A part-time student will be considered in good academic standing if the most recent semester average is at least 2.0 and all courses for which the student is registered are passed.
- Students not meeting academic standards for the first time will be placed on academic warning for the following semester. Students will then have one semester to meet the academic standards. Students will be limited to 12 credits; exceptions will be considered by the Coordinator of Retention in consultation with the Provost and Vice President for Academic Affairs. Students on warning who do not meet the academic standards at the conclusion of their warning semester, will be academically dismissed for two semesters (fall/spring, spring/fall). Students interested in returning to the College after two semesters must apply for admission and submit a request for academic probation.
- Students who were granted academic probation previously and failed to regain good academic standing will be dismissed for two consecutive semesters (fall/spring, spring/fall). Students interested in returning to the college after two semesters must apply for re-admission and if accepted, will be placed on academic probation.

- Academic probation is reserved for students with extraordinary and extenuating circumstances and or have stepped out for two semesters (fall/spring, spring/fall). Students who have received a warning or probation semester and who failed to meet standards again will be academically dismissed for two semesters (fall/spring, spring/fall). Students interested in returning to the College after two semesters must apply for admission and submit a request for academic probation.

ACADEMIC PROBATION PROCEDURES

Probation status is awarded to enable students to demonstrate that they can make academic progress toward their degree requirements. Students placed on academic probation will receive a letter notifying them that they are required to meet with their advisor to create an Academic Success Plan. Students will be limited to 12 credits, exceptions will be considered by the Coordinator of Retention in consultation with the Provost and Vice President for Academic Affairs.

Students who are academically dismissed with the ability to document extenuating and extraordinary circumstances impacting their academic performance may file an appeal with the Coordinator of Retention. The academic appeal will then be reviewed by the Satisfactory Academic Progress Committee, whose members are appointed by the Provost and Vice President for Academic Affairs. Students reinstated through this process will have matriculation restored and be placed on academic probation. Students on academic probation may have accompanying conditions placed on their enrollment.

APPLICATION DEADLINES

Fall Semester: academic probation application and required supporting documentation are due August 10th.

Spring Semester: academic probation application and required supporting documentation are due January 10th.

TREATMENT OF W, F, I, IP AND REPEAT GRADES

- Any course(s) dropped during the Add-Drop period during the first week of classes are not evaluated and do not appear on the academic transcript.
- Students who withdraw from courses after the Add-Drop period or totally withdraw from college after the start of classes receive “W” grades at the end of the semester.
- A student who does not attend and fails to officially withdraw from one or more courses is still enrolled in those courses and may be assigned grades of “F” unless the proper withdrawal procedure is followed.
- All courses with grades of “W” or “F” are evaluated for satisfactory academic progress regardless of withdrawal status.
- Incomplete grades (“I”) and In-Progress grades (“IP”) are also evaluated for satisfactory academic progress.

- Once the grade is completed, it will be used to determine satisfactory academic progress for future semesters. Repeat grades count in attempted hours based on multiple attempts; however, only one earned grade will count in the earned credit/GPA calculation. Please refer to the college catalog for more information on FM's grading system.

FINANCIAL AID ELIGIBILITY

Financial aid eligibility requires that students meet the college's satisfactory academic progress standards and any additional academic standards based on the type of aid they are receiving (State and/or Federal). Students who have been academically dismissed are not eligible for financial aid including grants, loans, scholarships, VA educational benefits, etc. Please refer to the college catalog for specific details.

The ultimate responsibility for maintaining the satisfactory academic progress standard rests with the individual student. The College is dedicated to helping all students achieve their educational goals and offers various academic support resources to assist students. Students are advised to make full use of the resources available.

CAMPUS SMOKING POLICY

Effective December 2015, the following campus smoking policy is in effect:

In compliance with New York's Clean Indoor Air Act in Educational Institutions, Fulton-Montgomery Community College will provide a safe and healthy environment, which is as tobacco free as possible for all students, employees, and visitors. Tobacco use is prohibited in all College buildings, including residence halls, as well as space that is leased, rented or utilized under other arrangements by the College. Legal tobacco use is permitted outside of College buildings only in designated smoking areas. Legal tobacco is defined as any type of tobacco product including, but not limited to, cigarettes (commercial, handmade, electronic), cigars, cigarillos, pipes, hookahs, oral tobacco (spit and spitless, smokeless, chew, snuff), vaping, or any other smoking material or device.

Legal Tobacco use is permitted only in the following designated areas:

- Smoking shelter located outside of the Southwest Corner Walkway between Evans Library and Staff Lot 4
- Smoking shelter located outside of the Evans Library/Theater in the Northwest Parking Lot 5 Area
- Smoking shelter located outside of the Lower O'Connell Hall in the Northwest corner between O'Connell Hall and Visual Arts & Communications Building
- Smoking shelters located at residence halls

Smoking shelters have been installed at each of the designated smoking areas. Please do not litter by tossing cigarette butts and matches on the ground.

SMOKING FINES – Any person on campus or at campus housing who smokes outside of a designated area(s) will be ticketed and a \$25 fine will be imposed and placed on their tuition and fees bill.

SMOKING FINE APPEAL PROCEDURE - Students who want to appeal a smoking violation must first obtain a Violation Citation Appeal Form. The forms are available at the following locations; Bursar Office, Public Safety Office, Student Activities Office or online at <http://www.fmcc.edu/studentlife/student-handbook/appeal-procedure/>. Complete the appeal form and submit all required documents as instructed.

DEPARTMENT OF PUBLIC SAFETY

The Department of Public Safety Office is located in the Physical Education (PE) Building (P-144). The Department of Public Safety is responsible for patrolling the campus, ensuring the safety and security of students, faculty, and staff. This is achieved by vehicle patrol, foot patrol, and video monitoring of the college and surrounds roadways and highways. Parking permits and College ID's are also issued by the Department of Public Safety. Although public safety is present on campus and at Campus View Student Housing 24/7, the Department of Public Safety general business hours are 7:30 a.m. – 3:30 p.m., Monday – Friday. To reach this office, please call (518) 736-FMCC (3622), Ext. 8405 or (518) 620-1760.

BLUE LIGHT SAFETY PHONES

The Campus including Student Housing is equipped with blue light safety phones in the event that a person on campus needs assistance during an emergency. Simply pick up the receiver of one of the phones and press the RED button. You will immediately be connected to the 911 Emergency Dispatcher. When connected, please communicate the following:

- a. Type of emergency (medical, fire, police) to the Dispatcher
- b. If reporting an injury, the injured person's name (if known) and nature of the injury
- c. The exact location of the emergency

Once this information is provided, the dispatcher will immediately send the necessary emergency response.

PARKING REGULATIONS

Student Parking Permits are required for any student who drives to the campus. Permits may be obtained by filing a vehicle parking application for each vehicle. Such registration(s) shall be effective for the semester which it is issued. Student Parking Permits are issued as follows:

- Fall & Winter – September 1st - January 31st
- Spring & Summer – February 1st – August 31st

Such application may be filed Monday thru Friday, from 7:30 am – 3:30 pm at the Department of Public Safety Office. The Parking Permit fee will be placed on the student's tuition and fees bill and may be paid at the Bursar's Office only.

All persons must present a valid registration card for the vehicle they are registering as well as a FM College ID and Drivers License. Registration(s) shall be renewable during the month of expiration by reapplication in aforementioned locations.

Students who have an evening schedule may obtain a parking permit with the Evening Advisor located in the Student Development Center.

Students who will not be operating a motor vehicle are required to complete a waiver form to be submitted to the Bursar's Office to have the fee removed from their tuition and fee invoice. The parking fee waiver form is available at the Bursar's Office.

Non-credit students will receive the approved and authorized parking permit from their department heads. These parking permits will be prepared by the Department of Public Safety and distributed to the department heads upon request with an expiration date and no fee.

HANDICAPPED PARKING PERMITS - A handicapped hangtag issued by city, town, or village and a student parking permit sticker will allow the student to park in any handicapped space on campus. Other students may also be granted the special hangtag permit through the Office of Accessibility (located in the Student Development Center) if eligible due to disability.

PARKING FEES & FINES - A parking fee of \$5.00 per semester, per registered student vehicle, will be assessed on the student's tuition and fees bill. Any student who drives and parks on campus (including Campus Housing) without a parking permit will be issued a parking violation and a \$25 fine will be imposed and placed on their tuition and fees bill.

PARKING FINE APPEAL PROCEDURE - Students who want to appeal a parking violation must first obtain a Violation Citation Appeal Form. The forms are available at the following locations; Bursar Office, Public Safety Office, Student Activities Office or online at <http://www.fmcc.edu/studentlife/student-handbook/appeal-procedure/>. Complete the appeal form and submit all required documents as instructed.

TRANSPORTATION

Transportation is provided by Gloversville Transit (Gloversville/Johnstown) and Brown Transportation (Amsterdam). A semester bus pass is available for students, faculty and staff to purchase. See Bursar's Office for fees and details.

STUDENT ACCIDENT INSURANCE PROGRAM

Each student who takes 7 or more credits automatically participates in the FM Student Accident Insurance Program. Students are billed a \$25.00 Wellness fee per semester for this mandatory coverage. Detailed information about the Student Accident Insurance policy as well as Student Wellness claim forms will be available on the FM website under Admissions.

IMMUNIZATION AGAINST MEASLES, MUMPS AND RUBELLA

N.Y.S. law 2165 REQUIRES all students attending college in New York State to provide documentation by a health practitioner of immunity against measles, mumps and rubella. ALL STUDENTS REGISTERED FOR 6 OR MORE CREDITS must comply.

The only exemptions from this requirement are for:

- a. Those with documentation that they were born BEFORE January 1, 1957 -OR-

- b. Those with physician's documentation that specific immunizations would pose a serious and specific health hazard. Immunization must be completed for those that do not pose a health hazard -OR-
- c. Those with specific documentation that such immunization is in contradiction with the sincere and genuine beliefs of their religion.

All students registering for six or more credits at Fulton-Montgomery Community College must submit at the time of their registration or within 30 days of the beginning of classes the required immunization documentation from a health practitioner OR documentation of an exemption. Those NOT providing an exemption must document the following:

For MEASLES: two doses of measles vaccine given after 1967: the first dose on or after the first birthday and the second on or after 15 months of age, OR physician documented history of disease, OR serologic evidence of immunity – AND –

For RUBELLA: one dose of rubella vaccine on or after the first birthday, **OR** serologic evidence of immunity – AND –

For MUMPS: one dose of mumps vaccine on or after the first birthday, **OR** physician documented history of disease, OR serologic evidence of immunity. Students not complying with this law can be withdrawn from all courses. Refunds will NOT be issued for withdrawals after the College's normal refund period. Immunization records will be stored as part of each student's file in the Registrar's Office.

MENINGITIS INFORMATION - Public Health Law 2167 requires notification to all students registered for six or more hours about the risks of meningococcal meningitis, its systems and vaccination options. Although a vaccine is not mandatory, all students who are enrolled for six or more credit hours must sign a Meningitis Information Response Form acknowledging that they have either obtained:

- A vaccine record indicating at least 1 dose of meningococcal ACWY vaccine within the last 5 years or a complete 2- or 3-dose series of MenB without a response form; or
- A signed response form with a vaccine record (If a student submits a response form selecting this option, a vaccine record must be attached); or
- A signed response form indicating that the student will obtain meningococcal vaccine within 30 days; or
- A signed response form indicating that the student will not obtain immunization against meningococcal disease.

If the student has not received meningococcal vaccine within the past 5 years, then he/she must submit the signed response form. Students under age 18 must have a parent or a guardian sign the response form. Forms and specific information from the state about the Meningococcal disease are available at the Registrar's office in the Student Welcome Center.

Information on suspected and/or confirmed cases must be immediately reported to the Vice President for Student Affairs who will report them to the Public Health Offices in Fulton and Montgomery counties. In case of an outbreak of these diseases students not immunized for any reason may be excluded from the campus.

If you need a copy of your immunization record from FM the Immunization Request Form is available on the FM website, under Academics.

<http://www.fmcc.edu/academics/registrars-office/transcript-immunization-requests/>.

CAMPUS FACILITIES

The ALLEN HOUSE provides a beautiful setting for community events in the Rick & Mary Frasier Event Room. Meetings can also be held in the Carl S. Salmon Jr. Board Room. It also houses the offices of the President, Provost and Vice President for Academic Affairs and the FM Foundation. An “AH” designator precedes offices and rooms.

The STUDENT WELCOME CENTER houses the offices of the Vice President for Student Affairs, the Offices of Admissions, Financial Aid, Bursar, and Registrar. An “A” designator precedes offices and rooms.

The STUDENT UNION houses the office of the Coordinator of Student Activities/Director of the Student Union, the Raider Trader College Store, dining rooms, offices of the Student Senate Association, game room and lounge, and areas for small conferences, displays and exhibits. A “U” designator precedes offices and rooms.

The EVANS LIBRARY houses The Evans Library & Learning Commons, Learning Center academic support services including the Writing Center & Math Lab, the Kenneth R. Dorn Regional History Study Room, the Information Literacy Classroom, an Academic Computer lab, alternative testing services and TRiO program offices. The lower level is occupied by the Graphic Arts Department, Early Childhood Education classrooms, and additional classrooms. An “L” designator precedes offices and rooms.

O’CONNELL HALL contains most of the College’s classrooms, laboratories and several large lecture halls. The Academic Deans and many faculty offices are also located in this building, as well as the Campus Information Technology department. A “C” designator precedes offices and rooms.

The VISUAL ARTS AND COMMUNICATIONS BUILDING contains the Rao Theater, The Perella Art Gallery, art studios, sculpture/theater workshop, media studios, and the Student Development Center offices. Rooms are preceded by an “N” designation.

The PHYSICAL EDUCATION BUILDING contains three gymnasiums, Raiders Cove, a smart classroom and the Fitness Center. The College’s Facilities Department and Public Safety Office is headquartered in the PE Building. A “P” designator precedes offices and rooms.

A CHILD CARE CENTER is housed in its own building at the rear of the O’Connell Hall; next to the Tennis courts. The College and the Fulton County YMCA operate the center jointly to meet the childcare needs of students, staff and community members.

The ADMINISTRATIVE SERVICES BUILDING located in the Southeast annex of the HFM BOCES facility houses the offices of the Vice President for Administration and Finance, Human Resources and the Business Affairs Department. An “F” designator precedes offices and rooms.

GLOSSARY

College life has its own traditions and unique procedures, and it has its own language as well. Following is a brief list of terms that are commonly used:

Academic record - provided by the college, this document lists all courses attempted and completed, as well as other academic information.

Academic year - usually refers to the fall and spring semesters combined (September - May).

Associates degree - degree earned after completing 60-70 credits, or 15-20 college level courses in a specific subject area.

A.A. – Associates of Arts

A.S. – Associates of Science

A.A.S. – Associates of Applied Science

Audit - to take a course for no credit/no grade.

Common Hours – times during the week when no classes are held. These hours are used for student activities, and for SSA, faculty, committee and club meetings. At FM, common hours are Monday noon – 1 p.m., Wednesday noon – 1 p.m. and Friday noon to 1 p.m. and 3:00 – 4:30 pm; there is also a common hour on Thursday from 12:30 – 2:00 p.m.

Commuter Student – A student who does not live on campus.

Course Load – the number of courses or credit hours taken during a given semester.

Credit (vs. non-credit) - credits are assigned to a course based on how many hours a week it meets. (i.e. a 3 credit course meets for 3 hour a week). A specific number of credits are required to graduate. Non-credit courses do not count toward a degree but offer training in a specific subject area.

Credit Hours – the number of credits associated with a course: sometimes, but not always equal to weekly clock hours spent in class. These are also called semester hours.

Curriculum - the subject and content area that is taught in a specific course or major.

Developmental/remedial - pre-college level course that may be required as indicated by the placement test. These courses do not apply toward a degree.

Elective – a course of the student's choice; not a required course.

FAFSA - stands for "Free Application for Federal Student Aid". This form is a financial "needs assessment" and is required to be completed by the student to determine eligibility for grants and loans from the state or federal government. This can be completed at <http://www.fafsa.gov>.

Faculty Office Hours - Faculty members maintain office hours so that they can be available to confer with students. Instructors welcome the opportunity to discuss aspects of a course or individual problems with students outside the classroom. These contacts add richness to a student's intellectual life, and help the student and faculty member come to know each other better.

Financial Aid – money available to students to assist them with paying the costs of attending college; may be awarded on the basis of financial need or scholarship.

General Education Requirements – In order to receive an AA or AS degree, students are required to fulfill at least 21 credits hours or seven of the ten categories of the SUNY General Education requirements. Please see the FMCC catalog or stop in to the Student Development Center for a list.

Laboratory – a classroom opportunity to work with theories, concepts, etc. learned in lecture; generally smaller in size than a lecture.

Lecture – classes of varying size devoted almost exclusively to the instructor addressing the class.

Matriculation - A set of services provided to all students as a means of ensuring their academic success, including Admission, Assessment, Orientation, and Counseling. It is legally defined as an agreement between the college and its students.

Prerequisite - a course that must be completed prior to taking another course, i.e. General Psychology is a prerequisite for Developmental Psychology.

Registration - the process through which a student enrolls in a course.

Residential Student – A student who lives on campus.

Section – a unique set of days and time of the day when a course is offered (as opposed to other days and times of the day when the same course may be offered during the same semester); the same instructor may teach several sections of the same course.

Semester - the scheduled time period in which a course is completed.

Syllabus - an outline of expectations, assignments, and academic goals of a course.

Transfer program - a course of study that prepares a student to transfer to a 4-year school after completing associates degree.

Transcript - an official list of coursework completed and final grades earned at a high school or college.

APPENDIX A

PROCEDURE TO FILE A COMPLAINT

The following three-step procedure seeks to provide for an orderly review of complaints within the administrative structure of the College. It seeks to correct unsatisfactory situations perceived by any member of the College Community caused by inaccuracies in records, unfair practices, illegal discrimination, errors, omissions or oversights. It does not change the remedies available to parties by law nor does it substitute for grievance procedures contained in employment agreements.

IF YOU HAVE A COMPLAINT -

1. Go directly to the office, department or staff member of the College that appears to be the source of the problem and state your complaint. It is expected that the majority of complaints will be settled at this informal level by the immediate correction of errors or by the sharing of additional explanatory information.

IF YOUR COMPLAINT IS NOT RESOLVED -

2. Go to the Provost and Vice President for Academic Affairs office located in the Allen House. The Provost and Vice President for Academic Affairs will record the complaint in writing, investigate it, and return your complaint with the findings or any action taken. Normally, you should receive the Provost's reply within (10) ten days of lodging your complaint.

SHOULD THIS NOT SETTLE YOUR COMPLAINT SATISFACTORILY -

3. Make an appointment to speak with the President and make your complaint. The President will appoint a committee, chaired by an Administrator who did not investigate in Step 2, composed of at least three (3) members from various constituencies empowered to investigate your complaint with you, hear statements, view documents, visit sites, etc., to prepare a report of findings and recommendations to the President in the particular matter of your complaint.

You will be expected to meet with the committee throughout its investigation. You may question statements made to the committee and make statements of your own concerning them or the documents or sites or other matters contemplated by the committee. You will be informed of the general nature of the report of findings and recommendations submitted by the committee to the President and will receive a written summary of the decision by the President in the matter.

4. Normally, the committee will meet within ten days of your meeting with the President. You will be informed of the findings of the committee and the President's decision within three days of the time the findings are submitted.

APPENDIX B

FAMILY EDUCATION RIGHTS AND PRIVACY ACT

This is a summary of the Policy on Access to Educational Records – Compliance with the Family Educational Rights and Privacy Act. The College's full statement is available from the Registrar's Office. Fulton-Montgomery Community College complies with the requirements of the Federal Family Educational Rights and Privacy Act (FERPA) of 1974 concerning access to and confidentiality of students' educational and related records.

The College affords all the rights under this law to all students regardless of age. Exceptions to this application in specific cases are those students who it can be documented are considered dependents according to Federal Internal Revenue Service regulations. In general, no one shall have access to nor will the institution disclose any information from current or past students' educational records without written consent of the students except to personnel within the College, to persons or organizations providing students financial aid, to accrediting agencies carrying out their accreditation function, to persons in compliance with a judicial order, and to persons in an emergency when a College official determines it is necessary to do so to protect the health or safety of students or other persons.

Disclosure to personnel within the College is limited to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including alumni department staff and law enforcement unit personnel); a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate interest if the official needs to review an educational record in order to fulfill his or her professional responsibility to the College.

The College, at its discretion, may provide Directory Information in accordance with provisions of the Act, to include: name, local and permanent address, electronic mail address, telephone numbers, dates of attendance, enrollment status (full-time/part-time), previous institutions attended, major field of study, academic level (year in school), participation in officially recognized activities/sports, physical factors of student athletes (height and weight), date and place of birth. Students currently enrolled can

object to release of certain categories of information by notifying in writing the Registrar's Office at the College within fourteen (14) days following the first day of classes. The failure of any student to specifically object to the release of certain information or categories of information within the time indicated will be interpreted as approval. The College will honor requests for non-disclosure for only one academic year. Authorization to withhold Directory Information must be filed annually with the Registrar's Office.

The College is permitted under FERPA to disclose to a parent of a student the student's violation of any Federal, State, or local law, or of any rule or policy of the institution, governing use of or possession of alcohol or a controlled substance, if the institution determines that the student has committed a disciplinary violation with respect to that use or possession AND the student is under 21 at the time of the disclosure to the parent.

The Act provides students with the right to inspect and review information contained in their educational records, to challenge the contents of their educational records, to have a hearing if the outcome of the challenge is unsatisfactory, and to submit explanatory statements for inclusion in their files if they feel the decision of the hearing is unacceptable. The initial request to review records should be directed to the office or department where the record is housed. Official records are considered those held in the Registrar's Office. Records are maintained and kept in accordance with the provisions of New York State's document "Records Retention and Disposition – Schedule MI-1, Section 185.14, 8NYCRR (Appendix K)".

The College may require written requests at its discretion to review certain records, in which case the college will respond in writing to such requests within thirty (30) days. Students may have copies made of their records with the exception of official academic records for which there has been placed a "hold" for financial or disciplinary reasons. These copies will be made at the student's expense at the prevailing rate listed in the annual fee schedule.

Students may NOT inspect and review financial information supplied by their parents/legal guardian, confidential letters of recommendation associated with admission to a program, transfer or employment and when they have waived their right of inspection and review; records containing information about more than one student. In the last situation the College will provide only that information pertinent to the inquiring student with the following exception: The disclosure of the final results of a student disciplinary proceeding against the alleged perpetrator of a crime of violence or a non-forcible sex offense may be disclosed to the victim.

Students who believe their educational records contain information that is recorded inaccurately or in a way that misleads or is otherwise in violation of their privacy or other rights may discuss their problems informally with the Registrar, in the case of official academic records, or the appropriate Dean in the case of other offices' files. If the decision is in agreement with the student request, the appropriate records will be amended. If not, the student will be notified within thirty (30) days that the records will not be amended. The student will also be informed of his/her right to a formal hearing.

A full description of procedures on hearings is available from the Registrar.

APPENDIX C

STUDENT DISCIPLINE – Policy Number 3040

Fulton-Montgomery Community College, a Community College of the State University of New York, has the right and authority to protect its educational purpose through the setting of standards of student conduct. The College will treat students fairly and equally within the Standards of Student Conduct.

The College has established a Standards of Student Conduct, which includes the investigation process, and the disciplinary appeals process. This document is housed in the Student Handbook, *The Source*, which is published annually and distributed to new students at the onset of the new academic year.

For crimes of violence, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act, Fulton-Montgomery Community College will make a notation on the transcript of students found responsible after a conduct process that they were “suspended after a finding of responsibility for a code of conduct violation” or “expelled after a finding of responsibility for a code of conduct violation.” For the respondent who withdraws from the institution while such conduct charges are pending, and declines to complete the disciplinary process, the College will make a notation on the transcript of such students that they “withdrew with conduct charges pending.”

A notation is placed on transcripts of students when two factors are met:

- The student is found responsible, after a process (or takes responsibility) for a code of conduct violation that is equivalent to the definitions for Clery Act Part I Primary Crimes; and
- The student is expelled, suspended, and/or withdraws with conduct charges pending.

All students who take responsibility or are found responsible after a code of conduct process for a code of conduct violation whose definition is equivalent to a Clery Part I Primary Crime, or who withdraw with conduct charges pending, will have such a notation on their transcript regardless of where or when the violation occurred. The notation will be applied for violations that occur on campus, off campus, or while studying abroad.

Consistent with the law, notations will appear on the actual transcript and not on a separate, detachable sheet. Notations will only be removed if a court of competent jurisdiction vacates a finding of responsibility for a violation of college policy.

Violations equivalent to crimes of violence, as defined in the Clery Act (as updated by the Violence Against Women Act Final Regulations) Part I crimes, as set forth in 34 C.F.R. §668.46(c), that require a transcript notation under §6444(6) are: murder; manslaughter; rape, fondling, incest and statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; and arson.

STANDARDS OF STUDENT CONDUCT

Rules, Regulations and Disciplinary Procedures

When students become members of the Fulton-Montgomery Community College (FM) community they are expected to abide by the College's rules, regulations, and behavioral standards. These standards are reasonable and are based on the concept of responsible citizenship. The College does not attempt to regulate the lives or activities of students except to assure its ability to accomplish its educational mission and protect the health, safety, and security of members of its community.

FM has adopted a civility statement as follows:

FM is committed to fostering an environment of civility. All members of the FM community and visitors have the right to experience and the responsibility to create and maintain an environment of mutual respect and support that is civil in all aspects of human relations. Civility facilitates professional growth and achievement and promotes an environment where each person can reach his or her full potential.

By choosing to attend FM, all student members of the College are expected to uphold the standards of this community. This includes students who are matriculated, enrolled or registered in any academic program or activity. Persons who were students when they may have allegedly violated the Student Code of Conduct are also included. The Student Code of Conduct shall apply to conduct that occurs on the College campus or campus housing premises and at college-sponsored events, both on and off campus. The Student Code of Conduct may also apply to the off campus behavior of students, including those who are participating in study abroad programs.

These procedures have been developed to articulate the College's behavioral standards and to provide a format that ensures procedural fairness to all students. The disciplinary process is intended to be educational. The implementation of disciplinary procedures may vary in formality depending upon the gravity and nature of the alleged offense. In addition, the sanctions applied will fall within a range based upon the gravity of the particular offense and other individual, organizational or situational circumstances.

It is important to note that the threshold utilized for determining responsibility for alleged violations will be the preponderance of the information. This means that the hearing officer or hearing board will weigh all information available about an incident and ask themselves if the violation is more likely than not to have occurred. If the answer is affirmative, then the student(s) will be found responsible for the policy violation.

I. Students' Rights and Responsibilities

It is the responsibility of each student to become familiar with all of the College's rules and regulations as set forth in this document and all College documents relating to such.

The College expects all students, staff and faculty to practice high regard for the human dignity of other persons. It seeks to prevent all types of discrimination on the basis of race, sex, gender, religion, age, disability, sexual orientation, and national origin. Repeated disregard to the rights and dignity of others will result in disciplinary action by the College. Any student who feels that they have been the victim of discrimination or harassment should report their complaint to the Office of Public Safety. It is at this point that the appropriate campus administrator will become involved to resolve the issue.

Students are expected to be present and on time for all scheduled classes and laboratories. In cases where a student is tardy or absent, the student is responsible for materials or assignment presented in their absence. The degree to which attendance affects a student's final grade will be determined by the individual instructor and stated in each course syllabus.

College tuition, fees, and all costs associated with on-campus housing, meal plan and books are the responsibility of the student. Students who incur a debt to the College will be responsible for all collections and attorney's fees associated with the collection of that debt, including collection costs.

Students should be free to examine and discuss all questions of interest to them and to express opinions publicly and privately. They should always be free to support causes, by orderly means, which do not disrupt the regular and essential operations of the College. <http://www.fmcc.edu/about/about-fm/fm-board-of-trustees/board-policies/>
- See Policy Number 3010

Students have the right to affiliate with recognized student organizations and engage in activities, provided those activities adhere to normal College policies and do not jeopardize the health, safety, or welfare of members of the College community.

It is the responsibility of all students of the College to adhere to the letter and spirit of duly enacted College policies, rules, and regulations. Students who violate said policies, rules, and regulations are likely to face disciplinary action.

II. College Responsibilities

The College shall attempt to handle disciplinary matters in an expeditious manner.

The College will ensure procedural fairness in all its disciplinary actions.

Acts of retaliation (including coercion, intimidation, threats, or any other action) against any student making a complaint will not be tolerated. This is meant to prevent the malicious use of the Student Code of Conduct against another student for the purpose of re-victimization.

III. Institutional Authority

The authority to discipline students for violations of College policies, rules, and regulations is assigned by the President of FM to the Vice President for Student Affairs

for implementation by the Vice President or by his/her designee. The Vice President for Student Affairs has assigned oversight of the student conduct process at the residence halls to the Director of Residence Life.

IV. Proscribed Conduct

A student may be accountable to both the College and civil authorities for acts that violate the law as well as the Student Code of Conduct. Disciplinary action at the College will normally proceed during the pending criminal proceedings and will not be subject to challenge on the grounds that pending criminal charges involving the same incident have been postponed, dismissed, or reduced. FM reserves the right to apply its own standard and procedure to reach its own determination on violations of this code unaffected by the standard, procedure or outcome of any civil or criminal proceedings.

Generally, violations of rules and regulations that occur in the residence halls will be handled by the Director of Residence Life. Alleged policy violations that occur on campus will be adjudicated by the Vice President for Student Affairs.

V. Code of Conduct Violations

The College has the authority to protect its educational purpose through the establishment of standards of conduct for students within the College community. The College community is identified as any and all persons and activities contained within the College premises and any college residential facilities, and any location in which a student is present to carry out their educational experience, including but not limited to internships, work study programs, study abroad programs, etc.

Disciplinary action may be taken against students for the following violations of College policies, rules, and regulations:

1. All forms of academic dishonesty, including cheating, fabrication, facilitating academic dishonesty such as purchasing or sale of research papers, and plagiarism. (Students charged with this violation will be subject to the procedures outlined in the separate policy on Academic Integrity.)
<http://www.fmcc.edu/academics/programs/academic-integrity-policy/>
2. Intentionally furnishing false information to the College or to a College official verbally or in writing.
3. Forgery, alteration, or unauthorized use of any College documents or instruments of identification.
4. Intention or Threat of (Bodily) Harm/Abuse, including but not limited to:
 - a. Assault and/or physical abuse.
 - b. Threats, intimidation, harassment or verbal abuse.
 - c. Bullying, stalking or cyber-bullying.
 - d. Harassment, intimidation, or bullying which includes any single or series of, gesture[s], written, verbal or physical act[s], or electronic communication[s] that is reasonably perceived as being motivated by an actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any

other distinguishing characteristic, and that a reasonable person should have known will have the effect of:

- Physically or emotionally harming a student, damaging the student's property, or placing a student in reasonable fear of such harm, or
 - Insulting or demeaning any student or group of students in such a way as to cause disruption in or interference with the orderly operation of the College, or
 - Creating a hostile educational environment for the student by severely and pervasively infringing on the rights of the student and interfering with a student's education or causing physical or emotional harm to the student.
 - Disorderly conduct as defined by the laws of the State of New York.
 - Other conduct which threatens or endangers the health or safety of any person.
5. Intentionally or recklessly interfering with official activities at the College including College sponsored activities, including, but not limited to: athletic events, community events, invited speakers, studying, teaching, or fire, police, or emergency services.
 6. Willful defamation of a member of the academic community.
 7. Causing damage to College premises or property. Misuse of, or tampering with, any electrical system, wiring, telephone service, fire safety equipment or other security devices.
 8. Violations of local, state, or federal law on College property, or off campus when such violation has an adverse effect upon individual members of the College community so as to violate the laws, policies or rights of the College members or otherwise prevent other College members from engaging in the pursuit of their duties, mission or education objectives.
 9. Failure or refusal to abide by or comply with directives issued by representatives of the College when they are acting within the scope of their authority.
 10. Possession or use of weapons of any kind, including but not limited to firearms, fireworks, incendiary devices or other combustible materials.
 11. Any action by a student on or off campus that, in the judgment of College officials, has an adverse effect on the College.
 12. The possession, use, sale, distribution, or sharing of any controlled substance (or non-prescriptive drug or prescription not for the user) or drug paraphernalia in violation of federal, state, or municipal laws.
<http://www.fmcc.edu/about/about-fm/fm-board-of-trustees/board-policies/>
- See Policy Number 3400
 13. The consumption of alcoholic beverages in the College community.
<http://www.fmcc.edu/about/about-fm/fm-board-of-trustees/board-policies/>
- See Policy Number 3400
 14. Tobacco use is prohibited in all College buildings, including residence halls, as well as space that is leased, rented or utilized under other arrangements by the College. Legal tobacco use is permitted outside of College buildings only in designated smoking areas. Legal tobacco is defined as any type of tobacco product, including but not limited to cigarettes (commercial, handmade,

electronic), cigars, cigarillos, pipes, hookahs, oral tobacco (spit and spitless, smokeless, chew, snuff), vaping, or other smoking materials or devices. (reference to BOT policy). Those found to be smoking in non-designated smoking areas will be subject to a fine. Those found responsible for smoking inside any College buildings as defined above will be suspended and/or expelled from the College. <http://www.fmcc.edu/about/about-fm/fm-board-of-trustees/board-policies/> - See Policy Number 8020

15. Theft of College or personal property, removing or transferring College equipment or furniture from one location to another without official authorization, or possession of stolen property.
16. Unauthorized entry into or use of any College building, space or office.
17. Violation of published rules governing residence halls and /or recognized student organizations. Please refer to the Campus View Student Housing Handbook. <http://www.fmcc.edu/admissions/student-housing/> - See Campus View Student Housing Handbook
18. Intentionally initiating or causing to be initiated any false report, warning, threat of fire, explosion, or other emergency.
19. Abuse of the Student Conduct Process including, but not limited to falsification, distortion or misrepresentation of information before a hearing officer and/ or members of the Student Life Hearing Board; disruption or interference of a Hearing Board or administrative hearing; attempting to discourage an individual's proper participation in the student conduct process; attempting to influence another person to commit an abuse of the student conduct process.
20. Computer misuse, including but not limited to hardware theft or fraud, duplicating copy protected software, downloading copyrighted material, unauthorized access, subverting restrictions, and plagiarizing class programs. <http://www.fmcc.edu/about/about-fm/fm-board-of-trustees/board-policies/> - See Policy Number 2070
21. Unwanted sexual interactions, including verbal and physical acts or threats. <http://www.fmcc.edu/about/about-fm/title-ix-compliance/suny-sexual-violence-prevention-policy/>

The range of sanctions assigned to students found responsible for a violation of the standards of conduct are: Official Warning, Campus Life Probation, Disciplinary Probation, Interim Suspension, Loss of Campus Housing Privileges, Suspension from the College, and/or Expulsion from the College. Other sanctions may include Educational Sanctions, Order of No Contact, Administrative Relocation, and/or Restitution. Refer to Section VIII for Sanctions definitions.

In addition to the above code of conduct violations, the following applies specifically to expected classroom behaviors:

22. Students must plan to arrive to class on time and stay for the entire class period (or until dismissed). Random arrivals and exits are disrespectful and distracting to the learning process.
23. Students must not participate in behavior such as, but not limited to, talking in class while the faculty member or other students are speaking; use of offensive language; creating distractions or disturbances in the classroom environment, or moving about in the classroom. These behaviors are considered disruptive behaviors to the learning process.

24. Students are not permitted to use cell phones or other electronic devices that disrupt the learning process. The use of personal laptop computers, phone, etc. may be acceptable in some classes, however they must be used only for note-taking or activities in direct support of the course objectives. Faculty members have the right to ask students to shut down any electronic devices.

Sanctions for Classroom Misconduct:

Students who commit acts of classroom misconduct (outside of the Code of Conduct Violations listed under section V of the Student's Right and Responsibilities) are subject to classroom and College sanctions as follows:

1. Verbal warning from the faculty member to the student that the behavior exhibited must stop (behaviors that fall under the Code of Conduct Violations will result in immediate removal from class and referral to the Vice President for Student Affairs).
2. If classroom misconduct occurs again, notification from faculty member may be made to the Dean for Academic Affairs. Students must then meet with the Dean for Academic Affairs prior to returning to class. Any graded work missed prior to returning to class may result in a grade of "0".
3. Instances of continued misconduct will be referred by the Dean of Academic Affairs to the Vice President for Student Affairs.
4. Students must then meet with the Vice President for Student Affairs to determine eligibility of returning to class. Any graded work missed prior to returning to class may result in a grade of "0". If it is determined that the student will be expelled from class, the student will receive a grade of "F" for the class. In addition, if due to time missed in class results in the student's inability to earn a grade higher than a grade of "F", the student will not be allowed to return to class and will receive a grade of "F" for the class.

Clear and Present Danger

If a currently enrolled student commits an on-campus act that results in arrest, creates a public safety issue, or violates the Student Code of Conduct, the Office of Student Affairs reserves the right to restrict or remove that student's access to campus. This decision will be made in consultation with the Office of Public Safety regarding the level and duration of restricted access and may also involve input from Residence Life staff members.

A student can be restricted from the residential area of campus or entire campus based on the specific circumstances of the incident. The Office of Student Affairs requires that the Student Life Hearing Board be convened to determine the possibility of reinstatement or separation from the institution.

Persona Non Grata Status

If a former student or an unaffiliated person commits an act that results in arrest, creates a public safety issue, or violates the Student Code of Conduct, the Vice President for Student Affairs reserves the right to restrict or remove that person's access to campus. This decision will be made in consultation with the Office of Public Safety regarding the level and duration of restricted access. The minimum length of restriction will be one calendar year. Violations of this restriction will result in an extension of the

restriction. In all cases, a Trespass Warning will be issued and remain active for the duration of the restricted access period.

Should this former student or unaffiliated person wish to apply for admission/re-admission to the College at a later date, the Vice President for Student Affairs will render a decision on readmission to the College.

VI. Due Process

It has been recognized that due process in higher education disciplinary matters does not parallel the requirements of due process in a court of law. However, the College ensures that fundamental requirements of due process in all disciplinary matters will be implemented. These requirements are:

1. Students will be notified of alleged policy violations in writing and through an individual meeting with the designated college official or residential official.
2. If a student disagrees with the violation charge, the student must notify the appropriate college official of this intent to appeal. Notification via the responding student's email address of the date, time, and place of the hearing at least three (3) business days in advance of the hearing with a single hearing officer. In cases requiring the Student Life Hearing Board to convene, the responding student will receive a minimum of five (5) business days' notice.
3. Students will be provided the opportunity to present information and eye-witnesses, up to three.
4. Students will be provided the opportunity to choose any one person from the academic community as an advisor throughout the conduct process.
5. Students will be provided with written notification of findings and sanctions imposed.
6. Students will be provided with written notification of an appeal process, if applicable.

VII. Privacy within the Student Conduct Process

All of the documents and information gathered as part of the student conduct process will be treated with a high level of privacy, although we cannot guarantee confidentiality. Information regarding a case will only be shared with the student(s) and designated College officials involved in the hearing.

VIII. Disciplinary Procedures

Allegations of policy violations may be brought by any member of the College community or by the College itself. When allegations are brought against a student for violation of College policies, rules or regulations, the following procedures will be in effect:

1. Any alleged violation should be filed at the Office of Public Safety as soon as possible after an incident takes place.
2. Alleged violations involving individual students must be formally submitted to the Vice President for Student Affairs utilizing the Incident Reporting System.
3. Alleged violations related to incidents that occur in residence halls must be submitted to the Director of Residence Life, utilizing the Incident Reporting System.
4. Alleged violations that are not deemed serious enough to warrant suspension or expulsion may be handled by a single hearing officer, usually the Director of Residence Life or Vice President for Student Affairs or designee.
5. When the allegation of a given case does not jeopardize the safety and security of other campus members, but is deemed serious enough to result in suspension or expulsion, the Vice President for Student Affairs will deliver the sanction to the student and will convene the Student Life Hearing Board to address the issue.
6. When the allegation of a given case does jeopardize the safety and security of the college campus operation and/or may have a significant impact on the overall campus community, the Vice President for Student Affairs reserves the right to act independently on the allegation without convening the Student Life Hearing Board to address the issue. In some cases, a student may be suspended and/or dismissed from the residence halls and/or the College, pending an investigation and/or hearing or final resolution of the charges.

IX. Cases Addressed by a Hearing Officer

Upon receipt of an allegation against a student, the student alleged to have violated the Student Code of Conduct will be sent a letter of notification to their FM email account as well as a written letter with signature sign off to ensure delivery. A student who receives an allegation of a violation is called the responding student.

Through the notification letter:

1. The responding student will be informed of the specific alleged violation(s).
2. The responding student will be apprised of the date and time of the hearing.
3. The responding student will be notified of the right to bring up to three eye-witnesses to the hearing. An eye-witness is someone who has direct knowledge of the alleged violation(s) but was not charged with any alleged violation(s) for the incident in question.
4. The responding student will be notified of the right to bring one member of the academic community (advisor) to the hearing. This advisor may counsel the responding student on what information to present or offer advice on the inclusion of additional relevant information. The advisor is not permitted to: advocate on behalf of the student,

address the hearing officer, question the eyewitnesses or request a schedule change. An advisor who interferes in the hearing process will be removed from the hearing.

5. The responding student will be informed that failure to attend the hearing without prior notification automatically waives his or her right to participate in the hearing process. The hearing will proceed without the input of the responding student.

Upon completion of an investigation and after all hearings have been conducted, the responding student will receive a letter to notify her or him of the outcome. If the responding student is found responsible for a violation of the Student Code of Conduct, that responding student's cumulative conduct history - as well as the sanctions assessed to other students found responsible for similar policy violations in similar cases - will be considered when determining sanctions.

X. The Student Life Hearing Board's Determination

The Student Life Hearing Board's determination shall be based on the preponderance of information presented regarding the alleged policy violation(s). The question before the Student Life Hearing Board will be whether it is more likely than not that the responding student violated the Student Code of Conduct. The Student Life Hearing Board will make the final determination of whether a student is held responsible or not responsible for violating the Student Code of Conduct. The Vice President for Student Affairs, acting on behalf of the Student Life Hearing Board, shall inform the responding student of the final outcome of the Student Life Hearing Board, the sanction(s) imposed by the Student Life Hearing Board, and the appeal process, if applicable. The Vice President for Student Affairs serves as the appeal officer for these cases.

Pre-Hearing

1. After the pre-hearing meeting, the responding student will be sent written notification of the following information:

- a) The time, date and location of the hearing
- b) Specific charges against the student
- c) The right to have eye-witnesses present; students must provide notice to the Vice President for Student Affairs, the intention to bring an eye-witness at least 72 hours prior to the time of the hearing.
- d) The right to have an advisor present
- e) The right to present information
- f) The name of the complainant to the extent consistent with the Office of Public Safety and the law
- g) A handout which describes the conduct process

2. The hearing conducted by the Student Life Hearing Board is closed except to those individuals directly involved in the alleged policy violation and campus departmental representatives deemed necessary by the Vice President for Student Affairs.

3. Both the complaining student and the responding student have the right to be assisted by one (advisor) of their choice. The advisor may assist the student in the preparation of his/her information; the advisor may help provide support to the student. However, the advisor is neither permitted to advocate on behalf of the student, question eye-witnesses, directly address the hearing officer or members of the Student Life Hearing Board, nor request a schedule change. An advisor who interferes in the hearing process will be removed from the hearing.

4. A written record of the hearing is made and kept in the Office of the Vice President of Student Affairs. All deliberations of the Student Life Hearing Board are confidential.

5. The Student Life Hearing Board will consist of four faculty and/or staff members and three student members who volunteer to serve on the board.

6. In cases alleging sexual misconduct, the following additional procedures will apply.

The Complaining Student may choose to:

- Attend the Student Life Hearing Board in the same room with the responding student;
- Attend the Student Life Hearing Board in the same room but separated by a screen from the responding student;
- Attend the Student Life Hearing Board in the same room with the responding student and police officer present;
- Not attend the Student Life Hearing Board but submit a written statement;
- Not attend the Student Life Hearing Board and not submit a written statement.

The Responding Student may choose to:

- Attend the Student Life Hearing Board;
- Not attend the Student Life Hearing Board but submit a written statement;
- Not attend the Student Life Hearing Board and not submit a written statement.

Both parties are afforded the right to be simultaneously provided with written notification of the outcome of the Student Life Hearing Board. Both parties are afforded the right to appeal according to the procedures defined below in Appeal Process for Cases Alleging Sexual Misconduct.

XI. The Appeal Process for Cases Addressed by the Student Life Hearing Board

The appeal process can only be implemented in cases where the outcome has resulted in Loss of Campus Housing, Suspension or Expulsion from the College. The responding student has three (3) business days from the date he or she was informed of the Student Life Hearing Board's decision to file a written appeal to the Vice President for Student Affairs. The written appeal must be received by 11:59pm on the second business day.

The grounds for appeal may only be for one or more of the following reasons:

- a) Sanctions that seem disproportionate to the policy violation(s).
- b) Procedural error of the conduct process described in this document.
- c) New information that was not known to the Hearing Officer or Student Life Hearing Board at the time of deliberation. Note: a student's failure to attend a hearing or provide information during a hearing does not constitute grounds for appeal on the basis of new information.

The Vice President will review the appeal exclusively on these grounds and respond in writing within five (5) business days of receipt of the appeal.

The original finding and sanction(s) will stand if the appeal is not timely or is not based on the grounds listed above, and such a finding and sanction(s) are final.

Note: Appeals are not intended to be full re-hearings of the complaint. Appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the grounds for appeal. Appeal decisions are final.

XII. Sanctions for Students

The following sanctions may be assigned for violations of the Student Code of Conduct. All result in written notifications being placed in the student's disciplinary file, either in the Office of Student Affairs or in the Office of Residence Life. These sanctions may be imposed separately or in conjunction with other sanctions. **Please note that a student's cumulative conduct history, as well as the sanctions assessed to other students in similar cases, will be considered for the assignment of sanctions.**

Educational Sanctions — Educational sanctions may be imposed in addition to or instead of the aforementioned sanctions. For example, students may be required to submit a paper or write letters of apology. Students may have community service projects or educational workshops assigned.

Order of No Contact – A student and his/her friends and acquaintances may be restricted from having any contact with another member of the College community. This sanction can include but is not limited to the exclusion from any campus building or property, and avoidance of a specified College member, whether on College property or not, and placing an affirmative duty on the student and his/her friends or acquaintances to maintain a specified distance away from the designated College member.

Administrative Relocation – A residential student can be required to relocate to a new housing assignment during or after the conclusion of the hearing process. This sanction is utilized to ensure the safety and peace of mind of the residential community at the discretion of the Director of Residence Life. The student is responsible for any charges that may result from relocating from one residence hall or suite to another.

Restitution — A student is required to make payment to the College or to other persons, groups, or organizations for damages incurred as a result of violations of the Student Code of Conduct.

Official Warning — A student receives notification from the Vice President for Student Affairs and/or Director of Residence Life or designee, indicating that a violation of the Student Code of Conduct has occurred and warning that any subsequent violation may be treated more seriously.

Campus Life Probation – A defined period of time whereby any registered student is given an opportunity to modify his or her behavior or risk more severe sanctions. Any subsequent violation of the Student Code of Conduct, while on Campus Life Probation, may result in further disciplinary action.

Disciplinary Probation – A student on disciplinary probation is no longer in good standing with the College. He or she cannot be a member of recognized student organizations, serve as a representative of the College, or participate in intramural, club, or intercollegiate sports for a period of time. [The minimum time is one semester. The maximum time is four semesters.] Any violation of the Student Code of Conduct by the student during the time he or she is on disciplinary probation may result in suspension or expulsion from the College.

Interim Suspension – A student can be suspended from academic pursuits and/or various campus properties of the College on an interim basis, if they are deemed to be a clear and present danger to either themselves or the College community by the Office of Student Affairs and/or Public Safety.

Loss of Campus Housing Privileges – A student may not reside in, visit, or enter any of the residence halls on campus. This includes entrances, foyers, lounges, rooms, hallways, and common areas. The student is not entitled to any refund of campus housing and/or meal plan fees. Student will be issued a Trespass Warning.

Suspension from the College — A student may not be a registered student, be present on campus, or attend College sponsored events for any reason while he or she is suspended from the College for a designated period. The minimum length of a suspension is one semester; there is no maximum. The student is not entitled to a refund of any tuition or fees.

Expulsion from the College — A student may not ever again be a registered student, be present on campus, or attend College sponsored events. The student is not entitled to a refund of any tuition or fees.

If good cause exists, as determined by the Vice President for Student Affairs and in consultation with appropriate College officials, any and all of the above sanctions can be imposed on the student on an interim basis pending an investigation, hearing and/or final resolution of any pending charges.

Additional Information

Please take note of the following:

1. There is no refund of tuition and fees after disciplinary removal from the College due to violations of the Student Code of Conduct.
2. Violation of College policies or state or federal law while on campus may result in revocation of privileges concerning the use of campus facilities.
3. Students who choose not to attend the scheduled hearing are not entitled to appeal the hearing outcome based on new information, as the omission of information in the hearing does not constitute grounds for appeal.
4. Additional charges may arise through the conduct process and result in a further administrative hearing or Student Life Hearing Board.

IV. Modification of the Code of Conduct

The Student Code of Conduct may be amended when necessary. If a change is made, all students will be notified college wide. Copies of the revised code will be available online and in the Office of Student Affairs.

Accommodation Statement:

Reasonable accommodations are available for participants with documented disabilities. To request disability-related accommodations that will facilitate your full participation in the student conduct process, please contact the Office of Accessibility Services at least one week in advance: (518) 736-3622 extension 8145 (voice); or robin.devito@fmcc.suny.edu (email).

APPENDIX D

Title IX Non-discrimination/Anti-Harassment Policy

Fulton-Montgomery Community College (FM) strives to maintain a respectful, safe, and nonthreatening environment for its students, faculty, staff, and visitors. The College does not tolerate sexual violence of any kind, which includes sexual harassment, sexual assault, intimate partner violence and stalking. This policy establishes procedures for responding to incidents of sexual violence and sets forth available resources for individuals reporting sexual violence and for individuals accused of or responding to allegations of sexual violence.

Student's Bill of Rights:

Fulton-Montgomery Community College is committed to providing options, support, and assistance to members of the FM community that are affected by sexual assault, sexual harassment, intimate partner violence and stalking regardless of whether the crime or violation occurred on campus, off campus, or while studying abroad. The rights listed below are afforded to all students reporting sexual violence, as well as all students accused of sexual violence, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, status as a domestic violence victim, or criminal conviction.

All FM students have the right to:

- Make a report to local law enforcement or state police;
- Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
- Make a decision about whether or not to disclose a crime or violation and participate in an institutional administrative or conduct process or the criminal justice process free from pressure by the institution;
- Participate in a process that is fair, impartial and that provides adequate notice and a meaningful opportunity to be heard;
- Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
- Be free from any suggestion that reporting individual is at fault when these crimes and violation are committed, or should have acted in a different manner to avoid such crimes or violations;
- Describe the incident to as few institutional representatives as practicable and not be required to unnecessarily repeat a description of the incident;
- Be protected from retaliation by the institution, any student, the accused/respondent, and their friends, family and acquaintances that are within the jurisdiction of the institution;
- At least one level of appeal of a determination;
- Be accompanied by an advisor of their choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process, including during all meetings and hearing related to the process; and
- The exercise of civil rights and practice of religion without interference by the investigative, criminal justice, or administrative or conduct process of the institution.

According to Title IX legislation: *“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.”*

The areas of Title IX legislation of most concern to students are rights and responsibilities related the definitions below:

Sexual assault: Any physical sexual act committed without consent.

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

Sex discrimination: Includes all forms of sexual misconduct by employees, students, or third parties against employees, students, or third parties. Students, College employees, and third parties are prohibited from harassing other students and/or employees whether or not the incidents of harassment occur on the College campus and whether or not the incidents occur during working hours.

Sexual violence: The term sexual violence as used throughout this policy includes sexual harassment, sexual assault, and domestic violence, dating violence, intimate partner violence and stalking.

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

The following conduct is also prohibited by Fulton-Montgomery Community College’s Student Code of Conduct and is applicable to students:

Intimate Partner Violence: Intimate Partner Violence includes Dating Violence and Domestic Violence, both of which are further defined below. Intimate Partner Violence can occur in relationships of the same or different genders.

Dating Violence: Any act of violence, including physical, sexual, psychological, and verbal violence, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Dating Violence can occur as a single act, or it can consist of a pattern of violent, abusive, or coercive acts that serve to exercise power and control in the context of a romantic or intimate relationship. The existence of such a relationship shall be determined based on the victim’s statement and with consideration of the type and length of the relationship and the frequency of the interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship, regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two

individuals in a business or social context shall constitute a romantic or intimate relationship.

Domestic Violence: Any violent felony, non-violent felony, or misdemeanor crime, as those terms are defined by the laws of the State of New York and of the federal government committed by a current or former spouse or intimate partner of the victim, a person sharing a child with the victim, or a person cohabitating with the victim as a spouse or intimate partner.

Reporting of violations of Title IX policy:

If a student, employee or visitor to campus has experienced any violation of Title IX policy you have the right to make a report to FM Public Safety, local law enforcement, and/or State Police or choose not to report; to report the incident to Fulton-Montgomery Community College; to be protected by FM from retaliation for reporting an incident; and to receive assistance and resources from the College.

Amnesty Policy:

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

Additional information related to Sexual Violence Response:

The complete Addendum, *Fulton-Montgomery Community College Title IX Policies and Sexual Violence Prevention and Response*, is available on the FM website at: <http://www.fmcc.edu/about/about-fm/title-ix-compliance/>

The FM Student Bill of Rights which includes resources for confidential disclosure of sexual violence can be found at:

<http://www.fmcc.edu/about/files/2011/01/BILL-OF-RIGHTS-WEB.pdf>

Printed copies of this policy and the Student Bill of Rights are also available at the Office of Residence Life, Public Safety Office (located in the physical education building), the office of the Vice President for Student Affairs (A113) in the Student Welcome Center and the Title IX Coordinator's office in O'Connell Hall (C115A).

Any questions regarding the policy should be directed to the Title IX Coordinator:

Jean A. Karutis (Office C-115A)

Title IX Coordinator

518-736-3622 ext 8904

jean.karutis@fmcc.edu

APPENDIX E

APPEAL OF ACADEMIC REGULATIONS

- A. When special circumstances warrant, students have the option of appealing any academic regulation. The first step in appealing is to write a letter to the Provost and Vice President for Academic Affairs stating the case and providing any supporting documentation in the possession of the student. Receipt of the letter of appeal will be acknowledged by the Vice President within a week of the receipt of the letter. The Vice President shall collect all the pertinent information on the case, determine the outcome of the appeal and respond in writing to the student within thirty days. At his or her discretion, the Vice President may establish an ad-hoc committee to review the student's case.
- B. Exception to the above procedure: when a student wants to substitute a required course with an equivalent or a higher-level course, the student should see an academic advisor to initiate a Course Substitution and/or Waiver Form.

APPENDIX F

APPEAL FOR REVIEW OF GRADES

In any course, assignment of grades is the fundamental right of the instructor who teaches the course. The instructor also has the responsibility to inform the students, in writing, at the beginning of each course of the criteria that will be used for grading. A student who, at the end of the course, feels that the instructor did not apply the grading criteria fairly and thus received an unfair final grade should, before the end of the next semester, take the following steps in the sequence presented here if interested in a review of the specific final course grade:

- Speak with the instructor
- If still dissatisfied, the student may speak with the Dean of Academic Affairs. The Dean of Academic Affairs will attempt to clarify the situation and bring it to closure to the mutual satisfaction of the student and the instructor.
- If still dissatisfied, the student may request the Provost and Vice President for Academic Affairs to review the case with qualified members of the faculty. The Vice President will attempt to bring the case to closure to the mutual satisfaction of the student and the instructor.
- If still dissatisfied, the student may appeal to the Curriculum Committee through the procedures stated under "Appeal of Academic Regulations." The committee will consider only those cases in which the student appears to have met the criteria set by the instructor for a given grade, but has received a lower grade. The Committee will not re-evaluate test papers or other methods of evaluation used by the instructor. The Committee will conduct appropriate meetings with persons concerned and issue an advisory statement regarding the grade in question.

APPENDIX G

ACADEMIC INTEGRITY POLICY

A. Introduction

At Fulton-Montgomery Community College (FM), we are committed to the academic, civic and ethical development of our community. We strive to create a learning environment that is both challenging and supportive. We are committed to upholding the fundamental values of honesty, respect and individual responsibility. Only through a genuine partnership among students, faculty, staff and administrators can we maintain the commitment necessary to ensure that the highest standards of academic integrity are upheld.

Administration and faculty will support students to understand the standards of academic integrity that govern conduct at FM. Each student will abide by the following principles:

- Submit work that is his/her own
- Identify appropriately the work of others when incorporated into his/her own work, including direct quotations, summaries and paraphrases
- Follow the directions of the instructor with regard to permissible materials in the learning environment at the time of examinations/quizzes or with take-home exams
- Proceed during examinations/quizzes without any assistance and without communicating in any way with others while the examinations/quizzes are being conducted, unless permitted by the instructor
- Refrain from obtaining or distributing the content of any examination/quiz, without the permission of the instructor
- Complete all laboratory observations and reports based solely on his/her own processing of the experiment or demonstration, unless otherwise directed by the instructor
- Submit work, either whole or in part, only once
- Represent data and sources appropriately and honestly

Students are responsible for adhering to these standards. Not being familiar with these standards does not mean that students are not accountable for adherence to them. Furthermore, students are encouraged to report suspected or known violations of the Academic Integrity Policy to appropriate faculty, staff or administration.

B. Violations

Violations of academic integrity include, but are not limited to, the following:

- **Plagiarism:** The intentional or unintentional representation of another person's work as one's own. Examples include, but are not limited to, the following:
 - Quoting, paraphrasing or summarizing another's work without appropriately acknowledging the source
 - Using another's content without acknowledging the source
 - Submitting another's work, purchased or otherwise obtained, as one's own
- **Cheating on Examinations/Quizzes:** Looking at another's work, using or bringing to the learning environment materials that are not permitted by the

instructor, communicating with another student, receiving any kind of assistance including, but not limited to, assistance from electronic devices and obtaining or disseminating the content of an examination/quiz without the permission of the instructor

- **Multiple Submission:** Submitting any work of one's own, either whole or in substantial part, to more than one instructor without the permission of the instructor(s) receiving the work
- **Facilitating Academic Dishonesty:** Knowingly allowing another student to use one's work or cheat from one's examination/quiz
- **Fabrication:** Falsifying or fabricating information in any situation, including but not limited to data for a lab or research project

C. Consequences of Violating Academic Integrity:

Consequences at the course level will be at the discretion of the instructor and may include, but are not limited to, one or a combination of the following:

- Verbal or written warning to the student
- A letter, detailing the violation, to be kept on record
- Successful completion by the student of an FM academic integrity tutorial. Failure to complete the tutorial will result in a one of the two penalties listed below.
- Deduction of points, a grade of "F" or zero for the assignment, project or examination/quiz
- Lowering of the course grade or failure of the course, not to be superseded by student withdrawal

Faculty, staff and administration are encouraged to report instances of academic integrity violations to the Provost and Vice President for Academic Affairs to facilitate the collection of data that would be indicative of repeated violations.

The Office of the Provost and Vice President for Academic Affairs is responsible for keeping documentation on reported academic integrity violations. A permanent college record is made of reported violations. Notification of a reported violation will be forwarded to the student and the reporting faculty member. A third violation reported to the Office of the Provost and Vice President for Academic Affairs will result in suspension from the College for one calendar year. If another violation occurs after the student has returned to college, the student will be permanently suspended from the College.

D. Academic Grievance Process

If the student wishes to challenge the decision, she/he may initiate the Academic Grievance Process.

During the Academic Grievance Process, the student should continue to participate and abide by the course requirements until a final decision has been made.

- Student Pre-Appeal Process Regarding Academic Integrity
 - The student may request a meeting with the notifying faculty member to discuss the infraction and the consequences within five school days of the notification of a violation of any area of the Academic Integrity Policy.
 - If a resolution to the issue cannot be found or the student declines to meet with faculty member, the student may request a meeting with

the Dean of Academic Affairs, with or without the notifying faculty member, within five school days to further discuss the violation. The Dean will make a decision regarding the violation.

- Student Appeal Process Regarding Academic Integrity
 - Once the student has been notified of the decision, she/he may submit a written request for a hearing with the Academic Grievance Committee to the Provost and Vice President for Academic Affairs. This written request must be received by the end of the next semester.
 - The Academic Grievance Committee, along with the Provost and Vice President for Academic Affairs, will meet, make the final decision and notify all parties in writing of that decision.
 - All persons involved will maintain confidentiality at all times. The records of the Academic Grievance Committee shall be maintained by the Office of the Provost and Vice President for Academic Affairs.

APPENDIX H

STUDENT DRUG AND ALCOHOL POLICY

This policy on the use of alcohol and drugs applies to all students, commuter or residential, and their visitors and guests.

The service, distribution, sale, possession and/or consumption of alcoholic beverages on the Fulton-Montgomery Community College (FM) Campus, at Campus View Student Housing (operated by the Fulmont College Association), or at any student-related event on or off campus is strictly prohibited. College sponsored events may not include the purchase or sale of alcohol as part of the official program.

Unlawful behavior involving alcohol including, but not limited to, underage drinking, public intoxication, drinking and driving and manufacturing and/or distribution of alcohol on the campus of Fulton-Montgomery Community College, at Campus View Student Housing, or any student-related on or off campus event, is strictly prohibited.

The manufacture, distribution, sale, purchase, possession and/or use of any illegal drugs or controlled substances on the FM campus and at Campus View Student Housing (operated by the Fulmont College Association), or at any student-related on or off campus event are strictly prohibited.

A violation of this policy shall be considered a breach of the FM Student Code of Conduct and the student housing contract. College leveled sanctions imposed under this policy do not diminish or replace the penalties available under applicable federal, state or local laws.

Specific exceptions of this policy may be approved by the President or his/her designee.

APPENDIX I

SEXUAL VIOLENCE RESPONSE PROCEDURES

I. Introduction

Fulton-Montgomery Community College (FM) strives to maintain a respectful, safe, and nonthreatening environment for its students, faculty, staff, and visitors. The College does not tolerate sexual violence of any kind, which includes sexual harassment, sexual assault, intimate partner violence and stalking. This policy establishes procedures for responding to incidents of sexual violence and sets forth available resources for individuals reporting sexual violence and for individuals accused of or responding to allegations of sexual violence.

II. Student's Bill of Rights

Fulton-Montgomery Community College is committed to providing options, support, and assistance to members of the FM community that are affected by sexual assault, sexual harassment, intimate partner violence and stalking regardless of whether the crime or violation occurred on campus, off campus, or while studying abroad. The rights listed below are afforded to all students reporting sexual violence, as well as all students accused of sexual violence, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, status as a domestic violence victim, or criminal conviction.

All FM students have the right to:

- Make a report to local law enforcement or state police;
- Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
- Make a decision about whether or not to disclose a crime or violation and participate in an institutional administrative or conduct process or the criminal justice process free from pressure by the institution;
- Participate in a process that is fair, impartial and that provides adequate notice and a meaningful opportunity to be heard;
- Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
- Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
- Describe the incident to as few institutional representatives as practicable and not be required to unnecessarily repeat a description of the incident;
- Be protected from retaliation by the institution, any student, the accused/respondent, and their friends, family and acquaintances that are within the jurisdiction of the institution;
- At least one level of appeal of a determination;
- Be accompanied by an advisor of their choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process, including during all meetings and hearings related to the process; and

- The exercise of civil rights and practice of religion without interference by the investigative, criminal justice, or administrative or conduct process of the institution.

III. Procedures for Responding to an Individual Who Has Been the Victim of Sexual Violence

A. Ensuring the Reporting Individual’s Safety: If you or the reporting individual believe that there is an immediate threat or danger, call the Police. In emergency situations, dial 911. Below are the non- emergency numbers for many of the local police agencies:

FM Office of Public Safety	518-736-3622 ext 8405	Physical Education Building, FM Campus
City of Amsterdam Police	518-842-1100	1 Guy Park Ave Amsterdam, NY 12010
City of Gloversville Police	518-773-4572	3 Frontage Rd. Gloversville, NY 12078
City of Johnstown Police	518-736-4021	41 E Main St Johnstown, NY 12095
New York State Police 24 hour hotline	1-844-845-7269	

The term ‘Reporting Individual’ encompasses the term victim, survivor, complainant, claimant, or witness with victim status. A reporting individual may also include a person who has witnessed sexual violence and has reported it.

B. Offering Medical Treatment: Individuals who have experienced a recent sexual assault or act of physical violence are encouraged to visit a hospital or clinic to assess and address their medical needs. A medical exam can assess a victim’s injuries and provide necessary medical advice and medication. Reporting individuals should be advised that information provided during a medical exam is confidential and will not be released or shared without the reporting individual’s consent.

Individuals reporting sexual assault should also be advised of their option to undergo a Sexual Assault Forensic Exam. These exams are performed by skilled clinicians at local hospitals. The exam includes assessment for and treatment of injury, addressing concerns of pregnancy and sexually transmitted infections (STI’s), and collection of evidence. Individuals reporting sexual assault should be advised as follows:

- That choosing to undergo a Sexual Assault Forensic Exam does **not** require that the victim report the violence to police or College administration. However, the exam is strongly recommended as it will greatly enhance the likelihood of a successful prosecution of the assailant in criminal cases should the victim choose to report the incident now or in the future.

- That it is important not to bathe, wash, change clothes, or brush one’s teeth prior to seeking medical attention. If possible, it is also best that the victim not take fluids or use the bathroom prior to the exam.
- That for the purposes of evidence collection, the Sexual Assault Forensic Exam should be conducted within 96 hours of the assault. However, even if 96 hours have elapsed, the exam is still recommended. That the Sexual Assault Forensic Exam is free, and does not have to be charged to the victim’s insurance.
- That information provided during the Sexual Assault Forensic Exam is confidential, and will not be released or shared with anyone, including Police and the College, without the victim’s consent.
- The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information may be found here: www.ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf or by calling 1-800-247-8035. Options are explained here: www.ovs.ny.gov/helpforcrimevictims.html

If an individual reporting sexual violence chooses to obtain medical care, assistance should be provided in arranging for transportation to the hospital or clinic chosen by the reporting individual. This assistance can be provided by the FM Office of Public Safety, Residential Life Staff, or the Title IX Coordinator. Reporting individuals should be further informed that they can request that an advocate accompany them to the hospital. Off-campus advocates are available to the entire campus community through Sexual Assault & Crime Victim Services, Planned Parenthood Mohawk Hudson, 400 North Perry St, Johnstown, NY 12095, 518-736-1911.

St. Mary's Hospital	518-842-1900	427 Guy Park Ave Amsterdam, NY
Nathan Littauer Hospital	518-725-8621	99 E State St Gloversville NY
Sexual Assault & Crime Victim Services, Planned Parenthood Mohawk Hudson	518-736-1911 866-307-4086 24 hr. hotline	400 North Perry St. Johnstown, NY 12095

C. Provide information: At the first instance of disclosure by a reporting individual to ANY College employee, the following information shall be presented to the reporting individual:

“You have the right to make a report to FM Public Safety, local law enforcement, and/or State Police or choose not to report; to report the incident to Fulton-Montgomery Community College; to be protected by FM from retaliation for reporting an incident; and to receive assistance and resources from the College”

Students that have reported sexual violence should then be directed to the Title IX Coordinator **and** this policy for further guidance and information. All other members of the College community should be directed to this policy for further guidance and information

IV. Resources for Victim/Survivors of Sexual Violence

Persons who experience unwelcome sexual behavior may respond to the experience in many different ways, including feeling confused, overwhelmed, and vulnerable, out of control, embarrassed, angry, distrustful, or depressed. FM provides a variety of resources for support and advocacy to assist individuals who have experienced sexual violence. The College will also provide reporting individuals with information about how to report the violence, should they chose to do so. Reporting individuals have the right to emergency access to one of the following college representatives:

- Title IX Coordinator: 518-736-3622 ext 8904
- FM Public Safety 518-736-3622 ext 8405

The above representatives are trained in interviewing victims of sexual assault and will be available upon the first instance of disclosure by a reporting individual to provide written information regarding options to proceed, and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic exam or other medical examination as soon as possible. These representatives can also provide information about an administrative investigation by the College and the criminal justice process and will inform the individual about the different standards of proof utilized by each process. The above representatives will refer a reporting individual to law enforcement if there are questions about whether a specific incident violated the law. Each representative will inform the reporting individual whether he or she is authorized to offer the reporting individual confidentiality or privacy.

The Employee Assistance Program (Employees Only)

The Employee Assistance Program provides faculty and staff with free, confidential assistance from a qualified professional who can listen, be supportive, and who can recommend additional services. The Employee Assistance Coordinator can be reached at 518-843-0503 or 1-800-477-4143. The office is located at St. Mary's Healthcare, 430 Guy Park Ave, Amsterdam, NY 12010.

Additional effective intervention services can be accessed at St. Mary's Hospital, Counseling and Psychological Services, and Montgomery County Crime Victim's and Sexual Violence Center:

vasap@montgomerycountymd.gov
240-777-1355
24-hour crisis line 240-777-4357

St. Mary's Hospital Mental Health Clinic
518-773-3531

St. Mary's Hospital Crisis Line
518-842-9111

V. Protection and Accommodations:

Individuals reporting sexual violence and individuals accused of or responding to allegations of sexual violence are afforded the following protections and accommodations:

- When the accused is a student, to have the institution issue a “No Contact Order.” When a No Contact order is in effect, continued contact with the protected individual is a violation of *FM Student Code of Conduct* and will result in additional conduct charges. If the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person. Both the accused/respondent and reporting individual may request a prompt review of the need for and terms of a No Contact Order, consistent with *FM Student Code of Conduct*. Parties may submit evidence in support of their request.
- To have assistance from Public Safety or other college officials in initiating legal proceedings in family court or civil court, including but not limited to obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.
- To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a College official who can explain the order and answer questions about it, including information from the order about the accused’s responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).
- To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
- To have assistance from FM Public Safety in effecting an arrest when an individual violates an Order of Protection or, if outside of New York State, an equivalent protective or restraining order within the jurisdiction of FM Public Safety or, if outside of the jurisdiction to call on and assist local law enforcement in effecting an arrest for violating such an order.
- When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to interim suspension pending the outcome of a conduct process. Parties may request a prompt review of the need for and terms of an interim suspension in accordance with the procedures set forth in *FM Student Code of Conduct*.
- When the accused is not a student but is a member of the College community and presents a continuing threat to the health and safety of the community the accused is subject to measures in accordance with applicable collective bargaining agreements, employee handbooks, and Fulton-Montgomery Community College policies and rules.
- When the accused is not a member of the College community, to have assistance from FM Public Safety or other college officials in obtaining a persona non grata letter, subject to legal requirements and college policy.
- To receive assistance from appropriate FM representatives/community partners in initiating legal proceedings in family court or civil court.
- To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them.

Students that have experienced sexual violence may request accommodations through any of the offices referenced in this section of this policy. All other members of the College community, including those accused of or responding to allegations of sexual violence, may request reasonable accommodations through the Title IX Coordinator.

VI. Options for Confidentially Disclosing Sexual Violence

FM wants individuals who have experienced sexual violence to get the information and support that they need regardless of whether they would like to move forward with a report of sexual violence to campus officials or to police. A person may want to talk with someone about something they have observed or experienced, even if they are not sure that the behavior constitutes sexual violence. A conversation where questions can be answered is far superior to keeping something to one's self. Confidentiality varies, and this section of the policy is aimed at helping our community understand how confidentiality applies to the different resources that may be available.

Privileged and Confidential Resources on Campus:

Reporting individuals have the right to confidentially disclose an incident to College officials who are designated as confidential resources. These individuals can assist in obtaining services for reporting individuals. Individuals who are *confidential* resources will not report crimes to law enforcement or college officials without permission, except for extreme circumstances, such as a health and/or safety emergency.

Confidential Resources for Students:

St Mary's Healthcare Counseling Services Student Development Center N-107,
518-736-3622 ext 8148

Anonymous On-line Reporting Form: <https://www.fmcc.edu/about/campus-safety/anonymous-reporting-form/>

Confidential Resources for Employees:

Employee Assistance Program St. Mary's Healthcare
430 Guy Park Ave, Amsterdam, NY 12010
518-843-0503
800-477-4143

Anonymous On-line Reporting Form: <https://www.fmcc.edu/about/campus-safety/anonymous-reporting-form/>

Off-campus Options to Disclose Sexual Violence Confidentially

Reporting Individuals may also *confidentially* disclose the incident and obtain services from the following resources and hotlines. Please note that the hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the campus

Victim Advocacy Services (VAS) Fulton, Montgomery, Hamilton Counties	866-307-4086
In Our Own Voices,	www.inourownvoices.org 518-432-4188
Pandora's Project	www.pandys.org/lgbtsurvivors.html

Off-Campus Healthcare Providers

Reporting Individuals may also *confidentially* disclose the incident and obtain services from off-campus medical providers. Some of the area providers are listed below. It is important for Reporting Individuals to be aware that:

- Medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered;
- The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found here: http://www.ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf or by calling 1-800-247-8035. Options are explained here: <http://www.ovs.ny.gov/helpforcrimevictims.html>
- Note that even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to him or herself or others and the mandatory reporting of child abuse.

St Mary's Healthcare	518-842-1900	427 Guy Park Ave Amsterdam, NY
Nathan Littauer Hospital	518-725-8621	99 E State St, Gloversville, NY

Requesting Confidentiality: How the College Will Weigh the Request and Respond:

If a reporting individual discloses an incident to an FM employee who is responsible for responding to or reporting sexual violence or sexual harassment, but the reporting individual wishes to maintain confidentiality or does not consent to the institution's request to initiate an investigation, the Title IX Coordinator must weigh their request against the College's obligation to provide a safe, non-discriminatory environment for all members of our community, including the reporting individual.

The College will assist the reporting individual with academic, housing, transportation, employment, and other reasonable and available accommodations regardless of their reporting choices. While reporting individuals may request accommodations through

several college offices, the following College officials can serve as a primary point of contact to assist with these measures:

The Title IX Coordinator	518-736-3622 ext 8904	O'Connell Hall C115A
Sexual Assault Services	518-736-1911	Planned Parenthood Mohawk Hudson 400 North Perry St. Johnstown, NY 12095

The College may also take proactive steps, such as training or awareness efforts, to combat sexual violence in a general way that does not identify the reporting individual or the situation they disclosed.

The College may seek consent from a reporting individual prior to conducting an investigation. He or she may decline to consent to an investigation, and that determination will be honored unless the College's failure to act does not adequately mitigate the risk of harm to the reporting individual or other members of the College community. Honoring the reporting individual's request may limit the College's ability to meaningfully investigate and pursue conduct action against an accused individual. If Fulton-Montgomery Community College determines that an investigation is required, the reporting individual will be notified and immediate action will be taken as necessary to protect and assist the reporting individual.

When an individual discloses an incident to someone who is responsible for responding to or reporting sexual violence or sexual harassment, but wishes to maintain confidentiality, the College will consider many factors to determine whether to proceed despite that request. These factors include, but are not limited to:

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

If the College determines that it must move forward with an investigation, the reporting individual will be notified and the College will take immediate action as necessary to protect and assist them. Please note that honoring a reporting individual's request that FM refrain from conducting an investigation may limit the College's ability to meaningfully investigate and pursue conduct action against an accused individual.

Privacy versus Confidentiality:

Even FM offices and employees who cannot guarantee *confidentiality* will maintain your *privacy* to the greatest extent possible. The information provided by a reporting individual to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible under the law⁵ for tracking patterns and spotting systemic issues. The College will limit the disclosure as much as possible, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

Public Awareness/Advocacy Events:

If a situation is disclosed through a public awareness event such as “Take Back the Night,” candlelight vigils, protests, or other public event, the College is not obligated to begin an investigation. The College may use the information provided to inform the need for additional education and prevention efforts.

VII. How to Report Sexual Violence

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

Reporting to the College

Reporting individuals have the right to report an incident of sexual violence to one of the following College officials who can offer *privacy* and can provide information about remedies, accommodations, evidence preservation, and how to obtain resources.

Please note that an official who can offer privacy may still be required by law⁶ and college policy to inform one or more College officials about the incident, including but not limited to the Title IX Coordinator. These officials will:

- Provide the Reporting Individual with a copy of the Students’ Bill of Rights
- Disclose that they are private and not confidential resources, and that they may be required by law and College policy to inform one or more College officials about the incident, including but not limited to the Title IX Coordinator.
- Notify reporting individuals that the criminal justice process uses different standards of proof and evidence than institutional administrative procedures, and questions about the penal law or the criminal process should be directed to law enforcement or the District Attorney.

⁵A number of significant guidance documents issued by the Department of Education’s Office of Civil rights have indicated that Title IX of the Education Law Amendments of 1972 requires an institutions Title IX Coordinator to keep records necessary to track patterns or identify areas of concern.

⁶ The United States Department of Education Office of Civil Rights guidance states that Title IX of the Education

Amendments of 1972 requires an institutions “responsible employees” to report all known incidents of sexual violence to the institutions Title IX Coordinator. This guidance defines “responsible employee” as an any employee who has the authority to take action to redress sexual violence; who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or other appropriate school designee; or whom a student could reasonably believe has this authority or duty.

Title IX Coordinator:

The Title IX Coordinator is available to receive reports and to provide information and assistance regarding an incident of sexual assault, domestic violence, dating violence, and/or stalking. Reports will be investigated in accordance with FM policy and a reporting individual’s identity shall remain private at all times if they wish to maintain privacy. If a reporting individual wishes to keep his/her identity anonymous, he or she may call the Title IX Coordinator anonymously to discuss the situation and available options.

Title IX Coordinator	518-736-3622 ext 8904	O’Connell Hall, Room C-115A 2805 State Hwy 67 Johnstown, NY 12095
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Human Resources:

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

Human Resources	518-736-3622 ext 8403	HFM BOCES Building FM Wing Office F-108
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Reporting to the Police

Reporting Individuals have the right to file a criminal complaint with the FM Office of Public Safety or with local law enforcement:

FM Office of Public Safety	518-736-3622 ext 8405	Physical Education Building, FM Campus
City of Amsterdam Police	518-842-1100	1 Guy Park Ave Amsterdam, NY
City of Gloversville Police	518-773-4514	3 Frontage Road Gloversville, NY
City of Johnstown Police	518-736-4021	41 E. Main Street Johnstown, NY
Fulton County Sheriff	518-736-2100	2712 County Hwy 29 Johnstown, NY

Montgomery County Sheriff	518-853-5500	200 Clark Drive Fultonville, NY
New York State Police 24 hour	844-845-7269	

Anonymous Reporting

Options for anonymously reporting incidents of sexual violence are available here:
NYS Police 24 hour hotline: 844-845-7269

Anonymous On-line Reporting Form: <https://www.fmcc.edu/about/campus-safety/anonymous-reporting-form/>

Withdrawal of Complaints/Involvement

A reporting individual has the right to withdraw their complaint from the College process at any time.

VIII. Resources and Support for Students Who Are Accused of Sexual Violence

The following support resources are available to students who have been accused of sexual violence:

- Students who are accused of sexual violence may discuss their situations privately with licensed clinicians at Counseling and Psychological Services in the Student Development Center. An accused student's conversations with College counselors and staff will not be reported to anyone else in the College except in cases of a threat of imminent physical harm. However, statements made to certain employees in these offices may not be legally confidential. When seeking private advice and support from these offices or from any College employee, students should always confirm whether legal confidentiality applies to their communications with the person to whom they are speaking.
- Students who are accused of sexual violence may request reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to prevent retaliation and avoid an ongoing hostile environment. Accused students may request accommodations through the Title IX Coordinator, who can serve as a point to assist with these measures.
- Students who are accused of sexual violence have the right to due process. The College will treat accused students with fairness and respect and will ensure that its investigations and disciplinary proceedings are conducted in accordance with principles of due process.
- A student who is accused of sexual violence may be assisted during the disciplinary hearings and related meetings by an advisor of their choice. An advisor is any individual who provides the accused support, guidance, or advice. Advisors may not address the student conduct hearing board panelists during a disciplinary hearing but may speak privately with the advisee during the proceedings.

IX. Investigation Procedures

The College is committed to conducting adequate, reliable, and impartial investigations of reports and complaints of sexual violence, and to doing so in a timely manner. The Title IX Coordinator is responsible for overseeing and coordinating many aspects of this response. **All College employees, other than the confidential resources discussed above, are required to promptly and fully report all information about alleged or suspected sexual violence to the Title IX Coordinator.** When the Title IX Coordinator receives a report alleging actual or suspected sexual violence, he or she will do the following:

1. Review all available information to determine whether or not immediate remedial action can and should be taken.
2. In conjunction with the office of FM Public Safety, determine whether a timely warning should be issued to the entire College community in accordance with Clery Act requirements. Should the College determine that a timely warning is necessary, the College will make every effort to notify the reporting individual prior to the issuance of the notification.
3. Conduct a preliminary inquiry into the report or assign a team of investigators to do so.

B. Purpose of the Investigation

The College will conduct an investigation into allegations of sexual violence that occur within the FM community or that have an effect on the FM community. The purpose of an investigation is:

1. When the Respondent is a student or an employee, to collect and compile evidence for the purpose of determining whether the complaint, if accepted as true, alleges a violation of FM policy and if so, which specific policies may have been violated;
2. When the Respondent is a student or employee, to determine whether the allegations warrant review by the Office of Community Standards or Human Resources, if such review has not yet been initiated;
3. When the Respondent is not a member of the College community, to collect and compile evidence relevant to the allegations in order to determine whether a violation of College policy has occurred. This determination will be made by the Title IX Coordinator, or a designee(s).
4. To assist FM in its obligation to stop individual instances of sexual violence, to prevent the recurrence of the violence, and to remedy any effects the violence has had on the entire College community.

C. Preliminary Inquiry

Upon receipt of a report alleging sexual violence, the Title IX Coordinator or a designee will assess whether a formal Title IX investigation will be conducted under this policy; that is, whether the allegations in the initial report(s), if true, would constitute prohibited sexual violence in accordance with Fulton-Montgomery Community College policy. This preliminary review, including any necessary interviews to be conducted and any necessary interim measures to be put in place, will usually be completed within seven (7) days of receipt of the complaint.

D. Investigation Process when the Accused is a Student

If the Title IX Coordinator determines that an investigation is necessary, the following will occur, in no particular order:

1. The Vice President for Student Affairs with assistance from the Title IX Coordinator and Director of Public Safety will assign a team of investigators to conduct the investigation.
2. The Title IX Investigation team will notify all parties to the complaint, if their identities are known, that the College will be conducting an investigation;
3. The Title IX Investigation team will contact the alleged victim/survivor in order to:
 - a. Advise the victim/survivor of resources available both on and off campus for support, advocacy, and accommodations for safety and security;
 - b. Advise the victim/survivor of their reporting rights and options; including the right to request that the College not take action;
 - c. Advise the victim/survivor about the investigation process;
 - d. Advise the victim/survivor about the College's prohibition against retaliation;
 - e. Conduct an interview of the victim/survivor, should they choose to participate;
 - f. Allow the victim/survivor to provide evidence, including, but not limited to documents, recordings, and names of potential witnesses.
4. The Title IX Investigation team will meet with the Respondent(s) in order to:
 - a. Advise the respondent(s) of resources available both on and off campus for support, advocacy, and accommodations;
 - b. Advise the respondent about the investigation process;
 - c. Advise the respondent about the College's prohibition against retaliation;
 - d. Conduct an interview of the respondent, should they choose to participate;
 - e. Allow the respondent to provide evidence, including, but not limited to documents, recordings, and names of potential witnesses.
5. The Title IX Investigation team will attempt to meet with and speak to all witnesses who have or may have information relevant to the investigation.
6. The Title IX Investigation team will attempt to collect all evidence relevant to the investigation;
7. When it appears that the investigation may result in a student conduct referral, the Title IX Investigation team will prepare a draft investigation report. Once that draft is prepared the following will occur:
 - a. First, each witness will be permitted to review the portion of the report that memorializes their statements to investigators. The witness will be permitted to suggest changes, offer clarifications, and make additions. The witness will ultimately be asked to affirm, in writing, (1) that they are satisfied that they have shared all relevant information known to them, and (2) that the report is an accurate representation of their conversations with the investigators.
 - b. Next, the victim/survivor and the respondent(s) will be permitted to review the entire draft report. With respect to their own statements, they will be permitted to suggest changes, offer clarifications, and make additions. Each party will also be given the opportunity to respond to the content of the draft report, request that additional questions be asked of witnesses or the other party to the complaint, and to offer additional evidence or information.
 - c. If one party has additional questions, or if additional evidence is offered, the investigators will follow up on those questions or the evidence and if

relevant, will include it in the draft report. The process set forth in paragraph (b), above, will then be repeated until all parties are satisfied that investigation is thorough and complete.

8. Once the victim/survivor and the respondent(s) are satisfied that the investigation report is accurate as to their statements and complete in that it contains all relevant information, a final investigation report will be prepared and distributed to the parties. The parties will then be required to affirm, in writing, that: (1) they have had the opportunity to review the report in its entirety, (2) the portion of the report in which their statements are summarized is accurate and complete, (3) they are satisfied that they have shared all relevant information and evidence known to them, and (4) they are satisfied that the investigation was thorough and complete.
9. If the investigation identifies evidence that, if true, could constitute a violation of *the FM Student Code of Conduct*, the Vice President for Student Affairs will make a referral to the Hearing Board and the investigation report will be provided to them for further action.
10. Absent extenuating circumstances, investigation and resolution is expected to take place within sixty (60) calendar days from receipt of the complaint. All deadlines and time requirements detailed below may be extended for good cause as determined by the Title IX Coordinator or the Vice President for Student Affairs, or a designee of either of those individuals. Both the respondent and the complainant will be notified in writing of the delay, the reason for delay, and provided the date of the new deadline or event. Extensions requested by one party will not be longer than 5 business/school days.

D. Investigation Process when the Accused is an Employee

When the accused is an employee, the investigation will be conducted by the Office of Human

Resources and the Title IX Coordinator or designee in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the reporting individual, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and institutional policy.

X. Adjudication of Sexual Violence Complaints

Student Conduct Process:

When the alleged perpetrator of an act of sexual violence is a student, the reporting individual has the right to request that student conduct charges be filed against the accused. Conduct proceedings are governed by the procedures set forth in the Fulton-Montgomery Community College Student Code of Conduct, as well as federal⁸ and New York State Law⁹, including the due process provisions of the United States and New York State Constitutions. *The FM Student Code of Conduct* can be accessed here:

<http://www.fmcc.edu/studentlife/student-handbook/>

Employee Complaint Adjudications:

When the accused is an employee, disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the reporting individual, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and college policy.

⁸ Title IX of the Education Law Amendments of 1972, section 503 of the Violence Against Women Act Reauthorization Act, and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act govern set forth certain requirements for the administrative adjudication of sexual assault complaints on college campuses.

⁹ See, New York State Education Law Article 129b.

XI. Prohibition against Retaliation

Retaliation is an intentional act taken against an individual who initiates or participates in **any** sexual violence or misconduct investigation or proceeding. Any act of retaliation, either directly or through a third party, against a person who files a sexual violence complaint, serves as a witness, or assists or participates in any manner in any investigation or conduct proceeding involving allegations of sexual violence is strictly prohibited and will result in a disciplinary action. Reports of retaliation can be made to the following College Officials:

The Title IX Coordinator	518-736-3622 x 8904	C-115 A O'Connell Hall
FM Office of Public Safety	518-736-3622 x 8405	P-144 Physical Education Building
Human Resources	518-736-3622 x 8403	F-8403 BOCES Building, F-wing

XII. Student Onboarding and Ongoing Education

Fulton-Montgomery Community College believes that sexual violence prevention training and education cannot be accomplished via a single day or a single method of training. To that end, the FM, in accordance with SUNY-wide policy and state and federal law¹⁰, will continue to educate all new and current students using a variety of best practices aimed at educating the entire college community in a way that decreases sexual violence and maintains a culture where sexual assault and acts of sexual violence are not tolerated.

¹⁰ See, Title IX of the Education Law Amendments of 1972, Section 503 of the Violence Against Women's Reauthorization Act, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, and New York State Education Law article 129b.

During the course of their onboarding to the College, which will not be limited to a single day during orientation, all new first-year and transfer students will receive training on the following topics:

- The institution prohibits sexual harassment, including sexual violence, domestic violence, dating violence, stalking, other violence or threats of violence, and will offer resources to any victims/survivors of such violence while taking administrative and conduct action regarding any accused individual within the jurisdiction of the institution.
- Relevant definitions including, but not limited to, the definitions of sexual violence and consent.
- Policies apply equally to all students regardless of sexual orientation, gender identity, or gender expression.
- The role of the Title IX Coordinator, Campus Security, and other relevant offices that address violence prevention and response.
- Awareness of violence, its impact on victims/survivors and their friends and family, and its long-term effects.
- The Students' Bill of Rights and Sexual Violence Response Policy, including:
 - How to report sexual violence and other crimes confidentially, and/or to College officials, campus law enforcement and security, and local law enforcement.
 - How to obtain services and support.
- Bystander intervention and the importance of taking action, when one can safely do so, to prevent violence.
- The protections of the Policy for Alcohol and/or Drug Use Amnesty in Sexual and Interpersonal Violence Cases.
- Risk assessment and reduction including, but not limited to, steps that potential victims/survivors *and* potential assailants and bystanders to violence can take to lower the incidence of sexual violence.
- Consequences and sanctions for individuals who commit these violations.

The onboarding process is not limited to a single day of orientation. Fulton-Montgomery Community College will conduct these trainings for all new students, whether first-year or transfer, undergraduate, graduate, or professional. The College will use multiple methods to educate students about sexual violence prevention.

Students at FM shall be offered general and specialized training in sexual violence prevention. The College will conduct a campaign, compliant with the requirements of the Violence Against Women Act, to educate the student population. Further, the College will, as appropriate, provide or expand specific training to include groups such as international students, students that are also employees of the campus, leaders and officers of registered/recognized student organizations, online and distance education students. The institution will also provide specific training to members of groups identified as likely to engage in high-risk behavior.

In accordance with New York State Education Law section 129-b, the College will require that student leaders and officers of registered/recognized student organizations and those seeking recognition complete training on domestic violence, dating violence,

sexual assault, or stalking prevention as part of the approval process and require student-athletes to complete training in domestic violence, dating violence, sexual assault, or stalking prior to participating in intercollegiate athletics.

Methods of training and educating students may include, but are not limited to:

- President's welcome messaging;
- Peer Theater and peer educational programs;
- Online training;
- Social media outreach;
- First-year seminars and transitional courses;
- Course syllabi;
- Institution-wide awareness programs;
- Posters, bulletin boards, and other targeted print and email materials;
- Programming surrounding large recurring campus events;
- Partnering with neighboring SUNY and non-SUNY colleges to offer training and education;
- Partnering with State and local community organizations that provide outreach, support, crisis intervention, counseling and other resources to victims/survivors of crimes to offer training and education. Partnerships can also be used to educate community organizations about the resources and remedies available on campus for students and employees seeking services; and
- Outreach and partnering with local businesses that attract students to advertise and educate about these policies.

The College will engage in a regular assessment of sexual violence education and prevention programming and policies to determine effectiveness.

XIII. Institutional Crime Reporting

Reports of certain crimes occurring in certain geographic locations will be included in the Fulton-Montgomery Community College Clery Act Annual Security Report in an anonymized manner that neither identifies the specifics of the crime or the identity of the reporting individual or victim/ survivor.

The College is obligated to issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to students and employees (subject to exceptions when potentially compromising law enforcement efforts and when the warning itself could potentially identify the reporting individual or victim/survivor). A reporting individual will never be identified in a timely warning.

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

XIV. Scope of this Policy

This policy applies to all members of the FM community and its guests, without regard to an individual's race, color, national origin, religion, creed, age, disability, sex, gender identity, gender expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction. Employees, students, applicants or other members of the FM community (including but not limited to vendors, visitors and guests) may not be subjected to harassment that is prohibited by law, or treated adversely or retaliated against based upon a protected characteristic. This policy applies both on-campus and off-campus, as described below:

On-campus violations

This policy forbids acts of sexual violence anywhere on campus. "Campus" includes College-owned or leased property, streets and pathways contiguous to College property, or in the immediate vicinity of campus. It also includes the property, facilities, and leased premises of organizations affiliated with the College, including College/FCA housing and College-recognized housing.

Off-campus violations

Off-campus violations, including online behavior, that affect a clear and distinct interest of the College are subject to disciplinary sanctions. For example, sexual violence by a student is within the College's interests when the behavior:

1. Involves conduct directed at an FM student or other member of the College community;
2. Occurs during FM sponsored events (e.g., field trips, social or educational functions, College-related travel, student recruitment activities, internships, and service learning experiences);
3. Occurs during the events of organizations affiliated with the College, including the events of student organizations;
4. Occurs during a Study Abroad program or other international travel; or
5. Poses a disruption or threat to the College community
6. The effects of the violence are such that they create a hostile environment within the College community.

XV. Definitions

A. Terms used throughout this policy

Accused individual: A person accused of a violation who has not yet entered a judicial or institutional administrative conduct or review process.

Affirmative consent: A knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not

demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

Reporting Individual: Encompasses the terms victim, survivor, complainant, claimant, witness with victim status, and any other term used by an institution to reference an individual who brings forth a report of a violation.

Responding Individual: A person accused of a violation who has entered an institutional administrative review process or administrative student conduct process

Sexual assault: Any physical sexual act committed without consent.

Sex discrimination: Includes all forms of sexual misconduct by employees, students, or third parties against employees, students, or third parties. Students, College employees, and third parties are prohibited from harassing other students and/or employees whether or not the incidents of harassment occur on the College campus and whether or not the incidents occur during working hours.

Sexual violence: The term sexual violence as used throughout this policy includes sexual harassment, sexual assault, and domestic violence, dating violence, intimate partner violence and stalking.

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

B. Federal and State Laws referred to throughout this policy

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

This federal law, passed in 1990, the "Clery Act" requires all colleges and universities who receive federal funding to share information about crime on campus and their efforts to improve campus safety through the publishing of an annual security report. Additionally, the act requires institutions to provide survivors of sexual violence with reasonable accommodations and assistance in reporting and it requires institutions to outline specific policies and procedures for the prevention of sexual violence in their annual security reports.

New York State Education Law Article 129-B

New York State Education Law Article 129-B, also known as "Enough is Enough", requires all colleges in the State of New York to adopt a comprehensive set of policies and guidelines, including a uniform definition of affirmative consent, a statewide amnesty policy, and expanded access to law enforcement.

Title IX of the Education Amendments of 1972

Title IX of the Education Amendments of 1972 is a comprehensive federal law that protects people from discrimination based on sex in education programs or activities which receive Federal financial assistance. The law prohibits discrimination on the

basis of sex in any federally funded education program or activity. Colleges must promptly respond to known instances of gender discrimination, which includes sexual harassment and sexual violence, in a way that limits its effects and prevents its recurrence.

Violence Against Women Act ("VAWA") Reauthorization Act of 2013

This federal law requires colleges and universities to: (1) report dating violence, domestic violence, sexual assault, and stalking, beyond crime categories the Clery Act already mandates; (2) adopt certain student discipline procedures, such as for notifying purported victims of their rights; and (3) adopt certain institutional policies to address and prevent campus sexual violence through the education and training of an institution's community.

C. Prohibited Conduct: *FM Student Code of Conduct*

The following conduct is prohibited by Fulton-Montgomery Community College's *Student Code of Conduct* and is applicable to students:

Intimate Partner Violence

Intimate Partner Violence includes Dating Violence and Domestic Violence, both of which are further defined below. Intimate Partner Violence can occur in relationships of the same or different genders.

Dating Violence – Any act of violence, including physical, sexual, psychological, and verbal violence, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Dating Violence can occur as a single act, or it can consist of a pattern of violent, abusive, or coercive acts that serve to exercise power and control in the context of a romantic or intimate relationship. The existence of such a relationship shall be determined based on the victim's statement and with consideration of the type and length of the relationship and the frequency of the interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship, regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship.

Domestic Violence – Any violent felony, non-violent felony, or misdemeanor crime, as those terms are defined by the laws of the State of New York and of the federal government committed by a current or former spouse or intimate partner of the victim, a person sharing a child with the victim, or a person cohabitating with the victim as a spouse or intimate partner.

Retaliation:

Engaging, directly or indirectly, in any action or attempting to harass, intimidate, retaliate against, or improperly influence any individual involved with the Student Conduct System. An intentional act taken against an individual who initiates **any** sexual misconduct complaint, including stalking of intimate partner violence, pursues legal recourse for such a complaint, or participants in any manner in the investigation of such a report. Any act of retaliation is prohibited and is subject to a student conduct referral.

Sexual Assault I

Sexual intercourse or any sexual penetration, however slight, of another person's oral, anal, or genital opening with any object (an object includes but is not limited to parts of a person's body) without the active consent of the victim.

Sexual Assault II

Touching a person's intimate parts (defined as genitalia, groin, breast, or buttocks), whether directly or through clothing, without the active consent of the victim. Sexual Assault II also includes forcing an unwilling person to touch another's intimate parts.

Sexual Exploitation

Non-consensual, abusive sexual behavior that does not otherwise constitute Sexual Assault I, Sexual Assault II or Sexual Harassment. Examples include but are not limited to: intentional, nonconsensual tampering with or removal of condoms or other methods of birth control and STI prevention prior to or during sexual contact in a manner that significantly increases the likelihood of STI contraction and/or pregnancy by the non-consenting party; nonconsensual video or audio taping of sexual activity; allowing others to watch consensual or nonconsensual sexual activity without the consent of a sexual partner; observing others engaged in dressing/undressing or in sexual acts without their knowledge or consent; trafficking people to be sold for sex; and inducing incapacitation with the intent to sexually assault another person.

Sexual Harassment

Unwelcome verbal or physical conduct of a sexual nature that is sufficiently severe or pervasive to effectively alter or deny the individual reasonable access to College resources or that such conduct creates an intimidating, hostile or sexually offensive environment for learning, working or living on campus.

Stalking

Intentionally engaging in a course of conduct, directed at a specific person, which is likely to cause a reasonable person to fear for his or her safety or the safety of others or cause that person to suffer substantial emotional damage. Examples include, but are not limited to, repeatedly following such person(s), repeatedly committing acts that alarm, cause fear, or seriously annoy such other person(s) and that serve no legitimate purpose, and repeatedly communicating by any means, including electronic means, with such person(s) in a manner likely to intimate, annoy or alarm him or her. Stalking does not require direct contact between parties and can be accomplished in many ways, including through the use of electronic media such as internet, pagers, cell phones, or other similar devices.

D. Prohibited Conduct: Criminal Offenses in the State of New York

The New York State Penal Law defines criminal conduct in the state of New York. Definitions of criminal offenses can be accessed here: <http://ypdcrime.com/penal.law/>. The Penal Law is applicable to all members and guests of the FM community within the State of New York. For questions or information or questions regarding conduct prohibited by New York State and Federal Law, please contact the FM Office of Public Safety.

**E. Further principles relating to provisions required under Article 129-B--
Consent Principles.**

Fulton-Montgomery Community College further recognizes the following principles related to consent to sexual activity.

Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.

Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.

Consent may be initially given but withdrawn at any time.

Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if any individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.

Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.

When consent is withdrawn or can no longer be given, sexual activity must stop.