College Fee-State University Policy (First and Second Semester) NO REFUND

Meals-College Policy (First and Second Semester) Refunds are based on the pro-rata value of time remaining under the meal plan OR the amount of money remaining resulting from usage, WHICH-EVER IS LESS, up to and including the end of the 10th week of scheduled classes, after which no refunds will be made. If at any time a student is dismissed for disciplinary reasons through the campus judicial process, no meal plan balances will be refunded. Student ID cards must be returned to CADI upon withdrawal, suspension or expulsion from College. If the ID card is not returned, the $10.00 cost of the ID card will be deducted from any refund.

Health Insurance-College Policy—NO REFUND—Coverage will continue in force for the period for which the premium has been paid.

Alumni Fee/Commencement Fee-College Policy—These fees may be refunded upon written request only when the written request is received and withdrawal has been completed prior to the fifth week of the semester in which payment of the fee was received.

Refunds-Circumstances Beyond Control of Student or Military Service—(Requires verification of extenuating circumstances and approval by the Vice President for Student Life is required to receive refund for tuition and college fees.)

Circumstances Beyond Control of Student—Provided a student has not completed more than one-half of the term and has not or will not receive academic credit for the term, he/she may apply to receive a full refund of tuition and college fee.

Military Service—There shall be no tuition or college fee liability established for a student who withdraws to enter military service prior to the end of an academic term for those courses in which he/she does not receive academic credit. (Note: In order to qualify for a refund, the student must actually enter the military service and documentation of membership in the military service must be provided to and retained by the College.)

Refunds-Academic and Disciplinary Dismissals—A student who is dismissed for academic or disciplinary reasons prior to the end of an academic term shall be liable for all tuition, fees, and room charges and board charges for that term.

Cash Refunds—No cash refunds will be given to students/parents against pending Stafford and/or Plus Loans. Cash refunds against these loans will be given once loan checks are received and endorsed by the student/parent.

Title IV Aid Recipients—Reduction of charges for Title IV aid recipients follows the same percentage schedule as noted above. However, Title IV policy determines the amount of aid a student is eligible to retain that can be applied to his or her obligation. A percentage is calculated based on days attended vs. total days of instruction. Title IV aid is then multiplied by this percentage to determine how much aid can be used to meet the student’s overall obligation. A student is eligible to retain all Title IV approved aid upon completion of 60 percent of the semester.

All charges and refunds are subject to change at the discretion of the College Administration or the State University of New York.

**STUDENT CODE OF CONDUCT**

**Statement of Philosophy**

As an academic community, SUNY Delhi is committed to providing an environment, which encourages educational and personal growth. Students are expected to meet academic challenges. They are also expected to develop maturity, self-sufficiency, responsibility, self-understanding and respect for the rights of others.

Academic communities differ from other communities in several ways. First, the primary mission of educational institutions is the pursuit of knowledge. The environment must be conducive to teaching, learning, thought and research. Second, campus living environments are unique. On a residential campus such as SUNY Delhi, students live in close proximity to each other and interact continuously in their day-to-day living. The potential for noise, disruptions or other infringements upon the rights of community members is always present. While SUNY Delhi strongly supports the
First Amendment rights of free speech, students should be aware of the effects of abusive or hurtful language on their classmates. Civil behavior is expected at all times.

These unique differences make it imperative that members of this academic community be particularly sensitive to the rights of others, especially the right to quiet thoughtful study. Preservation of the institution for future generations, both in its facilities and its character, is essential. Rules and regulations are necessary for the orderly conduct of the educational process.

SUNY Delhi is committed to the education of the whole person. This includes social, emotional and physical, as well as, intellectual development. Consequently, the philosophy of the Code is educational in nature. Inappropriate behavior will be confronted and addressed in a positive and direct manner. Students should be well aware that behaviors, which detract from the serious educational purpose of the College, will not be tolerated. In particular, there are several behaviors which are considered serious enough to warrant severe disciplinary action, including suspension or expulsion from the institution. These behaviors are physical violence, sale or distribution of controlled substances, sexual misconduct or rape, the destruction of college property, arson, harassment and sexual harassment, biased related crimes and disrespect for those in authority at the College.

The Code of Student Conduct and Behavior also assumes the responsibility of protecting the rights of individuals accused of violating rules and regulations. This is accomplished through the establishment of procedural safeguards and counseling. Self-insight and self-initiated change of behavior are part of the disciplinary process.

Students and organizations should understand that they are subject not only to all of the rules and regulations in this Code, but are also bound by all federal, state and local laws on- or off-campus. The College reserves the right to take disciplinary action independently, regardless of the actions taken by Campus University Police and/or other police organizations. Students should also be aware that the rules and regulations found in the Code of Student Conduct and Behavior are applicable to off-campus behaviors in cases where there exists a nexus with campus interests. In civil or criminal cases, the College will cooperate with both the civil authorities and the student defendant regarding background information, and no attempt will be made to protect the student from the legal consequences of their behavior.

All students and organizations are expected to abide by the following rules and regulations.

I. **Fire Safety**

   It is considered a violation of college policy to engage in any of the following activities:

   A. Unauthorized setting of fires on College or College Association property.

   B. Possession and/or use of candles, incense, incense burners, oil burners, oil lamps, or any similar items.

   C. Tampering with any fire safety equipment, including but not limited to fire extinguishers, heat and smoke detectors, pull stations, pre-alarm covers, electrical conduit and wiring.

   D. Activation of an alarm as a result of use of an unapproved appliance or inappropriate behavior.

   E. The failure to leave the building in a timely fashion as a result of a fire alarm.

   F. Students who are found to be in violation of the above policies can expect the following action:

      1. First violation - Residence Hall Probation (see section XIII, item F).
      2. Second violation - Removal from College Residence (see section XIII, item E).

   G. In addition, residence hall staff have the authority to confiscate any item found to have caused the activation of an alarm. Restitution and arrest (if appropriate) are also possible.

   H. Students who are found to have falsely activated a fire alarm (including a local alarm station) can expect serious disciplinary action, up to and including suspension or expulsion from the institution.

II. **Drugs**

   A. The possession, use, sale or transfer of illegal drugs or controlled substances is prohibited on or off college property. This prohibition applies to the misuse, distribution, sale or transfer of legally obtained prescription drugs. The College will uphold laws currently in effect in New York State.

   B. Students found to be engaged in the sale of drugs or in possession of misdemeanor or felony amounts of drugs (including marijuana) will face severe disciplinary sanctions, which would likely include suspension or expulsion from the institution.
C. Students should be aware that their presence in an area where this drug policy is in violation will result in disciplinary action, regardless of their actual involvement in the use of drugs.
D. Drug paraphernalia is not permitted on campus.
E. Students who are found to be in violation of this policy as a result of marijuana use or possession will be enrolled in the College’s three level Alcohol and Marijuana Policy (see section XVII for a description of this program).
F. Please see Appendices 3 and 4 for a list of legal sanctions and health risks under Federal, State, and Local laws for the unlawful possession or distribution of illicit drugs.

III. Alcoholic Beverages
A. The possession, consumption, sale or transfer of alcoholic beverages by all students (regardless of age) or visitors on College or College Association property is not permitted. Exceptions to this policy apply only to academic programs and functions sanctioned by the College President.
B. The College also holds students accountable for violations of law related to alcoholic beverages on or off campus.
C. Students and/or visitors should be aware that their presence in an area where this alcohol policy is in violation will result in disciplinary action, regardless of their actual involvement in the consumption of alcohol.
D. Possession of or display of empty or refilled alcohol containers, and alcohol posters, signs or advertising is not permitted.
E. Students who are found to be in violation of this policy will be enrolled in the College’s three level Alcohol and Marijuana Policy (see section XVII for a description of this program).
F. Please see Appendices 3 and 4 for a list of legal sanctions under Federal, State and Local laws for the unlawful possession or distribution of alcohol.

IV. Smoking
Smoking is prohibited in all residence halls and all campus buildings in accordance with New York State law. Students found to be responsible for violations of the smoking policy will receive the following sanctions: First Violation – Social Warning; Second Violation – Residence Hall Probation; Third Violation – Removal from Residence Halls.

V. Prohibited Items on Campus
Individuals are not permitted to use nor have in their possession the following items:
A. Any weapon, including but not limited to, spring-fired, gas-fired, electrically-fired or explosively-fired devices or fire arms, which includes rifles, pistols, BB or Pellet guns, bows, slingshots, “stun-guns”, blow guns and/or darts, any ammunition associated with these devices (ie. paintballs, BB’s, blow darts, etc.) and/or any similar devices.
B. Firecrackers, explosives, explosive ammunition, or dangerous chemicals.
C. Knives of any sort (including “box cutters”) with the exception of approved knives or tools used for academic purposes. Any tools or knives approved for academic purposes that are stored in residence hall rooms must be kept secure in locked tool boxes, trunks or appropriate storage units.
D. Toy guns, water guns, cap guns or any type of imitation pistol or rifle.
E. Electric or gas powered scooters, bikes and mini-cycles.
F. Skateboards.

VI. Prohibited Items in the Residence Halls
Individuals found to be in violation of these policies can expect disciplinary action and confiscation of the item.
A. Any bed not supplied by the College, including lofts and waterbeds. Students with medical needs should contact the Director of Residence Life for an exemption to this policy.
B. Refrigerators that are rated over 1.5 amps.
C. Microwave ovens–exceptions are allowed for those units rented to students by the College Association at Delhi, Inc. (CADI).
D. All cooking appliances including hotpots and coffee makers.
E. Fuel operated engines or electrically operated table tools.
F. No barbells are permitted. Free weights up to 50 pounds each are permitted.
G. Floor standing speakers, smoke machines and/or any other disc jockey equipment.
H. Non-fire resistant furniture.
I. Halogen lamps.
J. Pets and animals, with the exception of approved guide dogs.
K. Air conditioners or portable heaters. The Director of Residence Life may grant exceptions.
L. 2.4 GHz cordless phones are strictly prohibited. They interfere with Resnet. 900 MHz or 5.1 GHz are acceptable.

VII. Conduct - Rules and Regulations
Students and organizations found to have committed any of the following infractions are subject to the disciplinary sanctions outlined in section XIII. The following behaviors are prohibited on or off the SUNY Delhi campus:
A. Possession and/or use of candles, incense, incense-burners or any item that produces an open flame are prohibited in the residence halls.
B. Structural modifications to student rooms, lounges, corridors or furniture are prohibited. Using tape or other material to seal a doorjamb is prohibited.
C. Failure to obey a notice from the Coordinator of Judicial Affairs or College official to appear for a meeting or hearing as part of the campus disciplinary system. Any attempt to manipulate the College judicial system, including the intentional falsification or misrepresentation of individuals or information before a judicial body or college official, or any intentional attempt to coerce or manipulate witnesses or staff members.
D. Any violation of any other Student Life policies including, but not limited to:
   1. The official Housing Policy and Guide, including failure to register overnight guests. Students will be held judicially responsible for the behavior of their guests (overnight or not). Other violations include failure to follow policies related to Night Host check-in systems, hall closings, room assignments, keys, and damages to rooms. See the Housing Policy and Guide for specifics of these policies.
   2. Greek Council policies and procedures including, but not limited to, compliance with pledging practices, hazing policies, and use of College facilities.
   3. Any Student Activities policies, including, but not limited to, use of facilities by unrecognized organizations or failure to comply with Farrell Hall staff (building managers, etc.)
E. Violations of quiet hour rules or excessive noise at any time.
F. The operation of any business in any room or residence hall facility. This includes solicitation, canvassing or advertising on college property without the authorization of the Vice President for Student Life.
G. Residency in the residence halls when closed for vacation without the approval of the Director of Residence Life.
H. The failure to return all keys to the residence hall staff prior to scheduled college closings or when requested by college staff.
I. Creating a safety hazard by throwing objects into or out of residence hall windows or doors.
J. Failure to abide by disciplinary sanctions imposed by a judicial body or college official.
K. Hanging unapproved banners, flags or displays from windows or doors of residence halls. Approval can be granted through the Residence Hall Director.
L. Conduct which threatens or endangers the health or safety of any person, including but not limited to students, college officials, faculty, residence hall staff (which includes Resident Directors, Resident Assistants, and custodial staff), and University Police Officers. These behaviors include, but are not limited to:
1. Assault,
2. Physical abuse,
3. Verbal abuse,
4. Threats,
5. Intimidation,
6. Harassment,
7. Coercion,
8. Sexual Assault/Misconduct/Rape.

Listed in Appendix I are all New York State Laws on Sex Offenses. Appendix 2 cites all penalties for violations of New York State Sex Offenses.

M. The reckless, disruptive or unsafe use of recreational equipment, including but not limited to: snowboards, bicycles, roller skates, roller blades, or scooters. Reckless, disruptive or unsafe use is defined as riding at excessive speed and or performing or practicing stunts; causing noise which disrupts people; riding with undue regard for the safety of others; or riding in a manner that causes damage to SUNY Delhi property and landscaping. It is prohibited to ride recreational equipment up and down steps, stairways, access ramps, retaining walls, benches, railings or similar architectural features, or inside any College building.

N. Acts of dishonesty, including but not limited to the following:
   1. Cheating, plagiarism, or other forms of academic dishonesty,
   2. Furnishing false information to any college official or employee,
   3. Forgery, alteration or misuse of any college document, record or instrument of identification,
   4. Tampering with the election of any college recognized student organization.

O. Vandalism, which includes any of the following:
   1. Attempted or actual damage to property of the College, or property of a member of the college community, or other personal or public property.
   2. Tampering with doors such as disabling a locking mechanism, electronic card system or entrance-phone system or propping open a door intended to be closed or locked.
   3. Tampering with or modifying any campus electrical, telephone or cable system or vending machine or game.
   4. Failure to use proper trash and/or recycling containers or the dumping of trash in inappropriate locations.

P. Disrespect for, or the failure to comply with the directives of a college official or law enforcement officer acting in the performance of their duties and/or the failure to produce identification to these persons when requested to do so. This includes, but is not limited to, Night Hosts, Residence Hall and Custodial staff.

Q. Attempted or actual theft of property belonging to the College, or property of a member of the college community, or other personal or public property.

R. Occupying rooftops, open windowsills or building ledges, or suspending antenna or other items from building.

S. Unauthorized possession, duplication or the use of keys to any college premises or unauthorized entry to or use of college premises.

T. Violation of federal, state or local law or college regulations, on- or off-campus, including college sponsored or supervised activities and trips. A finding of a violation under this rule does not require proof of a conviction in any non-campus legal proceeding.

U. The turning in or activation of a false fire alarm or bomb threat.

V. Being barefoot in college cafeterias or academic buildings.

W. Water fights in buildings.

X. Entrance or use of bathroom or shower facilities intended for use by the opposite gender.

Y. The opening of window security screens and/or the use of open windows for any reason other than as an emergency exit.
Z. Disruption or obstruction of research, administration, disciplinary proceedings or other College activities on or off campus is prohibited. This behavior includes, but is not limited to, excessive noise, abusive or obscene language in a public place and boisterous or threatening conduct which is unreasonable in the area, time, or manner in which it occurs.

AA. Conduct that is disorderly, lewd or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace of college premises or at functions sponsored by, or participated in by the college or members of the academic community. Disorderly conduct includes, but is not limited to: Any unauthorized use of electronic or other devices to make an audio or video record of any person while on college premises without his/her prior knowledge, or without his/her effective consent when such recording is likely to cause injury or distress. This includes, but is not limited to, taking pictures of another person in a gym, locker room, or restroom.

BB. Driving vehicles in unauthorized areas such as sidewalks and athletic fields.

VIII. Computer Usage
It is a violation of College policy to engage in any of the following activities:

A. The use of Campus Technology Resources to publicly display or promote obscene messages, images and/or sounds, or to send threatening, obscene or harassing messages, images and/or sounds to any individual, regardless of whether he/she is a student is prohibited. This includes not just e-mail and the Internet, but the use of any college computer facility, personal computer, or off-campus computer system. Students should be aware that the College's policies on harassment apply equally to electronic communications as well as the more traditional means of display and communication. This policy also forbids the use of any computer to obtain access to the following: confidential information, grades, pin numbers, personal computers, or any computer system on or off-campus to which students do not have access. Participation in any of the above activities may result in suspension of computer access privileges, college disciplinary action, and criminal or civil prosecution.

B. In accordance with the Digital Millennium Copyright Act, College policy also forbids the copying, distribution, downloading, and uploading of copyrighted materials on any personal or College computer system. These items include, but are not limited to, text (including e-mails and web information), graphics, art, photographs, music, film, and software. Participation in any of the above activities will result in the following action:

1st Violation: Immediate suspension of computer access privileges on the College computer system. Students may appeal for reinstatement of computer privileges within 5 business days of their removal from the system. Appeals must be submitted in writing to the Manager of Systems and Networks in 327 Bush Hall. Upon acceptance of an appeal, computer access will be reinstated.

2nd Violation: Further violations of this policy will result in additional disciplinary action, and may include permanent banning from campus computer systems.

IX. Gambling
In accordance with New York State Penal Law 225.00, gambling, which consists of a person staking or risking something of value upon the outcome of a contest, is prohibited on College property. Offenders will be liable for campus disciplinary and/or civil action.

X. Harassment
No student shall threaten, assault, haze or otherwise physically, verbally, or psychologically abuse any other person. This includes, but is not limited to, incidents of bias, acts of assault or abuse, or incidents of verbal, physical, or psychological harassment or abuse. It is a violation of college regulations to engage in harassment, or to retaliate against anyone bringing forth an honestly perceived complaint of harassment.

SUNY Delhi does not tolerate harassment based on an individual’s race, religion, ethnic origin, gender, sexual orientation or physical condition. The College treats bias related incidents very seriously and any student found responsible for a bias related incident can expect severe disciplinary action (see Appendix 5). Moreover, the College will use its influence to encourage the entire community to treat its students, faculty, staff and visitors in a manner consistent with the principles of this policy.
It is also a violation of college policy to engage in a course of conduct or by repeatedly committing acts, which places a person in reasonable fear of physical injury, such as stalking or unwanted following.

XI. Sexual Harassment
Sexual harassment is a form of sexual discrimination, and it is illegal. Sexual harassment is defined as unwelcome verbal or physical sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing; (2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work or academic performance, or creating an intimidating, hostile, or offensive environment.

Sexual harassment includes unsolicited and unwelcome contact of a sexual nature. This includes:

A. Written contact, such as suggestive or obscene letters, notes, invitations, or electronic communication;
B. Verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes about gender-specific traits, sexual propositions;
C. Physical contact, such as intentional touching, pinching, brushing against another's body, impeding or blocking movement; and
D. Gestures or public display of suggestive objects or pictures, cartoons, posters or magazines.

Title IX of the Education Amendments of 1972 reads “no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving federal financial assistance...”

Any individual who believes he or she has been harassed should contact the Office of Student Life where staff members can help the individual explore alternatives available to him/her. The student may also wish to consult someone with special sensitivity or expertise (i.e., Counseling Services) and the Office of Student Life will facilitate a referral to such a person if desired. Both formal and informal grievance procedures are available in these cases.

XII. Hazing
Hazing is a serious violation of College policy and New York State law. SUNY Delhi policy specifically prohibits students from engaging collectively or individually in illegal practices in connection with initiation into or affiliation with any recognized or unrecognized organization. This includes, but is not limited to:

A. Forced or required participation in physical activities such as calisthenics, exercises or games;
B. Any form of tattooing or branding;
C. Forced, coerced or required consumption of alcohol or other drugs;
D. Any form of physical brutality, including paddling, striking with fists, open hands or objects;
E. Participation in illegal activities;
F. Intentional or reckless engagement in conduct which creates a substantial risk of physical injury to another person;
G. Forced, coerced or required consumption of any food or other substance;
H. Creation of excessive fatigue or sleep deprivation;
I. Any act that causes psychological harm, embarrassment, ridicule or emotional distress to any individual; or
J. Forced or required inappropriate dress, or full or partial nudity in any situation for any reason;
K. Any violation of approved Greek Council Hazing regulations.

SUNY Delhi will take disciplinary action against any individual, group or organization found to be in violation of this policy.
XIII. Disciplinary Sanctions
The following sanctions may be imposed upon students or organizations.

A. **Reprimand**–Verbal or written notice that student behavior has violated college policy and that the behavior is unacceptable to the campus community.

B. **Community Service**–The student is assigned a certain number of community service hours to be completed by a reasonable date.

C. **Social Warning**–Written notice that the student behavior has violated college rules resulting in inclusion of notice in student folder. The College reserves the right to upgrade to College Probation, Deferred Suspension or Suspension if conduct continues to be unacceptable.

D. **Exclusion from Residence Halls**–Students may be prohibited from entering one, several or all of the residence halls should their behavior warrant such exclusion.

E. **Removal from College Residence**–The removal, indefinitely or for a designated period of time, of resident students from college residence halls. The student would not be permitted to reside on campus and must find accommodations to reside off-campus. The College reserves this right to revoke the Housing license at any time. The parent/guardian of financially dependent students will be notified of this sanction. Students removed from residence halls for disciplinary reasons will not receive a refund.

F. **Residence Hall Probation**–Written notice that college rules have been violated and that a further violation of college policy will result in removal from college residence (see item E). This sanction will be issued by length of time (such as six months or one year or “until separation from the institution”). The parent/guardian of financially dependent students will be notified of this sanction.

G. **College Probation**–This status carries a severe warning that any further violations of College regulations may result in the student going before the Student Conduct Council for consideration of suspension or expulsion. This may include restriction of privileges for a specific period of time (such as six months or one year or “until separation from the institution”). The parent/guardian of financially dependent students will be notified of this sanction.

H. **Deferred Suspension**–Written notice that college rules have been violated and while the offense could result in suspension, circumstances exist that would mitigate that action. Deferred Suspension implies that:

1. Any further violation of college policy will likely result in the suspension of the student from the College.
2. Deferred suspension is usually set for a period of time such as a semester, an academic year, or until graduation or separation from the College.
3. This sanction will be issued by length of time (such as six months or one year or “until separation from the institution”).
4. The parent/guardian of financially dependent students will be notified of this sanction.

I. **Interim Suspension**–A student may receive an interim suspension immediately pending a fair hearing, should the Vice President for Student Life judge that the student’s continued presence would be a danger to him/herself or to others, or would pose an immediate threat of disruptive interference with the normal conduct of functions and activities of the institution. Every effort will be made to convene an appropriate hearing as soon as possible.

J. **Suspension**–Dismissal from the College and removal from residence (if appropriate) for a period of time with the possibility of readmission. Suspensions are normally immediate, but may also be delayed until the end of a semester if found to be appropriate. Suspension will be noted on the student transcript. See the Academic Programs and Services Handbook for further information on the effect a suspension will have on semester grades. Students should contact the Financial Aid Office for information on the effect that suspension may have upon their financial aid situation. The parent/guardian of financially dependent students will be notified of this sanction. Suspended students are liable for all tuition and fees.

K. **Expulsion**–Permanent removal from the College. The individual will never be permitted to apply for readmission to the institution. Expulsion will be noted on the student transcript. See the Academic Programs and Services Handbook for further information on the result.
an expulsion will have on semester grades. Students should contact the Financial Aid Office for information on the effect that expulsion may have upon their financial aid situation. The parent/guardian of financially dependent students will be notified of this sanction. Expelled students are liable for all tuition and fees.

L. Persona Non Grata—Individuals may be declared Persona Non Grata and would not be permitted to enter or remain on designated college property. Students suspended or who are suspended pending a fair hearing will normally be declared Persona Non Grata.

M. Other Sanctions—As determined by a college judicial body or individual. This could include but is not limited to restrictions upon entering particular buildings and/or participation in certain college sponsored events or activities.

N. Discretionary Sanction—Work assignments, essays, service to the College or community, or other related discretionary assignments.

O. Restitution—Compensation for loss or damage to College or personal property. This may take the form of appropriate service and/or monetary or material replacement.

XIV. Parental and Faculty Advisor Notification
The College will notify appropriate college offices (EOP, Athletics, Counseling, Services for Students with Disabilities, Residence Life, University Police, etc.) as well as academic advisors and division deans when students have been placed on Residence Hall Probation, College Probation, Deferred Suspension, Suspension, Expulsion, or when they have been removed from campus residence halls. Parents/guardians of financially dependent students (when that determination can be made) will also be notified regarding the disciplinary sanctions listed. The College also reserves the right to contact parents/guardians in cases of medical or psychological emergencies. Such contacts will be made by the Vice President for Student Life or designee.

XV. Violation of Law and College Policies
A. All students are subject to the New York State Penal Law. Any violation of New York State Penal Law, including a charge of violation of the Penal Law, whether occurring on- or off-campus, may be processed as a violation of the Student Code of Conduct.

B. College disciplinary proceedings may be instituted against a student charged with violation of a law, which is also a violation of this Student Code, for example, if both violations result from the same factual situation, without regard to any off-campus civil or criminal proceedings. Proceedings under this Student Code may be carried out prior to, simultaneously with or following civil or criminal proceedings.

C. Proceedings under this Student Code are not subject to challenge simply because civil or criminal proceedings involving the same incident have been dismissed.

XVI. Personal Misconduct not on College Property
The College may discipline a student for acts of personal misconduct that are not committed on College property, if the misconduct undermines the security of the College community or the integrity of the educational process, or where there exists a nexus with campus interests. Such acts include, but are not limited to:

A. Alcohol Violations
B. Driving While Intoxicated or Ability Impaired.
C. Assault and/or Battery, including group violence.
D. Drug Trafficking.
E. Verbal or Physical Harassment of a student, as defined in section X of this document.
F. Rape, Sexual Assault or Sexual Harassment, as defined in section XI of this document.
G. Hazing, as defined in section XII of this document.
H. Felony charges of Fraud, Forgery or Counterfeiting.

XVII. Alcohol and Other Drug Sanctions
College sanctions for alcohol and marijuana violations on and off campus are as follows:

Three Level Alcohol and Marijuana Policy
An alcohol violation is defined as any violation of college policy or state law with respect to possession or use of alcohol. Students should be aware that their presence in an area where
the alcohol and/or marijuana policy is found to be in violation may be held accountable, regardless of their use. A marijuana violation is defined as any violation of college policy or state law with respect to possession or use of marijuana or related paraphernalia. Such violations may include possession of small or legally defined violation amounts, the use of marijuana, or being present in a location where marijuana is found. Note that the sale or distribution or possession of misdemeanor or felony amounts of the drug will likely result in suspension and are not covered by this policy. These three levels in no way preclude the possibility of arrest by University Police or other police agencies. The following penalties will be imposed after a judgment of or admission to guilt, to be made by the Resident Director, Complex Coordinator, or Coordinator of Judicial Affairs when hearing the case.

THE COLLEGE RESERVES THE RIGHT TO PLACE ANY STUDENT ON ANY OF THE FOLLOWING LEVELS AND TO MANDATE ALCOHOL OR DRUG COUNSELING IF IT IS DEEMED TO BE APPROPRIATE.

LEVEL 1, First violation
The student will meet with the Resident Director and this three-level policy will be explained. A disciplinary contract is signed and 10 hours or community service and/or an alternate educational project such as the Decision-Making and Social Responsibility Workshop is assigned. A copy of this policy is given to the student.

LEVEL 2, Second violation
The student will meet with the Resident Director again to discuss the incident. Furthermore, the student will meet with the Coordinator for Judicial Affairs and will be assigned to the REWIND (Rethinking Experiences With Substances, Including New Decision-Making) alcohol and other drug education (AOD) class. This class is sponsored by Counseling Services, and meets at similar times on consecutive weeks. Students are instructed of this requirement verbally and a follow-up letter is sent. Attendance is considered mandatory and any student who does not attend can expect further disciplinary action. Failure to attend any of the REWIND classes without prior approval will result in permanent removal from the residence halls, in addition to Deferred Suspension. Students should note that there will be a nominal charge for attendance of this class. In addition, students are placed on Deferred Suspension and informed that any other violation of college policy will likely result in their suspension from the institution. The college will contact the parent/guardian of financially dependent students to provided information regarding the violation and this disciplinary situation.

LEVEL 3, Third violation
The third violation will likely result in an administrative suspension from the Coordinator of Judicial Affairs.

XVIII. Disciplinary Procedure
The Coordinator for Judicial Affairs, in conjunction with the Vice President for Student Life, is responsible for the consistent application of discipline on-campus. The Residence Life staff is also actively involved in the administration of college discipline. The Provost may refer cases of repetitive or egregious cases of academic dishonesty or misbehavior to the Student Conduct Council. In these cases, the Provost will serve as the final appeal officer.

A. Serious Disciplinary Cases
The Coordinator for Judicial Affairs will investigate such cases and make a recommendation to the Vice President for Student Life for appropriate judicial action. Such action may then require a student to participate in one of the following hearings to determine responsibility and sanctioning. Students facing serious disciplinary charges will receive timely written notice of the charges they are facing, and instructions to contact the College to arrange a hearing date within a reasonable period of time. Students choosing not to respond will be considered to be in a state of default (see C. below). Students who respond, and schedule a hearing date will be expected to attend the scheduled hearing. If a student fails to attend the scheduled Administrative Hearing or Student Conduct Council Hearing, it will take place in their absence.

1. Administrative Review Hearing–The student(s) will participate in a hearing in front of the Coordinator for Judicial Affairs and/or the Vice President for Student Life or his or her designee(s). All available evidence and input from staff and students will be used to make such a decision.
2. **Student Conduct Council Hearing Board**—This disciplinary board will meet to hear and make recommendations in serious disciplinary cases where (1) there is a discrepancy over the actual behavioral incident or (2) where deemed appropriate by the Vice President for Student Life or designee. In Student Conduct Council hearings involving more than one accused student, the Coordinator of Judicial Affairs, at his or her discretion, may permit the hearing concerning each student to be conducted either separately or jointly. For a more detailed description of the Student Conduct Council, see section XIX.

B. **Waiver of Hearing**

Upon admission of responsibility for the violation of college policy, a student may be offered the choice to waive his or her right to a hearing and accept a sanction from the Vice President for Student Life or designee. A student who so chooses would also waive the right to appeal this sanction (section XVIII, item C) and would agree to abide by the decision. Both the Vice President for Student Life and the student must agree to this waiver in writing.

C. **Default**

The failure of a student to respond to written notice of charges and instructions to schedule a hearing date within 30 days will be considered in a state of default, resulting in an administrative hearing of the case in the student’s absence.

D. **Appeals**

Students are entitled to a fair review of disciplinary decisions made by Resident Directors, the Complex Coordinator, the Assistant Complex Coordinator, the Coordinator for Judicial Affairs or the Vice President for Student Life. Such appeals must be based on violations of due process procedure, new evidence or a lack of substantial evidence to support the original decision. Such appeals should be directed only to the supervisor of the staff member who made the initial decision, who would then decide if the case should be heard again in the College disciplinary system. **Any appeal must be made in writing, within five (5) business days upon receipt of this original disciplinary decision.**

E. **Restriction on Withdrawals**

Students may not be permitted to withdraw from the college to circumvent assumed disciplinary action in pending investigations.

**XIX. Student Conduct Council Hearing Board**

The Student Conduct Council is made up of faculty, staff and students and is charged with hearing and providing recommendations in serious disciplinary cases. To hear a case, the Council will have between five and nine members. The members will be chosen from appointed or volunteer faculty, staff and students, and are provided with all appropriate information upon which to base their recommendations. The Coordinator for Judicial Affairs will coordinate the proceedings, and all recommendations will be given to the Vice President for Student Life.

There shall be a single verbatim record, such as a tape recording, of all Student Conduct Council hearings (not including deliberations). Deliberations shall not be recorded. The record shall be the property of the College.

If a student is to be brought before the Conduct Council, he/she will be notified in writing in a timely fashion. Every effort will be made to schedule the Hearing so as not to interfere with the students’ or witnesses’ academic schedule. However, in such cases where this is unavoidable, the individuals will be required to attend the Hearing.

Students who are charged are required to attend and give testimony to the Student Conduct Council, and may, if desired, ask witnesses to attend, as well. Such witnesses will be permitted to provide testimony but are not permitted to ask questions. Students may be required to give testimony.

Accused students and witnesses must provide written statements to be used in Conduct Council Hearings to the Coordinator of Judicial Affairs 24 hours prior to the hearing.

Students who are charged may, if they so desire, have counsel or an advisor (faculty, staff, family member, etc.) present during the actual hearing. Counsel or an advisor may provide support and information to the students, but may not ask questions or provide testimony. Any such information must be voiced through the student.
The Student Conduct Council Hearing Board is not bound by technical rules of evidence, but may hear or receive testimony that is relevant and will contribute to a full and fair consideration of the charges. The student charged may examine and question all witnesses or staff present at the Hearing. The Adjudicator may cut off any testimony that is deemed inappropriate or irrelevant to the consideration of the charges.

Student(s) shall be found responsible or not responsible based on a preponderance of evidence. Recommendations from the Student Conduct Council Hearing Board will be made in a closed executive session immediately after the actual hearing and will be made on a majority basis. Recommendations will be made to the Vice President for Student Life, who will deliver the decision and sanctions to the student in writing within 48 hours.

If a student fails to attend the scheduled Conduct Council hearing, the hearing will take place nonetheless.

XX. Privacy
College Officials (including Resident Assistants) may enter a student room without prior notification to determine compliance with federal, state and local laws and ordinances, and college policies when there is reasonable cause to believe that a violation has occurred or is occurring. College staff may also enter student rooms without notice to make inspections for reasons of health and safety. In addition, College officials may enter student rooms after students vacate the residence halls prior to scheduled college closings to determine damage and compliance with safety and other college regulations.

XII. Off-Campus Addresses
All students living off campus are required to notify the College of their off-campus addresses and phone numbers by the mid-term date of their first semester in attendance or immediately thereafter following any moves. Students should update their addresses on the Web or by completing a form in the Registrar's Office. Failure to abide by this regulation will result in holds being placed on a student's account.

XXII. Rules for Maintenance of Public Order
The SUNY Delhi Student Code of Conduct and Behavior, is in addition to, the Rules for Maintenance of the Public Order on the Premises of the State-operated Institutions of the State University of New York, which is on file in the Vice President for Student Life Office. The College reserves the right to decide on appropriate disciplinary action based on either of these documents.

XXIII. Definition of Terms:
A. The term “college” refers to the State University of New York College of Technology at Delhi.
B. The term “student” includes all persons taking courses at the State University of New York College of Technology at Delhi, both full- and part-time, pursuing undergraduate studies and those who attend other institutions who reside in college residence halls. Persons who are not officially enrolled for a particular term, but who have a continuing relationship with the College are considered to be students.
C. The term “faculty” refers to any person hired by the College to conduct classroom activities.
D. The term “college official” or “college staff” refers to any person hired by the College to perform assigned administrative or professional responsibilities.
E. The term “college property” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the State University of New York College of Technology at Delhi, the College Foundation, or the College Association at Delhi, Incorporated, including adjacent streets and sidewalks,
F. The term “organization” refers to any number of persons who have complied with the formal requirements for college recognition.
G. The term “financially dependent student” refers to all students age 24 or younger at SUNY Delhi who are claimed as a dependant on their parent(s) or guardian(s) Federal or State Income Tax.
Appendix I
New York State Law on Sex Offenses

The following represent all sections of the New York State Penal Law which are sex offenses:

Sec. 130.20 Sexual Misconduct
A person is guilty of sexual misconduct when:
   a.) being a male, he engages in sexual intercourse with a female without her consent; or
   b.) he engages in deviate sexual intercourse with another person without the latter’s consent; or
   c.) he engages in sexual conduct with an animal or a dead human body.

Sexual misconduct is a class A misdemeanor.

Sec. 130.25 Rape in the third degree
A person is guilty of rape in the third degree when:
   a.) he or she engages in sexual intercourse with another person to whom the actor is not married who is incapable of consent by reason of some factor other than being less than seventeen years old; or
   b.) being twenty-one years old or more, he or she engages in sexual intercourse with another person to whom the actor is not married less than seventeen years old.

Rape in the third degree is a class E felony.

Sec. 130.30 Rape in the second degree
A person is guilty of rape in the second degree when, being eighteen years old or more, he or she engages in sexual intercourse with another person to whom the actor is not married less than fourteen years old.

Rape in the second degree is a class D felony.

Sec. 130.35 Rape in the first degree
A male is guilty of rape in the first degree when he engages in sexual intercourse with a female:
   a.) by forcible compulsion; or
   b.) who is incapable of consent by reason of being physically helpless; or
   c.) who is less than eleven years old.

Rape in the first degree is a class B felony.

Sec. 130.40 Sodomy in the third degree
A person is guilty of sodomy in the third degree when:
   a.) he engages in deviate sexual intercourse with a person who is incapable of consent by reason of some factor other than being less than seventeen years old; or
   b.) being twenty-one years old or more, he engages in deviate sexual intercourse with a person less than seventeen years old.

Sodomy in the third degree is a class E felony.

Sec. 130.45 Sodomy in the second degree
A person is guilty of sodomy in the second degree when, being eighteen years old or more, he engages in deviate sexual intercourse with another person less than fourteen years old.

Sodomy in the second degree is a class D felony.

Sec. 130.50 Sodomy in the first degree
A person is guilty of sodomy in the first degree when he engages in deviate sexual intercourse with another person:
   a.) by forcible compulsion; or
   b.) who is incapable of consent by reason of being physically helpless; or
   c.) who is less than eleven years old.

Sodomy in the first degree is a class B felony.

Sec. 130.55 Sexual Abuse in the third degree
A person is guilty of sexual abuse in the third degree when he subjects another person to sexual contact without the latter’s consent; except that in any prosecution under this section, it is an affirmative defense that (a) such other person’s lack of consent was due solely to incapacity to consent by reason of being less than seventeen years old, and (b) such other person was more than fourteen years old, and the defendant was less than five years older than such other person.

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

Sec. 130.60 Sexual Abuse in the second degree
A person is guilty of sexual abuse in the second degree when he subjects another person to sexual contact and when such other person is:
   a.) incapable of consent by reason of some factor other than being less than seventeen years old; or
   b.) less than fourteen years old.

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

Sec. 130.65 Sexual Abuse in the first degree
A person is guilty of sexual abuse in the first degree when he subjects another person to sexual contact:
   a.) by forcible compulsion; or
   b.) when the other person is incapable of consent by reason of being physically helpless; or
   c.) when the other person is less than eleven years old.

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

Sec. 130.66 Aggravated Sexual Abuse in the third degree
A person is guilty of aggravated sexual abuse in the third degree when he inserts a foreign object in the vagina, urethra, penis or rectum of another person:
   a.) by forcible compulsion; or
   b.) when the other person is incapable of consent by reason of being physically helpless; or
   c.) when the other person is less than eleven years old.

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

Sec. 130.67 Aggravated Sexual Abuse in the second degree
A person is guilty of aggravated sexual abuse in the second degree when he inserts a finger in the vagina, urethra, penis or rectum of another person causing physical injury to such person:
   a.) by forcible compulsion; or
   b.) when the other person is incapable of consent by reason of being physically helpless; or
   c.) when the other person is less than eleven years old.

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

Sec. 130.70 Aggravated Sexual Abuse in the first degree
A person is guilty of aggravated sexual abuse in the first degree when he inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person:
   a.) by forcible compulsion; or
   b.) when the other person is incapable of consent by reason of being physically helpless; or
   c.) when the other person is less than eleven years old.

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

Sec. 130.75 Course of Sexual Conduct against a child in the first degree
a.) a person is guilty of course of sexual conduct against a child in the first degree when, over a period of time not less than three months in duration, he or she engages in two or more acts of sexual conduct, which includes at least one act of sexual intercourse, deviate sexual intercourse or aggravated sexual contact, with a child less than eleven years old.

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

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

Sec. 130.80 Course of Sexual Conduct against a child in the second degree
a.) A person is guilty of course of sexual conduct against a child in the second degree when, over a period of time not less than three months in duration, he or she engages in two or more acts of sexual conduct with a child less than eleven years old.

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

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

Appendix II
Penalties for Violations of New York State Law – Sex Offenses

Sex offenses which are committed in violation of the New York State Penal Law are subject to the following penalties:

Class A misdemeanor – fine of up to $1,000 and/or imprisonment up to one year.

Class B misdemeanor – fine of up to $500 and/or imprisonment up to three months.

Class E felony – fine of up to $5,000 and/or imprisonment up to four years.

Class D felony – fine of up to $5,000 and/or imprisonment up to seven years.

Class C felony – fine of up to $5,000 and/or imprisonment up to 15 years.

Class B felony – fine of up to $5,000 and/or imprisonment up to 25 years.
### APPENDIX 3
Federal Penalties and Sanctions for Illegal Trafficking and Possession of a Controlled Substance
Federal Trafficking Penalties (As of January 1, 1996)

<table>
<thead>
<tr>
<th>Controlled Substances Act Schedule</th>
<th>1st Offense</th>
<th>2nd Offense</th>
<th>Drug</th>
<th>Quantity</th>
<th>1st Offense</th>
<th>2nd Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>I and II</td>
<td><em>Not less than 5 years. Not more than 40 years</em></td>
<td><em>Not less than 10 years. Not more than life</em></td>
<td>Methamphetamine</td>
<td>100 gm or more pure of 1 kg or more mixture</td>
<td><em>Not less than 10 years. Not more than life</em></td>
<td><em>Not less than 20 years. Not more than life</em></td>
</tr>
<tr>
<td></td>
<td><em>If death or serious injury, not less than 20 years or more than life</em></td>
<td><em>Fine of not more than $4 million individual, $5 million other than individual</em></td>
<td>Heroin</td>
<td>1 kg or more mixture</td>
<td><em>Not less than 10 years. Not more than life</em></td>
<td><em>Not less than 20 years. Not more than life</em></td>
</tr>
<tr>
<td></td>
<td><em>If death or serious injury, not less than 20 years or more than life</em></td>
<td><em>Fine of not more than $4 million individual, $5 million other than individual</em></td>
<td>Cocaine</td>
<td>5 kg or more mixture</td>
<td><em>Not less than 10 years. Not more than life</em></td>
<td><em>Not less than 20 years. Not more than life</em></td>
</tr>
<tr>
<td></td>
<td><em>If death or serious injury, not less than 20 years or more than life</em></td>
<td><em>Fine of not more than $4 million individual, $5 million other than individual</em></td>
<td>Cocaine Base</td>
<td>50 gm or more mixture</td>
<td><em>Not less than 10 years. Not more than life</em></td>
<td><em>Not less than 20 years. Not more than life</em></td>
</tr>
<tr>
<td></td>
<td><em>If death or serious injury, not less than 20 years or more than life</em></td>
<td><em>Fine of not more than $4 million individual, $5 million other than individual</em></td>
<td>PCP</td>
<td>100 gm or more pure or 1 kg or more mixture</td>
<td><em>Not less than 10 years. Not more than life</em></td>
<td><em>Not less than 20 years. Not more than life</em></td>
</tr>
<tr>
<td></td>
<td><em>If death or serious injury, not less than 20 years or more than life</em></td>
<td><em>Fine of not more than $4 million individual, $5 million other than individual</em></td>
<td>LSD</td>
<td>10 gm or more mixture</td>
<td><em>Not less than 10 years. Not more than life</em></td>
<td><em>Not less than 20 years. Not more than life</em></td>
</tr>
<tr>
<td></td>
<td><em>If death or serious injury, not less than 20 years or more than life</em></td>
<td><em>Fine of not more than $4 million individual, $5 million other than individual</em></td>
<td>Fentanyl</td>
<td>400 gm or more mixture</td>
<td><em>Not less than 10 years. Not more than life</em></td>
<td><em>Not less than 20 years. Not more than life</em></td>
</tr>
<tr>
<td></td>
<td><em>If death or serious injury, not less than 20 years or more than life</em></td>
<td><em>Fine of not more than $4 million individual, $5 million other than individual</em></td>
<td>Fentanyl Analogue</td>
<td>100 gm or more mixture</td>
<td><em>Not less than 10 years. Not more than life</em></td>
<td><em>Not less than 20 years. Not more than life</em></td>
</tr>
</tbody>
</table>

*The Controlled Substances Act (1970) places all substances regulated under federal law into one of five schedules based on the substance’s medical use, potential for abuse, and safety or dependence liability.*

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APPENDIX 3 (cont.)
Federal Penalties and Sanctions for Illegal Trafficking and Possession of a Controlled Substance
Federal Trafficking Penalties (As of January 1, 1996)

<table>
<thead>
<tr>
<th>Controlled Substances Act Schedule</th>
<th>Drug</th>
<th>Quantity</th>
<th>1st Offense</th>
<th>2nd Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>I and II</td>
<td>Others (law does not include marijuana, hashish, or hash oil)</td>
<td>Any</td>
<td><em>Not more than 20 years</em></td>
<td><em>Not more than 20 years</em></td>
</tr>
<tr>
<td></td>
<td><em>If death or serious injury, not less than 20 years, not more than life</em></td>
<td><em>Fine $1 million individual, $5 million not individual</em></td>
<td><em>Not more than 20 years</em></td>
<td><em>Not more than 20 years</em></td>
</tr>
<tr>
<td></td>
<td><em>If death or serious injury, life</em></td>
<td><em>Fine $2 million individual, $10 million not individual</em></td>
<td><em>Not more than 20 years</em></td>
<td><em>Not more than 20 years</em></td>
</tr>
<tr>
<td>III</td>
<td>All (included in Schedule III are anabolic steroids, codeine and hydrocodeine with aspirin or Tylenol®, and some barbiturates)</td>
<td>Any</td>
<td><em>Not more than 5 years</em></td>
<td><em>Not more than 5 years</em></td>
</tr>
<tr>
<td></td>
<td><em>Fine not more than $250,000 individual, $1 million not individual</em></td>
<td><em>Not more than 5 years</em></td>
<td><em>Not more than 5 years</em></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Fine not more than $500,000 individual, $2 million not individual</em></td>
<td><em>Not more than 5 years</em></td>
<td><em>Not more than 5 years</em></td>
<td></td>
</tr>
<tr>
<td>IV</td>
<td>All (included in Schedule IV are Darvon®, Talwin®, Equanil®, Valium®, and Xanax®)</td>
<td>Any</td>
<td><em>Not more than 3 years</em></td>
<td><em>Not more than 6 years</em></td>
</tr>
<tr>
<td></td>
<td><em>Fine not more than $250,000 individual, $1 million not individual</em></td>
<td><em>Not more than 3 years</em></td>
<td><em>Not more than 6 years</em></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Fine not more than $500,000 individual, $2 million not individual</em></td>
<td><em>Not more than 3 years</em></td>
<td><em>Not more than 6 years</em></td>
<td></td>
</tr>
<tr>
<td>V</td>
<td>All (over-the-counter cough medicines with codeine are classified in Schedule V)</td>
<td>Any</td>
<td><em>Not more than 1 year</em></td>
<td><em>Not more than 2 years</em></td>
</tr>
<tr>
<td></td>
<td><em>Fine not more than $100,000 individual, $250,000 not individual</em></td>
<td><em>Not more than 1 year</em></td>
<td><em>Not more than 2 years</em></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Fine not more than $200,000 individual, $500,000 not individual</em></td>
<td><em>Not more than 1 year</em></td>
<td><em>Not more than 2 years</em></td>
<td></td>
</tr>
</tbody>
</table>
Federal Penalties and Sanctions for Illegal Trafficking and Possession of a Controlled Substance

Federal Trafficking Penalties - Marijuana (includes hashish and hashish oil) (as of January 1, 1996)

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>1st Offense</th>
<th>2nd Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marijuana</td>
<td>1,000 kg or more</td>
<td>*Not less than 10 years, not more than life</td>
<td>*Not less than 20 years, not more than life</td>
</tr>
<tr>
<td></td>
<td>mixture; or 1,000 or more plants</td>
<td>*If death or serious injury, not less than 20 years, not more than life</td>
<td>*If death or serious injury, not more than life</td>
</tr>
<tr>
<td></td>
<td></td>
<td>*Fine not more than $4 million individual, $10 million other than individual</td>
<td>*Fine not more than $8 million individual, $20 million other than individual</td>
</tr>
<tr>
<td>Marijuana</td>
<td>100 kg to 999 kg</td>
<td>*Not less than 5 years, not more than 40 years</td>
<td>*Not less than 10 years, not more than life</td>
</tr>
<tr>
<td></td>
<td>mixture; or 100-999 plants</td>
<td>*If death or serious injury, not less than 20 years, not more than life</td>
<td>*If death or serious injury, not more than life</td>
</tr>
<tr>
<td></td>
<td></td>
<td>*Fine not more than $2 million individual, $5 million other than individual</td>
<td>*Fine not more than $4 million individual, $10 million other than individual</td>
</tr>
<tr>
<td>Marijuana</td>
<td>50 to 99 kg</td>
<td>*Not more than 20 years</td>
<td>*Not more than 30 years</td>
</tr>
<tr>
<td></td>
<td>mixture</td>
<td>*If death or serious injury, not less than 20 years</td>
<td>*If death or serious injury, not more than life</td>
</tr>
<tr>
<td></td>
<td></td>
<td>*Fine $1 million individual, $5 million other than individual</td>
<td>Fine $2 million individual, $10 million other than individual</td>
</tr>
<tr>
<td>Marijuana</td>
<td>Less than 50 kg</td>
<td>*Not more than 5 years</td>
<td>*Not more than 10 years</td>
</tr>
<tr>
<td></td>
<td>mixture</td>
<td>*If death or serious injury, not less than 20 years</td>
<td>*Fine $500,000 individual, $2 million other than individual</td>
</tr>
<tr>
<td>Hashish</td>
<td>10 kg or more</td>
<td>*Fine not more than 5 years</td>
<td>*Fine not more than 10 years</td>
</tr>
<tr>
<td>Hashish Oil</td>
<td>1 kg or more</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: These are only Federal penalties and sanctions. Additional State penalties and sanctions apply.

APPENDIX 3 (cont.)

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

21 U.S.C. 844(a)
1st conviction: Up to 1 year imprisonment and fined at least $1,000 but not more than $100,000, or both. After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least $2,500 but not more than $250,000, or both. After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least $5,000 but not more than $250,000, or both. Special sentencing provision for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to $250,000, or both, if:

(a) 1st conviction and the amount of crack possessed exceeds 5 grams.
(b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
(c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

21 U.S.C. 853(a)(2) and 881(a)(7)
Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack)

21 U.S.C. 881(a)(4)
Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844a
Civil fine of up to $10,000 (pending adoption of final regulations).

21 U.S.C. 853a
Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

18 U.S.C. 922(g)
Ineligible to receive or purchase a firearm.

Miscellaneous
Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies. Note: These are only Federal penalties and sanctions. Additional State penalties and sanctions apply.
### APPENDIX 4 (Cont.)

Health Risks Associated with the Use of Illicit Drugs and Alcohol

<table>
<thead>
<tr>
<th>Drugs</th>
<th>Physical Dependence</th>
<th>Possible Effects</th>
<th>Effects of Overdose</th>
<th>Possible Effects</th>
<th>Possible Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Narcotics</td>
<td>High</td>
<td>Moderate</td>
<td>Convulsions</td>
<td>Terrors</td>
<td>Fatigue</td>
</tr>
<tr>
<td>Heroin</td>
<td>Low</td>
<td>Moderate</td>
<td>Convulsions</td>
<td>Terrors</td>
<td>Fatigue</td>
</tr>
<tr>
<td>Morphine</td>
<td>High</td>
<td>Moderate</td>
<td>Convulsions</td>
<td>Terrors</td>
<td>Fatigue</td>
</tr>
<tr>
<td>Codeine</td>
<td>High</td>
<td>Moderate</td>
<td>Convulsions</td>
<td>Terrors</td>
<td>Fatigue</td>
</tr>
<tr>
<td>Hydrocodeine</td>
<td>High</td>
<td>Moderate</td>
<td>Convulsions</td>
<td>Terrors</td>
<td>Fatigue</td>
</tr>
<tr>
<td>Hydromorphone</td>
<td>High</td>
<td>Moderate</td>
<td>Convulsions</td>
<td>Terrors</td>
<td>Fatigue</td>
</tr>
<tr>
<td>Methadone and LAAM</td>
<td>High</td>
<td>Moderate</td>
<td>Convulsions</td>
<td>Terrors</td>
<td>Fatigue</td>
</tr>
<tr>
<td>Methylphenidate</td>
<td>High</td>
<td>Moderate</td>
<td>Convulsions</td>
<td>Terrors</td>
<td>Fatigue</td>
</tr>
<tr>
<td>Other Stimulants</td>
<td>High</td>
<td>Moderate</td>
<td>Convulsions</td>
<td>Terrors</td>
<td>Fatigue</td>
</tr>
<tr>
<td>Cannabis</td>
<td>Unknown</td>
<td>Unknown</td>
<td>Unknown</td>
<td>Unknown</td>
<td>Unknown</td>
</tr>
<tr>
<td>Tetrahydrocannabinol</td>
<td>Unknown</td>
<td>Unknown</td>
<td>Unknown</td>
<td>Unknown</td>
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</tbody>
</table>

### Possible Effects

- **Drugs Physical Dependence**: Low, High, Moderate
- **Possible Effects**: Yawning, Euphoria, Convulsions, Terrors, Fatigue
- **Effects of Overdose**: Convulsions, Terrors, Convulsions, Terrors, Fatigue
- **Withdrawal Syndrome**: Convulsions, Terrors, Fatigue

### Withdrawal Syndrome

- **Drugs Physical Dependence**: Low, High, Moderate
- **Possible Effects**: Yawning, Euphoria, Convulsions, Terrors, Fatigue
- **Effects of Overdose**: Convulsions, Terrors, Convulsions, Terrors, Fatigue
- **Withdrawal Syndrome**: Convulsions, Terrors, Fatigue

**Note**: The table continues with details for other drugs and their associated health risks.
### Health Risks Associated with Alcohol

**Effects of Alcohol Consumption**

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person’s ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

### APPENDIX 4 (Cont.)

#### Health Risks Associated with the Use of Illicit Drugs and Alcohol

<table>
<thead>
<tr>
<th>Drugs</th>
<th>Physical Dependence</th>
<th>Psych. Dependence</th>
<th>Possible Effects</th>
<th>Effects of Overdose</th>
<th>Withdrawal Syndrome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hashish and Hashish Oil</td>
<td>Unknown</td>
<td>Moderate</td>
<td>Disorientation</td>
<td>Decreased appetite</td>
<td></td>
</tr>
<tr>
<td>Hallucinogens</td>
<td>None</td>
<td>Unknown</td>
<td>Illusions and hallucinations</td>
<td>Long</td>
<td>Unknown</td>
</tr>
<tr>
<td>LSD</td>
<td>None</td>
<td>Unknown</td>
<td>Altered perception of time and distance</td>
<td>More intense “trip” episodes</td>
<td></td>
</tr>
<tr>
<td>Mescaline and Peyote</td>
<td>None</td>
<td>Unknown</td>
<td>Altered perception of time and distance</td>
<td>More intense “trip” episodes</td>
<td></td>
</tr>
<tr>
<td>Amphetamine Variants</td>
<td>Unknown</td>
<td>Unknown</td>
<td></td>
<td>Psychosis</td>
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<tr>
<td>Phencyclidine and Analogs</td>
<td>Unknown</td>
<td>High</td>
<td></td>
<td>Possible death</td>
<td></td>
</tr>
<tr>
<td>Other Hallucinogens</td>
<td>None</td>
<td>Unknown</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX 5
BIAS CRIMES PREVENTION
Hate Crimes and the Law

It is a State University of New York at Delhi (SUNY Delhi) University Police mandate to protect all members of the Delhi community by preventing and prosecuting bias or hate crimes that occur within the campus’s jurisdiction.

Hate crimes, also called bias crimes or bias-related crimes, are criminal activity motivated by the perpetrator’s bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their race, religion, ethnicity, gender, sexual orientation, or disability. Hate/bias crimes have received renewed attention in recent years, particularly since the passage of the federal Hate/Bias Crime Reporting Act of 1990 and the New York State Hate Crimes Act of 2000 (Penal Law Article 485). Copies of the New York law are available from University Police or the Office of Judicial Affairs.

Penalties for bias-related crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence or previous convictions of the offender. Perpetrators who are students will also be subject to campus disciplinary procedures where sanctions including dismissal are possible.

In addition to preventing and prosecuting hate/bias crimes, SUNY Delhi University Police also assist in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and defined by the University as acts of bigotry, harassment, or intimidation directed at a member or group within the Delhi community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status, may be addressed through the State University’s Discrimination Complaint Procedure or the campus conduct code. Bias incidents can be reported to University Police as well as to Affirmative Action/Equal Opportunities Office at (607) 746-4495.

If you are a victim of, or witness to, a hate/bias crime on campus, report it to University Police by calling 911 in an emergency, using a Blue Light or other campus emergency phone calling 911 or X4700, or stopping by North Hall. University Police will investigate and follow the appropriate adjudication procedures. Victims of bias crime or bias incidents can avail themselves of counseling and support services from the Office of Counseling and Health Services. The Counseling Center offers confidential services free of charge to all students at SUNY Delhi and all discussions with the Counselors are confidential.

For general information on SUNY Delhi security procedures, see http://www.studentlife.delhi.edu/UniversityPolice/index.asp, or call (607) 746-4700.

More information about bias-related and bias crimes, including up-to-date statistics on bias crimes is available from University Police at (607) 746-4700.