

X: Campus Policies

CAUTION:

This particular section is approximately 101 pages. If you need to print a section of this document, and do not want all 101 pages. Click and highlight the section you wish to print, and when the printing prompt box appears, select the option to print SELECTION, not the default which is print ALL. Please take note of this to save the hassle of printing 101 unnecessary pages.

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A. CAMPUS POLICIES AND PROCEDURES

1. ACADEMIC CALENDAR

2. ACCEPTABLE USE POLICY FOR INFORMATION TECHNOLOGY

3. ACCIDENTS, INJURIES AND MEDICAL EMERGENCIES (REPORTING PROCEDURES)

All employee accidents, regardless of severity level, must be reported and a SUNY Potsdam Accident/Injury Report must be completed for all injuries. The requested information is required by law, under the NYS PESH Rule Part 801.

When an employee is involved in a work-related injury, the following steps must be followed:

- a. The employee must notify their supervisor immediately. If this is not possible & a witness is on the scene, the witness can contact: 1. the employee's supervisor if known; 2. the Office of Human Resources at #2094; or 3. University Police at #2222. Failure to immediately report an accident may compromise the employee's occupational injury/illness claim.
- b. An Accident/Injury Report is to be completed in full, by the supervisor and injured employee, if the employee is capable of doing so. The Accident/Injury Report is then forwarded to the Office of Human Resources on the day of the accident, if medical attention is required or if the employee will miss time from work. If the form cannot immediately be delivered to Human Resources, the supervisor is to contact Human Resources at # 2094. Incomplete Accident/Injury reports will be returned to the supervisor for completion.

University Police may be dispatched to the scene of the incident depending on the severity of the accident. The Supervisor should notify University Police if medical attention is required.

Accident/Injury Reports involving no lost time or medical treatment are to be forward to Human Resources as soon as possible.

The campus Environmental Health and Safety Officer will also receive copies of all reports, which are subject to investigation.

- c. It is essential and mandatory that supervisors refer all employees that are involved in accidents, to the NYS Accident Reporting System (ARS), which is 1-888-800-0029. The employee will be given an ARS intake number, which they will need to write down. If the employee needs to obtain a prescription, related to the injury, they present their ARS incident number and relay the group number (NYSIF). The pharmacy should then contact Express Scripts at 866-533-7011 As a result; there will be no charge for the prescription.
- d. All employees, who are out on leave for more than 5 days, are required to complete a Leave of Absence form. If applicable, the employee will also be

notified of their rights under the Family Medical Leave Act.

- e. The following applies to CSEA employees: If the employee is to be out of work 5 working days or more, they must determine, immediately, if they want to charge the first 5 days of their absence to sick leave accruals, or be placed on the workers' compensation payroll effective their first full day of absence (partial days do not count). If the employee decides to charge accruals during the first 5 days, they are then placed on the leave without pay effective day 6. Wage replacement is then determined by New York State Insurance Fund.
- f. Employees, other than CSEA employees, are to contact the Office of Human Resources for specifics on their workers' compensation benefits.
- g. The injured employee must provide medical documentation to support all absences connected to the work related injury. Documentation must include the following for it to be acceptable: the diagnosis, prognosis & estimated period of absence. It is the employees' responsibility to obtain appropriate medical documentation. All medical statements are to be turned in to Human Resources. The doctor's office may fax it to 316-267-2170. It will remain confidential and Human Resources will in turn notify the employees' supervisor of their status.
- h. Prior to returning to work, a medical certificate, from the employees' physician, must be submitted to Human Resources, stating the exact day on which the employee is able to return to work and if there are any restrictions. If there are restrictions, they must be specific and state when they can be lifted. Light duty may be considered when a person is 50 % disabled or less and within 45 days of full recovery. A Physical Capabilities form, which can be obtained from the Human Resources, must also be completed. Human Resources will discuss the restrictions with the employees' supervisor to determine if light duty is possible. An employee may be required by the College to undergo a medical examination by a New York State doctor at any time during their workers' compensation leave.
- i. It is critical that the employee remains in contact, regularly, with Human Resources throughout their workers' compensation leave.

Questions on workers' compensation procedures are to be directed to Human Resources at 315-267-2094.

4. ADMINISTRATION OF AGENCY FUNDS

Guidelines for the administration of agency funds were established on June 24, 1987 by the Chancellor of the State University Board of Trustees. Agency funds are maintained by University-related organizations which have an established relationship with the State University of New York and/or its campus units. These funds contain agency accounts. Agency funds are resources held by

a University-related organization in a custodial or fiscal agent capacity for the benefit of individual students, faculty or staff members, or appropriately recognized organizations and are not funds of the University-related organization itself.

The University-related organizations which shall be authorized to administer agency accounts are:

- The Research Foundation of State University of New York
- Auxiliary Services Corporations, and
- Campus-related Foundations.

5. ADMINISTRATION OF CONFERENCES, INSTITUTES, WORKSHOPS

All credit and/or non-credit bearing conferences, institutes and workshops sponsored or hosted by SUNY Potsdam will be administered by the Center for Lifelong Education and Recreation, (CLEAR). All conferences of an educational and/or public service nature occurring on or off campus are covered by this policy. The Center for Lifelong Education and Recreation will maintain a master calendar of conferences, institutes and workshops and coordinate these activities with the Office of Residence Life and PACES. This policy does not cover locally initiated workshops run solely for SUNY Potsdam faculty, staff or students. Questions regarding activities covered or not covered by this policy should be directed to the Center for Lifelong Education and Recreation, (CLEAR).

6. ADVERTISING MATERIALS ON CAMPUS

Individuals and groups are welcome to post advertising materials on the SUNY Potsdam Campus. The following guidelines are in effect in all areas of all campus buildings:

a. Content

- Materials should be appropriate for a college campus.
- Materials shall not include information that is offensive to anyone.
- Materials shall not specify alcoholic drinks or prices, although phrases such as "cash bar" or "drink specials" are acceptable.

b. Placement of Materials

- Materials shall be posted on appropriate bulletin boards. They shall not be attached to doors, windows, or walls.
- Only one poster for any one activity may be placed on any one bulletin board.

c. Sanctions

- Individuals or groups who do not comply with these guidelines or who, without authorization, remove materials placed by other individuals or groups may be denied access to the campus for advertising purposes.
- Individual College buildings may have additional regulations. Please check with the building administrator prior to posting materials. (See [Appendix XII](#)).

7. ANIMAL POLICY

In an effort to insure an atmosphere conducive to academic pursuits and to comply with existing state and local laws, the following animal policy shall be in effect:

Service animals, as provided for under the Americans with Disabilities Act (ADA) and comfort, emotional support and companionship animals, as provided for under the Fair Housing Act in the Residence Halls only, are excluded from the provision of this policy. (See Service and Assistance Animal Policy or Residence Hall Policies)

1. Animals are not permitted in any buildings at any time.
2. Animals are permitted on campus grounds if they are restrained by a chain or leash not exceeding six feet in length and accompanied by persons of adequate age and discretion who properly controls their actions.
3. An owner or harbinger of an animal shall not permit the animal to be a public nuisance by allowing the animal to consistently bark or howl, cause personal injury or damage personal or College property.
4. An owner or harbinger of an animal is not permitted to leave the animal unattended on campus property.
5. The owner or harbinger of an animal is required to pick up after their animal or may be subject to state and local laws.

Persons found to be in violation of this policy may face Student Conduct, Human Resource and/ or Town Court action.

Any animal found on campus in violation of this policy shall be subject to immediate transfer to the Potsdam Animal Shelter where the owner may claim the animal after payment of any custodial fee.

8. ANNUAL REPORTS

Article IX, Title A, Section 4 of the Policies of the Board of Trustees requires the College President to submit an annual report to the Board of Trustees, the Chancellor, the College Council and the College Faculty concerning the affairs of the College on or before September 1 of each year.

Annual reports from Deans and Directors are to be submitted to the appropriate Vice President. Public Affairs prepares a summary report for release on or before Sept.1.

9. ART COLLECTION

A large quantity of valuable artwork enhances the interiors of many campus buildings. Permanent Collection artworks located throughout the campus can only be moved by personnel from The Art Museum. All of these works are inventoried and catalogued as part of The Museum's permanent collection and are the property of the College Foundation. If there is any question as to the ownership of a work of art, please contact The Art Museum.

If a faculty or staff member wishes to have a work removed or replaced or wishes to have artworks displayed in a particular area, he/she may consult with the Collections Manager in The Museum office. However, The Museum's current policy does not allow for placement of art in

private faculty/staff offices.

It would be appreciated if everyone would take notice of missing or damaged artwork, and notify The Art Museum office immediately so that appropriate action can be taken.

10. BACKGROUND CHECK POLICY

DEFINITIONS

The following terms are used in this policy.

Term	Definition
Volunteer	A non-remunerative appointment with the State University of New York at Potsdam.
Applicant	A person that submits an application for a vacant position at the College.
Successful Candidate	A person that has applied for a vacant position and has been offered a contract for employment.

BASIS FOR POLICY

To protect the welfare and provide for the safety of the students, employees, and institutional resources of SUNY Potsdam, Human Resources will administer the conducting of background checks on new employees and volunteers.

This policy applies to new employees as of January 1, 2007. This policy applies to volunteers as of January 23, 2019.

POLICY

Applicants and volunteers will be advised that a background check including criminal conviction investigation is a condition of employment. SUNY Potsdam's authorized vendor will conduct the background investigation that may include: identification and educational credential confirmation, employment and salary history, Social Security number verification, criminal conviction verification and sexual offender registry status. A background check will be completed only on the successful candidate upon completion of the appropriate authorization. The contract letter will include a statement that the employment offer is pending the satisfactory completion of the background check.

Human Resources will contact the Director/Dean and/or Vice President only if the background investigation produces results which may affect employability. All results of the background investigation are confidential and will be used by Human Resources and the appropriate Dean and/or Vice President if the background check reveals information which may affect the hiring decision. Criminal background investigation records will be received and maintained as part of a confidential file (to the degree possible) in Human Resources.

If an applicant, employee, or volunteer possesses an active security clearance issued by the US Federal Government, proof of that active security clearance will be considered in lieu of conducting a new criminal background check.

RESPONSIBILITIES

Human Resources is responsible for the management of the policy, including overseeing the background investigation process, confidentially reporting job-related negative results to the appropriate department, and the confidential storage (to the degree possible) of all findings.

SANCTIONS

Those who violate the terms of this policy, including violations of confidentiality, are subject to disciplinary action, including termination. Failure to disclose a conviction(s) is deemed falsification of application and may result in termination.

11. BLOODBORNE PATHOGENS

POLICY

SUNY Potsdam is committed to provide a safe and healthful work environment for our entire staff. In pursuit of this endeavor, the following Exposure Control Plan (ECP) is provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with OSHA Bloodborne Pathogens Standard, Title 29 Code of Federal Regulations 1910.1030.

The ECP is a key document to assist our college in implementing and ensuring compliance with the standard, thereby protecting our employees. This ECP includes:

I. Employee exposure determination.

II. The procedures for evaluating the circumstances surrounding an exposure incident, and

III. The schedule and method of implementing the specific sections of the standard, including:

- Methods of compliance
- Hepatitis B vaccination and post-exposure follow-up
- Training and communication of hazards to employees
- Record keeping

PROGRAM ADMINISTRATION

- The Environmental Health and Safety Officer is responsible for the implementation of the ECP and will maintain and update the written ECP at least annually and whenever necessary to include new or modified tasks and procedures.

- Those employees who are reasonably anticipated to have contact with or exposure to blood or other potentially infected materials are required to comply with the procedures and work practices outlined in this ECP.

- The Custodial Services Department will have the responsibility for written housekeeping protocols and will ensure that effective disinfectants are purchased.

- The Environmental Health and Safety Officer will be responsible for training and ensuring that all medical actions required are performed and that appropriate medical records are maintained.

- The Student Health Services will maintain and provide all necessary personal protective equipment (PPE), engineering controls (i.e., sharp containers, etc.), labels, and red bags as required by the standard. The Student Health Services will ensure that adequate supplies of the aforementioned equipment are available.

I. EMPLOYEE EXPOSURE DETERMINATION

OSHA requires employers to perform an exposure determination concerning which employees may incur occupational exposure to blood or other potentially infectious materials. The exposure determination is made without regard to the use of personal protective equipment (i.e. employees are considered to be exposed even if they wear personal protective equipment). This exposure determination is required to list all job classifications in which all employees may be expected to incur such occupational exposure, regardless of frequency. At this college the following job classifications are in this category:

- Campus University Police Officer
- Supervising Campus University Police Officer
- Chief of University Police
- Supervisor of College Nursing Services

- Nurse I
- Director of Student Health
- Licensed Practical Nurse
- College Physicians Assistant
- Athletic Trainer
- Laboratory Supervisor

In addition, OSHA requires a listing of job classifications in which some employees in these categories would be expected to incur exposure to blood or other potentially infectious materials, tasks or procedures that would cause these employees to have occupational exposure are also required to be listed in order to clearly understand which employees in these categories are considered to have occupational exposure. The job classifications and associated tasks for these categories are as follows:

Cleaners/Janitors are responsible for laundry, cleaning in Residence Hall, Student Health Services, and Training Room.

II. EFFECTIVE DATES

Effective Dates-Code of Federal Regulations

- Bloodborne Pathogens Standard (Including Universal Precautions) March 6, 1992
- Exposure Control Plan May 5, 1992
- Record keeping June 4, 1992
- Information and Training June 4, 1992
- Methods of Compliance (Except Universal Precautions) July 6, 1992
- Hepatitis B Vaccination and Post-Exposure Evaluation and Follow-Up July 6, 1992
- Labels and Signs July 6, 1992

The methods of implementation of these elements of the Code are discussed in the Exposure Control Plan available from the Campus Environmental Health and Safety Office, 5th floor, Raymond Hall, 315-267-2135.

12. BOMB THREAT

THE MOST important concern in any threat to campus property or people is to maintain order and provide communication, quick and orderly safety to the college community. Secondary but also important is the clarity with which campus functions will proceed while under the emergency procedures. Guidelines for bomb threats are as follows.

- a. The Chief of University Police will determine the need for closing one or more buildings or events.
- b. At the point a building is closed or event is terminated an attempt will be made to suggest the duration, i.e. "closed for the day," or "postponed until _____."
- c. The Chief of University Police will, in conjunction with the Assistant Vice President for Facilities, post notices on the building and, if appropriate, identify where continued information and services can be forwarded. "Class information will be

available in the Barrington Union" or "_____ services will be provided in _____."

- d. The Chief of University Police will notify the Provost, Dean of Students, the Office of Human Resources, and the Director of Public Affairs who will in turn notify appropriate services and teaching units.
- e. All personnel not instructed by the above will report to the Office of Human Resources.
- f. In the event Van Housen Extension and main switchboard cannot be the communication center, emergency phones will be established in Barrington Student Union.
- g. Director of Public Affairs will serve as primary media contact.

*** Any employee receiving a threatening call should immediately call University Police at *2222. Please pay attention to the following details: Sex of caller, background noise, type of "bomb", any location specifics, and when the bomb is to go off.

13. BUILDING ADMINISTRATOR: POLICIES AND RESPONSIBILITIES

Each academic building on the SUNY Potsdam campus shall have a building administrator, preferably a person already residing in that building. The building administrator shall be appointed by the President of the College after appropriate consultation. He/she shall be willing and able to assume the position and all associated responsibilities. The appointee shall be a full-time member of the faculty, professional or administrative staff of the College. He/she shall serve for a period of one year, the appointment to be made at the beginning of the Fall semester and be renewable each year thereafter. The building administrator is the chief administrator in charge of his/her building at the direction of the President of the College and is ultimately responsible for the well-being of the facility. The building administrator will have the authority to make decisions and carry out those duties which affect comfort, convenience, safety and energy conservation. In this regard, the building administrator will work closely with the Offices of Physical Plant, University Police and his/her building custodians. The building administrator's name, office and telephone numbers and official building hours shall be prominently posted in the main lobby of his/her building. Specifically, the building administrator shall:

- a. Perform his/her responsibilities in a competent, positive and timely fashion.
- b. Be authorized to delegate selected responsibilities associated with the position to one or more individuals in that building with the understanding that the building administrator is ultimately responsible for decisions or policies made regarding use of the facility.
- c. Make regular tours of his/her building making sure that all equipment and facilities essential to good work/study practices are in proper working order. All irregularities that cannot be taken care of by the regular building custodians shall be referred to the building administrator. He/she shall then prepare a work order and send it to the Office of Physical Plant for action. (A written record of such findings will be kept by the building administrator.)
- d. Shall be notified of and act on all requests to use facilities after normal working hours or on weekends making sure that such utilization does not violate College policies. All approved requests must have written authorization from the building administrator. All requests for keys must also have his/her written authorization.

- e. Accompany University Police, Physical Plant representatives and state inspectors on all scheduled safety and fire prevention tours. The building administrator shall make certain that all potentially dangerous situations and particularly those conditions that affect the handicapped are immediately referred to the appropriate administrative office. He/she shall also make certain that necessary information recorded during fire drills is submitted to the Office of University Police.
- f. Be notified of all accidental occurrences in his/her building and keep a record of such.
- g. Be apprised in advance of all activities regarding structural modification, scheduling pesticide spraying or changes in College policies which might affect building usage.
- h. Act on requests to use audio-visual hardware and other equipment already under the supervision of the building administrator.
- i. Serve as a member of a group of all building administrators, this group to constitute the Council of Building Administrators to be convened by the President of the College or designee at the beginning of the Fall semester. At this time, the President will officially appoint building administrators and discuss responsibilities and policies.

The names of Building Administrators are listed in Appendix XII .

14. BUILDING USE POLICIES AND PROCEDURES

This SUNY Potsdam Facility Use Policy is to be interpreted and applied in accordance with the Mission of SUNY Potsdam. Campus buildings are college community facilities. In determining space availability, priority will be given to the needs of academic programs. No campus building is intended for the sole use of the occupants of that building.

The Center for Lifelong Education and Recreation (CLEAR) coordinates campus wide use of campus facilities by college-affiliated and off-campus groups (see definitions below). Requests for such use and further coordination of the programs will be handled in that office by the Conference Coordinator. For information about using space on the SUNY Potsdam Campus, please call CLEAR at 267-2167 or visit their website at <http://www.potsdam.edu/community/clear>. CLEAR may designate alternate space managers to coordinate this process.

Additionally, any workshops, non-credit classes, camps, instructional programs, conferences or other opportunities designed for community members, whether they be adults or children, that take place on the SUNY Potsdam campus must be coordinated through staff in the CLEAR Office. Coordination by CLEAR may include, but is not limited to, the following items: training and ensuring adherence to College policies related to child protection/supervision and mandatory reporting of abuse; contract management to protect the College from liability; all aspects of the registration process: billing, fee collection, and appropriate receipting to customers; program marketing; publication and printing of materials; arranging for dining services; coordination of campus signage; and coordination of campus parking.

Credit Card Marketing - SUNY Potsdam prohibits the advertising, marketing, or merchandising of credit cards on campus to students, unless expressly authorized and registered by the Chief Student Affairs Officer or designee. Registrants will be limited to specified dates and areas and are prohibited from offering gifts to a student in exchange for completing a credit card application.

In making SUNY Potsdam facilities available to off campus groups, it is the College's intent not to compete with private businesses whose facilities can accommodate the group's needs.

DEFINITIONS

- a. "Facilities" include University controlled (owned or leased) land, structures, buildings, equipment and furniture.
- b. "Non-commercial organizations" shall be deemed to include:
 1. Federal, State or local governmental units, departments and agencies.
 2. Charitable, civic, community, cultural, educational, entertainment, industrial, labor, political, professional and recreational organizations and businesses whose activities are consistent with and in furtherance of University purposes.
- c. "Commercial organizations" shall be deemed to include any for-profit organization. Commercial organizations utilizing campus space may not compete with the activities of PACES, the SUNY Potsdam College Foundation or other campus-related entities.
- d. "Private individuals and groups" shall be deemed as a person and/or group that is not affiliated with a non-commercial or commercial organization as defined above.

CATEGORIES OF USERS

- a. On-campus - Officially recognized organizations, clubs and College Departments whose activities are sponsored, planned and conducted by their members or staff and whose events or programs are designed for and open to SUNY Potsdam faculty, staff and/or students.
- b. College-affiliated - Professional academic and educational organizations whose members include SUNY Potsdam faculty or staff that are:
 1. Requesting space, support and service for workshops, seminars, meetings or conferences
 2. Requesting facilities for tournaments, events, games, etc.
- c. Off-campus - Organizations or groups external to the College. This category includes public school affiliated groups, health-related social service organizations, youth organizations, small businesses, industry and training agencies, private individuals/group, and so forth that are:
 1. Requesting space, support and service for workshops, seminars, meetings, receptions/dinners, or conferences
 2. Requesting facilities for tournaments, events, games, etc.

PROCEDURE

- a. On Campus Users:
 1. All inquiries from on-campus groups shall be directed to the appropriate Building Administrator(s) and/or Space Coordinator(s) for the spaces required.
 2. The Building Administrator/Space Coordinator will make the decision as to the appropriateness of the request and the availability of space, and will inform the requester of the decision. It will be the responsibility of the event

organizer or building administrator/space coordinator to inform appropriate offices/departments of the intended use. i.e. University Police, custodial staff, etc.

b. College - Affiliated and Off-Campus Users:

1. All inquiries from college-affiliated and off-campus groups for use of College facilities for classes, workshops, seminars, meetings, conferences, dinners and other special events or activities should be directed to the Conference Coordinator or designee.
2. Upon receipt of the request for space, the Conference Coordinator or designee, after consultation with appropriate campus personnel regarding the availability of space/food service, will approve or deny the request.
3. Following approval of facilities use, the Conference Coordinator or designee will coordinate the event, including issuing of a contract and establishment and collection of fees (if appropriate). It will be the responsibility of the Conference Coordinator or Designee to inform appropriate offices/departments of the intended use. i.e. University Police, custodial staff, etc.

FACILITIES CHARGES

a. On-Campus:

Charges for facilities use will be waived for On-Campus groups, organizations and departments. Groups may be charged for any other fees encumbered by the event for use of space, services or resources.

b. College-Affiliated Users and Off-Campus Users:

Facility use fees for Standard (one time or occasional use) or Frequent Users will be charged to all college-affiliated and off-campus organizations or groups based on the attached fee schedule and may be modified or waived at the discretion of the Building Administrator or Conference Coordinator/Designee. Groups will also be charged for any other fees encumbered by the event for use of space, services or resources.

APPEALS

Any decision may be appealed to the Appeals Board for Campus and Facility Use, consisting of the Assistant Vice President for Facilities, The VP for Business Affairs and the Dean of Students. Any appeal must be made in writing with copies to each member of the Appeals Board within (3) business days of the rendering of the decision by the building administrator or Conference Coordinator. The decision of the Appeal's Board will be given in a timely fashion and is final.

SUNY Potsdam Facilities Charges	
Room/Area*	Standard Charge
Barrington Student Union:	

<ul style="list-style-type: none"> • Meeting Rooms • MPR • Fireside Lounge/Forum 	<p>\$30/day \$300/day (A &B) \$500/day (A,B & C)</p> <p>\$50/day</p>
<p>Classrooms:</p> <ul style="list-style-type: none"> • Classroom • Presentation Room • Computer Lab 	<p>\$35/day \$70/day \$150/hour</p>
<p>Crane:</p> <ul style="list-style-type: none"> • Crane Rehearsal Room (Bishop 101,107,119,123) • Hosmer Hall • Snell Theatre • Wakefield Recital Hall 	<p>\$35/hour \$75/day \$75/hour \$75/hour \$50/hour</p>
<p>Dunn:</p> <ul style="list-style-type: none"> • Dance Studio • Dance Theatre 	<p>\$50/hour \$150/day</p>
<p>Kellas Teleconference</p>	<p>\$70/day (room) \$35/hour teleconference fee</p>
<p>Knowles Conference Facility</p>	<p>\$300/day 1st floor only: \$150/day</p>
<p>Maxcy:</p> <ul style="list-style-type: none"> • Athletic Field • Field House • Ice Arena • Main Gym • Pool • Turf • Dance Studio 	<p>\$60/event/game \$60/hour \$110/hour \$250/event/game \$50/hour \$250/event/game \$60/hour for practice \$50/hour</p>

Merritt: <ul style="list-style-type: none"> • Gym • Pool • Dance Studio 	\$50/day \$50/hour \$50/hour
Raymond 8 th Floor (one side)	\$50/day
Thatcher	\$50 for 3 hours \$50 for each additional hour

*Overtime and personnel fees charged if applicable.
*Additional charges will be applied for AV equipment use.

Student worker fee: \$12/hour
Custodian fee: \$25/hour

15. CAMPUS FUNDRAISING POLICY

Overview:

The Potsdam College Foundation (“Foundation”) is the authorized agent for receiving and receipting all charitable gifts on behalf of SUNY Potsdam. To protect the Foundation’s 501(c)(3) IRS charitable exempt status, the following conditions must be adhered to by all.

SUNY Potsdam encourages its faculty and staff to seek private support as a means for enhancing the quality of SUNY Potsdam’s educational, research, and service programs. Institutional coordination and approval of such appeals maximizes fundraising success, ensures that the institution and its priorities are properly represented, and provides proper support to donors and their gifts. Therefore, all efforts within SUNY Potsdam to raise funds from private sources including individuals, corporations, foundations or other charitable entities must be approved in advance by the Foundation.

Definition:

Fundraising and solicitation activities referred to in this policy statement may include, but are not limited to verbal, written and electronic requests for pledges, cash, corporate sponsorships, securities or other negotiable instruments, items of property, donated services, gifts-in-kind (such as equipment, furniture, books, etc.), deferred or planned gifts, and grants designed to support College programs, scholarships, student activities, endowments, faculty development, and capital expansion/improvement.

Required Approvals:

All fundraising activities with external constituents (alumni, friends, businesses, community entities, etc.) must be preapproved through the College Advancement Office by contacting the Vice President for Advancement. In addition, the Foundation’s by-laws specify that certain

categories of gifts must be approved/accepted by the Foundation's Board of Trustees. SUNY Potsdam will administer acceptance of all gifts in accordance with the noted provisions.

The Foundation maintains Gift Acceptance Policies and Gift Crediting Guidelines. Contact the College Advancement Office for help interpreting these documents.

Fundraising and Solicitation Guidelines:

- The Foundation shall accept gifts and grants for the implementation and support of accepted programs that are consistent with the purpose and goals of the College and that are deemed consistent with ethical fundraising practices and with the laws, regulations, and policies of New York State and the federal government.
- Solicitations of both cash and in-kind items must be approved prior to initiation of fundraising activities. No individual or unit of the College shall solicit funds in the name of or on behalf of the College unless they have organized and coordinated such activities with College Advancement.
- College personnel shall not benefit personally through commission or other benefits that may be related to any gifts, sponsorships, or grants received by the College. It is unethical to fundraise for individual gain. IRS regulations also apply to this for the purpose of auditing.
- If the fundraising activity or solicitation is deemed to be in conflict with the fundraising program and activities of College Advancement and/or Foundation, a representative of the College Advancement Office will meet with the individual or group to resolve the issue. If the issue cannot be resolved in such a manner, the Vice President for Advancement will consider the circumstances and make a final decision.
- It is recognized that individuals, corporations, foundations, or other entities may themselves initiate contact with SUNY Potsdam faculty and staff regarding funding opportunities. While individual staff and faculty members are encouraged to answer questions and to discuss gift opportunities with potential donors, those inquiries and gift circumstances must be reported promptly to the Office of College Advancement. Timely reporting of information is critical to help donors make their gifts successfully, and to the overall coordination of fundraising and development activities.
- The name and address of any individual, business or entity that donates gifts must be supplied to the Foundation, along with the gift, immediately upon receipt of the gift. Gifts are not to be held.
- The Foundation cannot accept and receipt gifts for other non-profit organizations, including:
 - Fundraising for the Student Government Association (SGA) and its clubs (club advisors should contact the SGA office),
 - Fundraising for other local or national charities

Naming of Physical Spaces on Campus:

All inquiries regarding naming should be directed to the College Advancement Office. According to the Chancellor's Guidelines for Naming Opportunities on Campuses of the State University of New York, all facility-naming opportunities are subject to approval by the SUNY Potsdam College Council and in some cases the State University of New York Board of Trustees.

The Potsdam College Foundation, Inc., offers a variety of naming opportunities in recognition of significant gifts to the College. Faculty and staff should work with the College Advancement Office

early in the process to determine naming opportunities that will most closely match the donor's interests with the College's needs.

Rev. 11/6/19

16. CHANGE OF ADDRESS

If you move to a new address, you are asked to notify the Office of Human Resources immediately. A Change of Address form will need to be completed in Human Resources which will change the address on your payroll and personnel records or on the [web](#). Notification will also need to be made to the retirement system and benefit funds.

17. CLASS CANCELLATION POLICY

In the event of inclement weather, the President upon receipt of a recommendation from the Assistant VP for Facilities may cancel classes. This recommendation will be made as early as circumstances permit for day classes and by 2 p.m. for evening classes whenever possible

The President will notify the Provost and Office of Public Affairs of the decision, at which time the Office of Public Affairs will notify the campus community via email and call all local radio stations. The Provost's office will telephone the offices of the Deans of the three schools, Continuing Education, University Police and Dean of Students, who will telephone others who may need to know as quickly as possible.

The decision to cancel classes does not presume cancellation of other events on campus, which will be determined on an individual basis by the sponsoring offices. When such events are cancelled, sponsors should notify the offices of Public Affairs, the President, and the Provost, as they often receive inquiries about such matters. The campus policy on "Extraordinary Weather Conditions" is still in place as it relates to employees and services required.

18. COLLEGE LIBRARIES LOAN POLICIES

College Libraries policies are detailed on the College Libraries [website](#).

19. CONFINED SPACE

SUNY Potsdam has established guidelines and operational instructions to be taken by campus personnel in order to provide a safe work environment for its employees when entering confined spaces. "Permit required confined spaces" have been identified on campus and posted in accordance with Federal regulations. Confined spaces on the campus of SUNY Potsdam are as follows: manholes (steam, signal, sewage, storm, electrical and condensed stations), boilers, distribution tanks (domestic hot water, water treatment, condensed recovery tanks and oil tanks), HVAC handling units, steam tunnels, crawl spaces.

20. CONTRACTUAL AGREEMENTS

Authority to enter into contractual agreements on behalf of the College is vested in the President of the College and the VP for Business Affairs (or their designees). It may be delegated in specific instances. No individual, except as above, shall purport him/herself to represent the College, and further, any agreement entered into without proper authority is not binding on the College. The legal status of the individual will be determined by the separate circumstances.

21. COPYRIGHT GUIDELINES

Copyright law exists to protect the intellectual property of creators of original works. All creative works are automatically considered copyrighted, whether or not they are registered. The law covers works created in any format, including new technological formats such as CDs, CD-ROMs, on computer disk, and on the World Wide Web; thus works in these formats, such as web pages and computer software, must be treated as copyrighted material. The law is reasonably clear for the general case, however, certain exceptions are made for the good of the public in the cases of educational institutions and libraries. These exceptions are called "fair use", and the factors involved in determining whether something is covered under fair use include:

- a. the purpose and character of the use, including whether such use is of a commercial nature or is for non-profit education purposes;
- b. the nature of the copyrighted work;
- c. the amount and substantiality of the portion used in relation to the copyrighted work as a whole;
- d. the effect of the use upon the potential market for or value of the copyrighted work. (from section 107 of the Copyright Act of 1976)

These aspects of fair use are far vaguer than the explicit statements for the general case of copyright law, and as such, are open to some interpretation. In order to clarify what is and is not permissible, the House Committee on the Judiciary issued a report (HR 94-1476) titled "Agreement on guidelines for classroom copying in not-for-profit educational institutions: with respect to books and periodicals". SUNY Potsdam's policy statement is a combination of the guidelines from this report and applicable sections of the copyright law. Below is a brief listing of permissible and non-permissible photocopying use followed by SUNY Potsdam's policy statement on copyright. The responsibility for securing written copyright clearance rests with individual faculty; suggestions on applying for permission to reproduce copyrighted material are at the end of this section. Additional information is available at the FW Crumb Library.

a. Guidelines For Books And Periodicals:

Things you may do:

Personal Use:

Make a single photocopy of a book chapter, an article, a short story, a short essay, a short poem, or a single graphic from a book, periodical, or newspaper for your own scholarly research or use in preparing for or teaching a class.

Classroom Use:

1. Distribute photocopies (no more than one copy per student in the course) in class as long as it meets the guidelines for brevity, spontaneity, and cumulative effect defined below.
2. Make photocopies of items from current news periodicals and newspapers and current news sections of other periodicals as long as it meets the guidelines for brevity and spontaneity defined below.

Reserves:

1. Place the originally published item on reserve (i.e. bound book, a complete journal issue, a CD, ...)
2. Place no more than five photocopies of a work that meets the criteria for brevity, spontaneity, and cumulative effect defined below on reserve for one semester only. You may not place the same items on reserve after that without written permission from the copyright holder.
3. Place multiple photocopies of items for which you have received written permission from the copyright holder or paid a copyright fee on reserve.

Things you may not do:

1. You may not place a photocopy of an article obtained through interlibrary loan on reserve unless written permission has been received from the copyright holder.
2. You may not place a photocopy of an article on reserve for more than one semester without written permissions from the copyright holder. The law presumes that by the next time you want to use the article again, there will have been enough time to obtain permission from the copyright holder or pay a copyright fee.
3. You may not place a packet of material on reserve as one item - individual items only may be placed on reserve.

b. Definitions

l) Brevity:

a. Poetry:

1. A complete poem if less than 250 words and if printed of not more than two pages or,
2. from a longer poem, an excerpt of not more than 250 words.

b. Prose:

1. Either a complete article, story or essay of less than 2,500 words, or
2. an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words.

c. Illustration :

One chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.

d. "Special" works:

Certain works in poetry, prose or in "poetic prose" which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety. Paragraph (b) above notwithstanding such "special works" may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such special work and containing not more than 10% of the words found in the text thereof, may be reproduced.

II) Spontaneity

- a. The copying is at the instance and inspiration of the individual teacher, and
- b. The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

III) Cumulative Effect

- a. The copying of the material is for only one course in the school in which the copies are made.
- b. Not more than one short poem, article, story, essay or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.
- c. There shall not be more than nine instances of such multiple copying for one course during one class term.

[The limitations stated in (a) and (b) above shall not apply to current news periodicals and newspapers and current news sections of other periodicals.]

c) Prohibitions

Notwithstanding any of the above, the following shall be prohibited:

- I) Copying shall not be used to create or to replace or substitute for anthologies, compilations or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or are reproduced and used separately.
- II) There shall be no copying of or from works intended to be "consumable" in the course of study or of teaching. These include workbooks, exercises, standardized tests and test booklets and answer sheets and like consumable material.

III) Copying shall not:

- a. substitute for the purchase of books, publisher's reprints or periodicals;
- b. be directed by higher authority;
- c. be repeated with respect to the same item by the same teacher from term to term.
- d. no charge shall be made to the student beyond the actual cost of the photocopying.
- e. Guidelines For Educational Uses Of Music

IV) Permissible Uses

- a. Emergency copying to replace purchased copies which for any reason are not available for an imminent performance provided purchased replacement copies shall be substituted in due course.
- b. For academic purposes other than performance, single or multiple copies of excerpts of works may be made, provided that the excerpts do not comprise a part of the whole which would constitute a performable unit such as a section, movement or aria, but in no case more than (10%) of the whole work. The number of copies shall not exceed one copy per pupil.
- c. Printed copies which have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics, added if none exist.
- d. A single copy of recordings of performance by students may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teacher.
- e. A single copy of a sound recording (such as a tape, disc or cassette) of copyrighted music may be made from sound recordings owned by an educational institution or an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. (This pertains only to the copyright of the music itself and not to any copyright which may exist in the sound recording.)

V) Prohibitions

- a. Copying to create or replace or substitute for anthologies, compilations or collective works.
- b. Copying of or from works intended to be "consumable" in the course of study or of teaching such as workbooks, exercises, standardized tests and answer sheets and like material.
- c. Copying for the purpose of performance, except as in i) (a) above.
- d. Copying for the purpose of substituting for type purchase of music, except as in i) (a) and i) (b) above.
- e. Copying without inclusion of the copyright notice which appears on the printed copy.
- f. Reproduction By Libraries And Archives: Limitations On Exclusive Rights
 1. Limitations on exclusive use have been provided for Libraries and Archives. A library may reproduce one copy if
 - a) the reproduction or distribution is made without commercial advantage;
 - b) the collections are open to public or outside researchers;
 - c) the reproduction includes a notice of copyright.

2. A copy of an unpublished work can be made only for preservation or security or for deposit in another library (but only if said library currently has a copy).

3. Reproduction of a published work may be made only to replace a damaged, deteriorating, lost or stolen copy if the library after a reasonable effort cannot get an unused replacement copy at a fair price.

4. A library may reproduce a copy of one article of a periodical for a user on request if the copy becomes the property of the user and the library has no notice that it would be used for any purposes other than study, scholarship or research if a warning of copyright is displayed.

5. Reproduction of an entire work or substantial part thereof may be made from the collection if the library by reasonable investigation determines that it cannot be obtained at a reasonable price and the copy become the copy of the user and the library has no notice of use other than private study, scholarship or research and a warning of copyright is displayed.

6. Limited copies of occasional news items, not amounting to substitution for subscription may be made.

Use Of Videotapes: Limitations On Exclusive Rights

An audio-visual tape of a program may be made for use of a single class. Such tapes cannot be retained for over 45 calendar days after recording and then must be erased or destroyed. They may be used once by individual teachers in the course of relevant teaching activities and repeated once for instructional reinforcement during the first ten instructional days within the forty-five day retention period. They can be recorded only once at request of a teacher and a limited number of copies may be made to meet needs within the retention period of several requesting teachers. After ten instructional days within retention period the tape may only be used for teacher evaluation. Parts of broadcasts may be used but cannot be altered and the educational institution is expected to maintain controls to ensure the integrity of use to conform with these guidelines.

Applying For Permission To Reproduce Copyrighted Materials

In most cases, a letter to the copyright holder (usually addressed to the permissions department of the work's publisher) is needed in order to secure permission to reproduce copyrighted materials that do not fall under the guidelines for reproduction stated above.

The Association of American Publishers has issued these recommendations for faculty members requesting permission to reproduce copyrighted materials:

1. Request all permissions for a specific project at the same time.
2. Do not ask for a blanket permission for all of the material. It complicates the request. Often it cannot be granted.
3. Send a photocopy of the copyright page and the pages for which permission is being requested along with your application.

4. Be sure to enclose a return address with your request.

Publishers receive these requests every day. Provided the requests are presented in proper order, they usually grant them quickly and efficiently.

SUNY - Patent and Copyright Policy

The State University recognizes that the purpose of University research is to seek new knowledge for the general benefit and not to make inventions for profit. The SUNY patent and copyright policy is contained by the Policies of the Board of Trustees, Article XI, Title J.

22. DEPARTMENT NAME CHANGE

Effective Date: March 22, 2017

All department or office name changes must be approved by President's Council. The petitioner must present a detailed rationale for the proposed name change to the supervising academic dean or vice president for President's Council review.

Once approved by the President's Council, the new name will be formally announced to the campus community by the President's Office.

The new name will subsequently appear in all College publications, communications, on the website and signage.

(Approved by President's Council February 2017)

23. DOMESTIC VIOLENCE AND THE WORKPLACE POLICY

Policy Statement

Domestic violence permeates the lives and compromises the safety of thousands of New York State employees each day, with tragic, destructive, and often fatal results. Domestic violence occurs within a wide spectrum of relationships, including married and formerly married couples, couples with children in common, couples who live together or have lived together, gay, lesbian, bisexual and transgender couples, and couples who are dating or who have dated in the past.

Domestic violence is defined as a pattern of coercive tactics, which can include physical, psychological, sexual, economic and emotional abuse perpetrated by one person against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim. In addition to exacting a tremendous toll from the individuals, it directly affects, domestic violence often spills over into the workplace, compromising the safety of both victims and co-workers and resulting in lost productivity, increased health care costs, increased absenteeism, and increased employee turnover.

SUNY Potsdam, to the fullest extent possible without violating any existing rules, regulations, statutory requirements, contractual obligations or collective bargaining agreements, will take all appropriate actions to promote safety in the workplace and respond effectively to the needs of victims of domestic violence.

Definitions

For purposes of this policy, the following terms will be defined as stated below:

Domestic Violence: A pattern of coercive tactics, which can include physical, psychological, sexual, economic and emotional abuse, perpetrated by one person against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim. [Title IX Definition of Domestic Violence: Any violent crime 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.]

Intimate Partner: Includes persons legally married to one another; persons formerly married to one another; persons who have a child in common, regardless of whether such persons are married or have lived together at any time, couples who are in an intimate relationship, including but not limited to, couples who live together or have lived together, or persons who are dating or who have dated in the past, including same sex couples.

Abuser: A person who perpetrates a pattern of coercive tactics, which can include physical, psychological, sexual, economic, and emotional abuse against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim.

Victim: The person against whom an abuser directs coercive and/or violent acts.

Guidelines

I. Employee Awareness

SUNY Potsdam shall take all reasonable actions to educate employees regarding the effects of domestic violence, ways to prevent and curtail violence, and methods to report such violence to authorities.

It is the policy of SUNY Potsdam that information on domestic violence and available resources shall be posted and, if necessary, replaced or reposted annually in areas where other employment policies and information are traditionally posted. This information shall include the topics addressed in the appendix.

II. Non-Discriminatory and Responsive Personnel Policies for Victimized Employees

SUNY Potsdam shall ensure that personnel policies and procedures do not discriminate against victims of domestic violence and are responsive to the needs of victims of domestic violence.

- a. New York State law makes it a crime for employers to penalize an employee who, as a victim or witness of a criminal offense, is appearing as a witness, consulting with a district attorney, or exercising his/her rights as provided in the Criminal Procedure Law, the Family Court Act, and the Executive Law. This law requires employers, with prior day notification, to allow time off for victims or subpoenaed witnesses to exercise his/her rights as provided

in the Criminal Procedure Law, the Family Court Act, and the Executive Law [Penal Law §215.14]. If there are any questions or concerns regarding the leave that must be granted to victims or subpoenaed witnesses, contact the Associate Vice President or Director of Human Resources Operations or the Attendance and Leave Unit at the Department of Civil Service.

- b. SUNY Potsdam, upon request, will assist the employee in determining the best use of his/her attendance and leave benefits when an employee needs to be absent as a result of being a victim of domestic violence. If an employee requests time off to care for and/or assist a family member who has been a victim of domestic violence, SUNY Potsdam will evaluate the employee's request for leave for eligibility under existing law and collective bargaining agreements applicable to the employee and the attendance rules.
- c. SUNY Potsdam understands that victims of domestic violence may lack the required documentation or have difficulty obtaining the required documentation to justify absences without compromising their safety. Therefore, the Associate Vice President or Director of Human Resources Operations will consult with the employee to identify what documentation she/he might have, or be able to obtain, that will not compromise his/her safety-related needs and will satisfactorily meet the documentation requirement of the employer. Because there are confidentiality issues associated with the submission of documentation in these instances, SUNY Potsdam may choose to consult with the Attendance and Leave Unit at the Department of Civil Service when questions arise.
- d. Employees who are victims of domestic violence and who separate from a spouse (or terminate a relationship with a domestic partner, if covered), shall be allowed to make reasonable changes in benefits at any time during the calendar year where possible, in accordance with statute, regulation, contract and policy.
- e. New York State has established that victims of domestic violence are now a protected class in the employment provisions of the NYS Human Rights Law. This law prevents an employer from firing or refusing to hire any individual based on their status as a victim of domestic violence and prevents discrimination in compensation or in the terms, conditions or privileges of employment. SUNY Potsdam will not make inquiries about a job applicant's current or past domestic violence victimization, and employment decisions will not be based on any assumptions about or knowledge of such exposure.
- f. In cases in which it is identified that an employee's work performance difficulties are a result of being a victim of domestic violence, said employee shall be afforded all of the proactive measures outlined in this policy, and shall be provided clear information about performance expectations, priorities, and performance evaluation. If a disciplinary process is initiated, special care will be taken to consider all aspects of the victimized employee's situation. SUNY Potsdam shall utilize all reasonable available options to resolve work-related performance problems, and may make a referral to the Employee Assistance Program, consistent with existing collective bargaining unit agreements, statute, regulations and agency policy.
- g. If reasonable measures have been taken to resolve domestic violence-related work performance problems of victimized employees, but the performance problems persist and the employee is terminated or voluntarily separates from employment due to these domestic violence related issues, and the employee conveys to SUNY Potsdam that the separation is due to these domestic violence issues, SUNY Potsdam shall inform the employee of his or her potential eligibility for unemployment insurance and respond

quickly to any requests for information that may be needed in the claims process. New York State law provides that a victim of domestic violence who voluntarily separates from employment may, under certain circumstances, be eligible for unemployment insurance benefits. [§593 of NYS Labor Law.]

h. Additional information may be found here:

<https://www.labor.ny.gov/ui/claimantinfo/domesticviolenceanduibenefits.shtm>

III. Workplace Safety Plans

By means of a domestic violence workplace safety response plan, SUNY Potsdam shall make employees aware of their options and available resources and help employees safeguard each other and report domestic violence to designated officials.

- a. The designated liaison between SUNY Potsdam and SUNY System Administration is the Associate Vice President or Director of Human Resources Operations. This liaison will ensure campus wide implementation of this policy and serve as the primary liaison with System Administration regarding this policy. Bi-annual reporting to SUNY System Administration and OPDV is completed by the College's Domestic Violence Liaison/Title IX Coordinator.
- b. The following individuals/offices are also designated as available to support those in need of assistance concerning domestic violence: Domestic Violence Liaison/Title IX Coordinator (315) 267-2516, Employee Assistance Program (315) 267-3434, and/or Renewal House On-Campus Advocate (315) 379-9845 [Wednesdays 9 a.m. to 5 p.m. VanHousen Ext. 390].
- c. SUNY Potsdam shall comply and assist with enforcement of all known valid court orders of protection (OP) that are brought to the attention of SUNY Potsdam, particularly orders in which abusers have been ordered to stay away from the work site. In compliance with Federal and State Law, if requested by the victim of domestic violence or law enforcement, SUNY Potsdam shall provide information in its possession concerning an alleged violation of an OP.

Employees are encouraged to bring their OP to the attention of the Associate Vice President or Director of Human Resources Operations. Once the OP has been brought forward, it will be kept in a locked filing cabinet in the Human Resources office, accessible only to the Associate Vice President and Director of Human Resources Operations. In the case of a workplace emergency requiring the presentation of the OP to law enforcement, if the Associate Vice President is unavailable to obtain the document, the Director of Human Resources Operations will have access to the cabinet where the document is locked.

The Associate Vice President or Director of Human Resources Operations will discuss with the employee a plan on how to best proceed to ensure the safest possible work environment for the employee and the rest of the staff. With the permission of the employee, this may include: providing a copy of the OP and/or photo of the perpetrator to University Police; identifying supervisors or colleagues who would be able to assist with the identification of the perpetrator; or developing a workplace safety plan. Workplace safety plans may include but are not limited to, advising co-workers and, upon request, the employee's bargaining representative, of the situation; setting up procedures for alerting

University Police; temporary relocation of the victim to a secure area; options for voluntary transfer or permanent relocation to a new work site; change of work schedule, reassignment of parking space; escort for entry to and exit from the building; responding to telephone, fax, e-mail or mail harassment; and keeping a photograph of the abuser and/or a copy of any existing court orders of protection in a confidential on-site location and providing copies to University Police. SUNY Potsdam will address any additional concerns raised by a situation in which both the victim and offender are employed by SUNY Potsdam.

The employee is responsible for notifying the Associate Vice President or Director of Human Resources Operations if there are any changes to the OP.

- d. SUNY Potsdam maintains a Workplace Violence Policy, which includes procedures for contacting University Police and possibly other appropriate law enforcement agencies, and which provides employees with clear instructions about what to do and who to contact if they observe anyone engaging in threatening behavior.
- e. SUNY Potsdam will discuss with a known victim of domestic violence the limitations on confidentiality under New York State Law (See Section VII [h]; NYS Agencies Responsibility d – g).
- f. This policy shall be reviewed annually. Any substantive policy revisions and updates shall be forwarded to SUNY System Wide Affirmative Action Officer.

IV. Accountability for Employees Who Are Offenders

SUNY Potsdam will hold employees accountable for engaging in the following behavior: (1) using state resources to commit an act of domestic violence; (2) committing an act of domestic violence from or at the workplace or from any other location while on official state business; or (3) using their job-related authority and/or state resources in order to negatively affect victims and/or assist perpetrators in locating a victim and/or in perpetrating an act of domestic violence.

- a. In cases in which SUNY Potsdam has found that an employee has threatened, harassed, or abused an intimate partner at the workplace using state resources such as work time, workplace telephones, FAX machines, mail, e-mail or other means, said employee may be subject to corrective or disciplinary action in accordance with existing collective bargaining unit agreements, statutes and regulations.
- b. In cases in which SUNY Potsdam has verification that an employee is responsible for a domestic violence-related offense, or is the subject of any order of protection, including temporary, final or out-of-state order, as a result of domestic violence, and said employee has job functions that include the authority to take actions that directly impact victims of domestic violence and/or actions that may protect abusers from appropriate consequences for their behavior, SUNY Potsdam shall determine if corrective action is warranted, in accordance with existing collective bargaining unit agreements, statutes and regulations.
- c. In cases in which any employee intentionally uses his/her job-related authority and/or intentionally uses state resources in order to negatively impact a victim of domestic

violence, assist an abuser in locating a victim, assist an abuser in perpetrating acts of domestic violence, or protect an abuser from appropriate consequences for his behavior, said employee may be subject to corrective or disciplinary action, in accordance with existing collective bargaining unit agreements, statutes and regulations.

V. Firearms

Pursuant to New York State and federal law, a person convicted of a domestic violence-related crime or subject to an order of protection, under certain circumstances, forfeits the right to legally possess a firearm or long gun. Additionally, federal law contains prohibitions relating to shipping, transportation, or receiving firearms or ammunition.

- a. In addition to complying with the law, employees who are authorized to carry a firearm as part of their job responsibilities are required to notify the campus if they are arrested on a domestic violence-related offense and/or served with an order of protection. Under certain circumstances, such employees are responsible for surrendering their firearms to the firearm-issuing agency or to the appropriate police agency.
- b. Should an employee fail to comply with the requirements set forth in V. a., said employee may be subject to corrective or disciplinary action, in accordance with existing collective bargaining unit agreements, statute or regulations. In addition, the appropriate law enforcement agency shall be notified for possible criminal action.

VI. Training

All personnel designated to provide support for those in need of assistance shall complete OPDV's one-day training on Domestic Violence and the Workplace or training provided by our local domestic violence support agency, Renewal House. All appropriate managers, supervisors, Employee Assistance Program professionals, Human Resources personnel, union and labor representatives, and University Police staff will be encouraged to attend OPDV's training on Domestic Violence and the Workplace or training provided by Renewal House. Training will be made available to all staff on domestic violence and its impact on the workplace. This training will utilize materials provided by OPDV and/or Renewal House when possible.

VII. SUNY Potsdam Responsibility

- a. SUNY Potsdam believes that domestic violence is behavior that cannot be tolerated and, to that end will, actively provide information and support to employees who are victims of such abuse.
- b. SUNY Potsdam will disseminate copies of this *Domestic Violence and the Workplace Policy* to all employees upon implementation and to all new employees upon hiring or appointment.
- c. SUNY Potsdam expects all employees to review and follow this policy and the procedures set forth herein.

- d. SUNY Potsdam will, consistent with applicable law and campus policy, document all incidents of domestic violence that happen in the workplace. Such documents shall be kept confidential to the extent permitted by law and campus policy and the provisions of Section g detailed below.
- e. All SUNY Potsdam employees providing domestic violence information and support services shall document, consistent with applicable law and agency policy, the number of employees who report domestic violence, the number of employees that request information/services, and the number of referrals made to domestic violence service providers. All information about employees who seek assistance shall be kept confidential to the extent permitted by law and campus policy and the provisions of section g detailed below, and documentation should not include any personal information. Bi-annual reporting to SUNY System Administration and OPDV is completed by the College's Domestic Violence Liaison/Title IX Coordinator.
- f. Bi-annually, the Domestic Violence Liaison/Title IX Coordinator shall, consistent with applicable law and SUNY Potsdam policy, provide information about the number and general nature of domestic violence incidents that happen in the workplace, the number of employees who report domestic violence, the number of employees that request information/services, and the number of referrals made to domestic violence service providers, with no personally identifying information, to SUNY System Administration and OPDV.
- g. Information related to an employee being a victim of domestic violence shall be kept confidential, to the extent permitted by law and campus policy, and shall not be divulged without the written consent of the victimized employee, unless the campus determines that maintaining said confidentiality puts the victim or other employees at risk of physical harm, is required by law, or is deemed necessary to enforce an order of protection. In such circumstances where a determination has been made that maintaining confidentiality puts the victim or other employees at risk of physical harm, only those individuals deemed necessary by the campus to protect the safety of the victim and/or other employees or to enforce an order of protection shall be given such information. SUNY Potsdam shall disclose only the minimum amount of information necessary to protect the safety of the victim and/or other employees or enforce an order of protection. Where possible, SUNY Potsdam will provide to the victim of domestic violence notice of the intent to provide information to other employees and/or safety personnel. Nothing herein shall prevent SUNY Potsdam from investigating an act or acts of domestic violence occurring in the workplace. Some examples of situations where confidentiality cannot be maintained include the following:
 - 1. Supervisors/managers may be informed about a domestic violence incident that happens in the workplace, or a report of domestic violence, if it is necessary to protect the safety of the employee or the employee's co-workers.
 - 2. First aid and safety personnel may be informed about a domestic violence incident that happens in the workplace or a report of domestic violence, if it is necessary to protect the safety of the employee or the employee's co-workers.

3. Government officials investigating a domestic violence incident that occurs in the workplace, or a report of domestic violence, shall be provided relevant information upon request and in accordance with legal requirements.
- h. While reported information is kept private to the greatest extent possible by Federal law, State law, and campus policy, New York State law includes clear limitations on legal confidentiality. Information reported to anyone not in a position listed below may have to be disclosed pursuant to a subpoena, where otherwise required by law or in accordance with Section VII, paragraph g above. Such confidentiality exists in certain (but not all) instances for certain medical personnel and counselors, social workers, clergy, attorneys, and rape crisis counselors and may in fact be required to be turned over in these cases through a subpoena or court order. Please note that where medical information is received from an employee who is the victim of domestic violence, such medical information shall be kept confidential to the extent required by and permitted by New York State and Federal laws including, but not limited to, the Americans with Disabilities Act and the Family and Medical Leave Act, if they apply to the employee's situation.

APPENDIX

Information to be Included in Campus Postings Regarding Domestic Violence and the Workplace

At a minimum, the following information shall be provided to current employees and new employees and included in posters posted in areas where employment information is ordinarily posted:

- a. Information regarding domestic violence and available resources in the work site. Such information shall include available sources of assistance such as Employee Assistance Program, local domestic violence service providers, the NYS Domestic Violence and Sexual Assault hotline, and/or human resources personnel who are trained and available to serve as confidential sources of information, support, and referral. Additionally, the posters may include information regarding domestic violence programs located on the OPDV website: <http://opdv.ny.gov/>.
- b. A statement informing employees that New York State law prohibits insurance companies and health maintenance organizations from discriminating against domestic violence victims or designation of domestic violence as a pre-existing condition [§2612 of the Insurance Law].

Additionally, SUNY Potsdam shall integrate information on domestic violence and this Domestic Violence and the Workplace Policy into existing materials and literature, policies, protocols, and procedures, including the Public Employer Workplace Violence Prevention Programs¹ as appropriate.

24. DRUG AND ALCOHOL FREE WORKPLACE POLICY

SUNY Potsdam is committed to the development and maintenance of a Drug and Alcohol Free work environment and, in accordance with the Federal Drug Free Workplace Act of 1988 and the

¹ 12 NYCRR pt. 800.16 Public Employer Workplace Violence Prevention Programs

State Policy on Alcohol and Controlled Substances in the Workplace, will not tolerate the unlawful possession or use of controlled substances or the on-the-job use or impairment from alcohol in the workplace. Compliance with the provisions of this Policy is a condition of employment with SUNY Potsdam.

SUNY Potsdam employees are subject to the following:

1. The term "controlled substance" means a controlled substance in Schedules 1 through V of Section 202 of the Federal Controlled Substance Act (21 USC 812).
2. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance by an employee in all SUNY Potsdam work locations is prohibited. An employee may possess and use a controlled substance which is properly prescribed for him or her by a medical practitioner.
3. On-the-job use of or impairment from alcohol by an employee in all SUNY Potsdam work locations is prohibited.
4. An employee who unlawfully manufactures, distributes, dispenses, possesses or used controlled substances in the workplace will be subject to disciplinary procedures consistent with applicable laws, rules, regulations, and collective bargaining agreements.
5. An employee who uses alcohol on the job or is impaired from the use of alcohol in the performance of the job will be subject to disciplinary procedures consistent with applicable laws, rules, regulations, and collective bargaining agreements.
6. An employee convicted of a drug or alcohol related criminal statute violation occurring in or on property owned or controlled by SUNY Potsdam is required to give a signed written notice of the conviction to the Chief of University Police within five (5) calendar days following the conviction.
7. SUNY Potsdam will notify the appropriate federal agencies, if applicable, within ten (10) days of receipt of a notice of an employee drug conviction.
8. SUNY Potsdam will make every effort to maintain a drug and alcohol free workplace. This effort will include drug and alcohol awareness education, an employee assistance program and the implementation and strict enforcement of this Policy.

25. EMERGENCY MANAGEMENT AND DISASTER PREPAREDNESS

The College has established guidelines and operational instructions to be taken by the College in order to respond promptly and effectively in case of a natural disaster or other emergencies affecting the campus which cannot be covered by routine measures. A disaster may be defined as any natural or human event that results in destruction or human suffering of such magnitude that those affected cannot correct the situation. This policy gives to the administrators an essential list of internal and external resources to help counter emergencies that may develop and the different

steps to take that will: protect life and property, alleviate human suffering and hardship, and maintain essential college facilities and services.

26. EQUIPMENT

a. Responsibility For College Equipment

The College is charged by State Law with responsibility for the safeguarding of State owned equipment on this campus.

The Office of Physical Plant is responsible for the management of the Property Control System (equipment inventory).

Upon issuance of equipment to a department, the chair or supervisor of that department becomes responsible for the proper custody of that equipment. Notification is to be given to the Office of Physical Plant if equipment is moved from its original location. Loss or malicious damage of equipment must be reported to the Office of Physical Plant.

Equipment for general use within a building is assigned to the custody of the Building Administrator and the provisions described above shall apply.

b. Transferring/Moving Of College Equipment

The equipment inventory (PCS) allows for flexibility in equipment uses. Equipment may be moved within a department by request of the chair/supervisor to the Office of Physical Plant.

Equipment that becomes surplus to a department's needs may be transferred to another department upon notification to the Office of Physical Plant.

Equipment that becomes surplus to the needs of the College will be surplus by the Office of Physical Plant.

c. Loan Of College Equipment

All requests for the loan of State equipment are to be filed with the Office of Physical Plant upon completion of an "Equipment Loan Form" signed by the appropriate chair/supervisor.

d. Equipment Inventory Procedure

The following procedures outline SUNY Potsdam's equipment inventory process to insure compliance with various requirements and regulations. This process applies to all state owned equipment, or research foundation equipment, gifts to the College and all other equipment that requires control in the Property Control System, hereafter referred to as PCS.

The process begins when a purchase order is sent to a vendor. All items ordered by the College must be received by our Stores Clerk in Central Receiving.

The following steps outline the exact procedure from the issuance of a purchase order to the delivery of an item to the user department. Exceptions do occur and are handled on an individual basis by our Equipment Coordinator.

1. a copy of all purchase orders are given to the Office of Physical Plant where equipment in need of control is identified. Prior to the receipt of the item a decal number is assigned and sent to Central Receiving.
2. all items are shipped to Central Receiving for receipt. The Central Receiving department uses the SURS which is a part of the purchasing and accounting systems.
3. once an item is received, it is decaled and engraved, if required, at Central Receiving prior to it being delivered to the user department.
4. after the item has been delivered, all required information, which is recorded by our Stores Clerk, is forwarded to the Equipment Coordinator for inclusion in the PCS.
5. equipment that does not receive a numbered decal due to its dollar value receives an ownership tag at Central Receiving prior to its being delivered to the user department.
6. items are processed for payment by the Accounting department after a match has been made between the receipt report and their voucher system.

27. EXPRESSING BREAST MILK IN THE WORKPLACE

The College shall provide reasonable unpaid break time or permit an employee to use paid break time or meal time each day to allow an employee to express breast milk for her nursing child for up to three years following child birth. The College shall make reasonable efforts to provide a room or other location, in close proximity to the work area, where an employee can express milk in privacy. There shall be no discrimination in any way against an employee who chooses to express breast milk in the work place.

28. EXTRAORDINARY WEATHER CONDITIONS

POLICY: Normal operations must be continued as much as possible. Services related to the maintenance and security of facilities and the health and safety of students, staff, and guests (i.e. emergency management, food service, power plant, security, safety, snow removal, etc.) are considered essential and must be continued in spite of severe weather conditions. College employees are required to remain on duty or report to work to avoid interruption of essential services unless directed or permitted to do otherwise. Under State policy, employee absences resulting from severe weather conditions, including "directed absences," must be charged to personal, overtime, holiday, or vacation accruals (unless the employee prefers a pay cut), even under circumstances requiring the cancellation of classes or the closing of the College. In very unusual circumstances, agencies may, after the fact, petition the Civil Service Commission (CSC) and/or the Governor's Office of Employee Relations (GOER) to suspend the Attendance Rules to excuse full-day absences without charge to leave credits. The (CSC)/(GOER) will consider such requests when buildings must be closed because they are unsafe, resulting in full day absences, or when extraordinary weather conditions affect the ability of large numbers of employees over a wide geographic area to report to work for periods in excess of one full-day.

Following are: (1) a statement that outlines the authority of the College President to respond to extraordinary weather conditions, and (2) some Internet links containing documents that provide historical perspective to the State's policies.

Presidential Authority.

The President, upon receipt of a recommendation from the Assistant Vice President for Physical Plant may:

1. Cancel classes (employees are still expected to make reasonable efforts to come to work).
2. Excuse reasonable tardiness without charge to leave credits when extraordinary weather conditions affect the arrival time of a number of employees (full-day absences; however, cannot be excused without charge to leave credits or pay cuts).
3. Authorize the early departure of employees with appropriate charges to leave accruals or pay cuts when, in his opinion, weather conditions will likely severely disrupt return transportation to their homes.
4. Request the (CSC)/(GOER) to authorize him to direct the early departure of employees (except those represented by Council 82 and NYSCOBPA) without charge to leave accruals or pay cuts when, in his opinion, weather conditions are so severe as to threaten to make return home travel so dangerous that the continuation of employees on the job might endanger their health or safety.
5. Request the Governor to authorize the restitution of accruals used in conjunction with extraordinary weather conditions so extreme as to have created a natural disaster situation affecting the ability of large numbers of employees over a wide geographic area to report to work for periods in excess of one full day.

FOR INFORMATION

Listen to: WPDM, 1470AM, Potsdam

WSNN, 99.3FM, Potsdam

WMSA, 1340AM, Massena

WSLB-PAC93, 92.7FM, Ogdensburg

WYBG, 1050AM, Massena

WICY, 1490AM, Watertown

CKON, 97.3FM, Cornwall

NCPR

WSLU (Canton)

WNCQ (Ogdensburg)

WIRD (Lake Placid)

WNBZ (Saranac Lake)

News 10 Now (Syracuse)

WWNY-TV (Watertown & Canton)

WWTI - (Watertown)

WPTZ - (Plattsburgh)

Dial 315-267-2000

29. Face Covering Requirements Policy

Definitions

Term	Definition
COVID-19	The virus that causes COVID-19 is a new coronavirus that has spread throughout the world. COVID-19 is a virus that can spread from person to person. The Center for Disease Control (CDC) has stated that symptoms can appear 2-14 days after exposure and include: cough, shortness of breath or difficulty breathing, fever, chills, muscle pain, sore throat, new loss of taste or smell, headache, congestion or runny nose, nausea or vomiting, diarrhea. Although these symptoms are not all inclusive they are reported by the CDC as the most common. COVID-19 is spread by being in close contact with another person who has COVID-19 (less than 6 feet), touching your eyes, mouth or nose after touching a surface with the virus on it, and from respiratory droplets from an infected person when they cough, talk, or sneeze.
College	The State University of New York at Potsdam.
Employee	A public employee working for The College, a Research Foundation employee associated with The College, or a PACES employee associated with The College.
Supervisor	Any person assigned as a supervisor of record within The College who has the authority to direct and control the work performance of an employee.

Visitor	Any person that is not an employee as defined by this policy but is on campus grounds.
Public	Any person that an employee may have face to face contact with during the course of their workday.
Pandemic	A disease that has affected an entire country or entire world.
Cloth Face Covering	A fabric mask that covers the nose and mouth. It can be secured to the head with ties, straps, ear loops, or simply wrapped around the lower face. It can be made of a variety of fabrics, such as cotton, silk, or linen. A cloth face covering may be factory made or sewn by hand. Face coverings should not have ventilation ports.
Face Shield	Provide barrier protection to the facial area and related mucous membranes (eyes, nose, lips) and are considered an alternative to goggles. Face shields are not meant to function as primary respiratory protection and should be used concurrently with a face covering (for droplet protection) or a respirator (for airborne precautions). They should cover the forehead, extend below the chin, and wrap around the side of face to ears. These do not need a fit test to be worn properly.
Medical Mask	Medical masks are also known as surgical masks or medical facemasks. Medical masks reduce the transfer of saliva and respiratory droplets to others and help block blood and other potentially infectious materials from the skin, mouth, or nose of the wearer. Medical masks may or may not have some level of fluid-resistance and do not seal tightly to the face. They have multiple layers of different nonwoven fabric materials, which are fused together.
N95	Provide protection against inhalation of very small infectious airborne particulates using a filtering face piece respirator. These respirators are indicated for use when in direct contact with suspected patients with COVID-19. N-95 respirators require medical clearance, training, and fit testing.
Bandana	A triangular or square piece of cloth tied around the face. Usually single ply material. These are not permitted as an appropriate face covering while on campus.
Neck Gaiter	A closed tube of fabric, typically one ply material worn around the neck and able to be pulled up over the mouth. General neck gaiters are made of synthetic blend with spandex or other similar material. These are not recommended by the campus as an appropriate face covering.

Personal Protective Equipment (PPE)	PPE is equipment that is worn to minimize exposure to hazards in the work place that can cause injury and/or illness.
Direct Contact	When a person leaves their workstation. For example, the employee walks about their office space, enters a hallway, transverse a building, uses the restroom, uses a copy machine or goes outside and has the potential to come within six feet of another person.

Basis for Policy

In response to the COVID-19 pandemic, SUNY Potsdam has adopted this Face Covering Requirements Policy. It is of the utmost importance to SUNY Potsdam to keep the faculty and staff safe during the health pandemic. This Policy highlights the protections that are required and implemented to ensure the health and safety of the campus community including, faculty, staff, visitors, and contractors. This policy will remain in effect through the COVID-19 pandemic and/or until management, the state, and/or health officials have determined it is safe to discontinue its use. Management will review with the appropriate collective bargaining units at that time. This policy may be updated as needed to appropriately respond to the pandemic. Any changes will be discussed with the appropriate collective bargaining units and communicated to the campus community.

Policy

All employees are required to adhere to this policy to ensure the campus community is safe and healthy. Therefore, all employees are required to wear a face covering when in direct contact with students, faculty, staff, visitors and contractors except when doing so would inhibit or otherwise impair that individual's health. In general, a cloth face covering will be the most appropriate choice for protection. A face covering should be 3-ply material utilizing fabric, which is breathable. Face coverings should be hung to dry, washed regularly, and never stored inside a zip lock bag after they have been worn. A bandana is not permitted as an appropriate face-covering while on campus. The campus does not recommend the use of a neck gaiter. Face coverings must not depict inappropriate language or visuals. All face coverings must cover both the mouth and nose. No employee is permitted to share a face covering.

Direct Contact: When a person leaves their workstation. For example, the employee walks about their office space, enters a hallway, traverses a building, uses the restroom, uses a copy machine or goes outside and has the potential to come within six feet of another person.

Outdoors: All employees are required to have a face covering readily available on their person when on campus outdoors and to put on their face covering when it is not feasible to maintain physical/social distancing measures (i.e. at least 6 feet of separation between others). If sharing a vehicle, all employees aboard the vehicle shall wear a face covering.

Indoors: Anyone entering any campus building must put on a face covering prior to entering the building and to continue to wear the face covering in common areas such as elevators, lobbies, hallways, classrooms, laboratories, restrooms, and when traveling around the building and working in shared spaces. Additionally, face coverings are required in common areas of residence halls, dining halls, Loughheed Learning Commons, Student Union and Campus Store, mail rooms, retail locations and gathering spaces across campus. Face coverings can only be removed when alone in your office. If someone enters the office, the employee is expected to put their face covering on.

Face coverings are not PPE. They are worn by a person to prevent community spread from asymptomatic person. PPE, on the other hand, is equipment worn by a person to protect themselves from real or potential hazards, e.g.; safety glasses, lab coats, respirators etc.

The CDC does not recommend or endorse any strategies for personal protective equipment (PPE) use that differ from standard infection prevention and control (IPC) practice.

Employees who are unable to wear a face covering due to a medical condition or other protected reason may submit a request for an accommodation under the Americans with Disabilities Act (ADA). Contact Human Resources for assistance or visit the Human Resources [website](#). The request form can be found [here](#).

Failure to comply with this policy may result in disciplinary action as outlined in the appropriate collective bargaining agreement.

Procurement of Face Coverings and PPE

Employees should email ppe@potsgdam.edu to request a face covering and PPE. Face Covering and PPE inventory will be maintained by the Department of Environmental Health & Safety. The College will provide one face covering to each employee, however, employees are permitted to wear their own face covering as long as it meets the requirements outlined in this policy.

Responsibilities

This policy identifies the following responsibilities as assigned to those cited below. Each individual has a responsibility to adhere to this Policy to ensure the campus community members are safe and healthy. Being personally responsible means you take ownership of what you do and how it may impact others.

Role	Individual/Group	Contact Information
Comply with	All College staff	n/a
Policy Executor(s)	Melissa Proulx, Director of Human Resources Patrick O'Brien, Director of Environmental Health & Safety	(315) 267-2086 (315) 267-2596

Change History

Date	Change History
8/27/2020	New Policy.

Effective Date: 8/27/2020

Responsible Party: Melissa Proulx, Director of Human Resources
Patrick O'Brien, Director of Environmental Health & Safety

Contact Information: M. Proulx: (315) 267-2086
P. O'Brien: (315) 267-2596

30. FACULTY SENATE GOVERNANCE HOUR

Thursday at 4:00 p.m. is the Governance hour, and it is urged that to the extent practical, classes and other non-governance activities should not be scheduled at that time.

31. FACULTY UTILIZATION POLICY

The policy of SUNY Potsdam on faculty utilization reflects the criteria of the Board of Trustees of the State University of New York for the evaluation of academic employees (Policies of the Board of Trustees, Article XII, Title A) and the practice which has been in effect for many years at the College.

While the primary responsibility of full-time faculty at SUNY Potsdam is academic instruction, other responsibilities include, but are not limited to, academic advising, research and/or creative activities, continuing professional development, and campus and community service.

Full-time faculty at SUNY Potsdam normally carry 12 semester hours each semester. These 12 semester hours are not limited to standard classroom teaching, but may include contact with students in credit-bearing lab sections, research seminars, and other learning modes. In the Crane School of Music, the standard load is 24 "Modified Carnegie" units to accommodate studio instruction. Responsibilities are not determined on the basis of student load (i.e., a professor who teaches one or more large sections is not automatically given a course load reduction). Low-enrolled courses (e.g., fewer than 12 students in a lower division course; fewer than 9 students in an upper division course) are reviewed by the dean for possible cancellation and substitution of a higher demand course. Some faculty also teach tutorials and direct research projects for a few students. Schedules are reviewed before and after pre-registration to assure the effective use of faculty resources while allowing the continuation of courses that are essential to major or other programs.

Currently, variations on the normal expectations of teaching load are determined by the Deans, the Provost and, in some cases, by the President. Faculty may apply for a course reduction for research and other scholarly activity through the Department and the Department Chair to the Dean's office. Such applications state the purpose of the reduction and carry with them the recommendation of the Department and the Department Chair. Decisions on requested reductions are made by the Provost in consultation with the appropriate dean.

In addition to the reduction granted for department chairs, a reduction in teaching assignment may be granted for such reasons as:

- Administrative assignments (e.g., chair of the Faculty Senate)
- Research and other scholarly activity, as noted above,
- Chair of a major search committee;
- Extraordinary community service.

All full-time faculty are expected to submit an annual report of their activities. The reports are reviewed by the deans and, in the case of decisions regarding discretionary pay, reappointment, promotion and the granting of continuing appointment, by the Provost and the President. Faculty are evaluated, promoted, and receive merit pay increments on the basis of teaching effectiveness, mastery of subject matter, scholarly ability, effectiveness of university service (including advisement of students), public service, and continuing growth. (See guidelines for Academic Appointment and Promotion for detail regarding procedures and policies.)

The assessment of faculty utilization is an on-going process. As stated in the Faculty Handbook "It is the responsibility of the Deans in consultation with the Provost and Vice President for Academic Affairs and Department Chairs to develop instructional programs which will result in reasonably equal service to students, the College, and the State of New York from each member of the teaching faculty." Specifically, the Provost conducts periodic reviews of faculty utilization for each academic department, including an analysis of enrollments, number of majors, general education needs, student/faculty ratios, and SUNY benchmark information. When vacant lines are available, they are reallocated to different departments in such a way as to maximize the efficiency, effectiveness, and quality of the overall academic program.

32. FIREARMS AND WEAPONS ON CAMPUS

The rules of the Board of Trustees prohibit the possession of firearms or weapons on a State operated campus of the State University of New York without the written authorization of the campus President (or designee). The Chief of University Police has been appointed as the President's designee for such purpose. The fact that a person is in possession of a valid New York State pistol permit does not authorize that person to have a firearm or weapon on campus without such written authorization of the campus President (or designee). Such authorization may be rescinded at any time but in no event shall it be valid for longer than one academic year.

New York State Penal Law

265.01-a Criminal Possession of a Weapon on School Grounds

A person (other than a police officer or authorized peace officer) is guilty of criminal possession of a weapon when on school grounds when: he or she knowingly has in his or her possession a rifle, shotgun, or firearm in or upon a building or grounds used for educational purposes, of any school, college or university...without the written authorization of such educational institution. Criminal possession of a weapon on school grounds is a class E Felony.

265.06 Unlawful Possession of a Weapon Upon School Grounds.

It shall be unlawful for any person age sixteen or older to knowingly possess any air-gun, spring-gun or other instrument or weapon in which the propelling force is spring, air, piston, or co2 cartridge in or upon a building or grounds, used for educational purposes, of any school, college or university, without the written authorization of such educational institution. Unlawful possession of a weapon upon school grounds is a violation.

33. FIREWORK DISPLAYS

In order to insure the compliance by the College with municipal, state and federal laws, the Chief of University Police will be responsible for the coordination of all campus firework displays. Organizers of such displays should accordingly contact the Chief of University Police for details well in advance of organizing a display.

34. GIFTS AND GRATUITIES

The acceptance of any gift, gratuity, or rewards by an employee from a person or persons with whom she/he does business is forbidden. If such gifts are received, they must be returned. The State University employee must adopt an attitude and mode of operation that is above criticism and avoid any type of conduct that would reflect unfairly on the employees of the State University as a whole.

35. HAZARD COMMUNICATION STANDARD

The purpose of the New York State Right To Know Law and the Federal Hazard Communication Standard (HCS) is to ensure that workers are informed about all toxic substances produced or used in the workplace and how to protect themselves from physical and health hazards. The rights afforded to employees by the State and Federal laws include the following:

- a. The right to notice and information regarding all hazardous chemicals present on the work site.

- b. The right to refuse to work with a substance if a request for information regarding that substance has not received a response.
- c. The right to review employee exposure records maintained by SUNY.
- d. The right to training.
- e. The right to recourse through the New York State Attorney General or the Department of Labor in the event an employee's rights have been violated.

The Hazard Communications Standard requires manufacturers and suppliers to provide a material safety data sheet (MSDS) for each chemical that is distributed. Employers are required to maintain a MSDS for each hazardous chemical present on the job site. The MSDS will provide all safety handling and hazard information for that particular substance.

The MSDS is an integral part of the Right To Know Program. You should refer to it before handling any chemical and whenever the need arises.

The Hazard Communication Standard calls for the development of a system of labeling for containers of hazardous materials. Each label must contain the following: the name of the chemical, the name and address of the manufacturer, and an appropriate hazard warning.

Detailed information is available from the Environmental Health and Safety Officer.

36. HONORARIUMS, FEES AND CONSULTANTS

a. Payment Of Honoraria To Employees Of State University

Guidelines for the payment of honoraria to a SUNY employee are:

1. Honoraria may not be paid for services at the home campus; i.e., the campus at which regular appointment is held. This policy exists without exception.
2. Honoraria may be paid for lectures and professional activities at other than home campuses subject to the following limitations:
 - a. If overnight absence from the home campus is not necessary, the maximum honorarium is \$40.
 - b. If overnight absence from the home campus is necessary, the maximum honorarium is \$100 per day. (A day, for this purpose, is 24 clock hours and is not synonymous with a date. Thus, a visit from noon Monday to 6 p.m. Tuesday.

b. Travel expenses

1. Travel expenses may be handled separately by the host campus through established State procedures.
2. If travel is to be paid by the staff member, the honorarium payment is limited to the amounts stated in section II above.

c. Payment of honoraria

3. The employee must report the activities as extra service by completing and filing a form UP-6 with the home campus Chief Administrative Officer.
4. The host campus must pay the honorarium through a temporary service appointment in an appropriate title.
5. Honoraria to State employees MAY NOT be paid by a Standard Voucher.

b. Payment Of Honoraria To Non-State Employees

Guidelines for the payment of honoraria to non-state employees are:

1. Payments to lecturers, guest speakers and performing artists for services of a short duration (i.e., services rendered not to exceed 4 consecutive days and where single payment is made) may be paid as honorariums regardless of the amount of the honorarium using the New York State Standard Voucher. Such payments are processed by the Accounting Office.

2. Honorariums

- a. State Comptroller's prior approval is not required.
- b. Each voucher must contain the following information:
 1. When and where services are performed.
 2. Description of service performed and copy of program, if available. If services provided were in the nature of entertainment, an explanation as to the official significance of such service is required.
 3. Description of person's background. (Including name, title, official work location, citizenship, minority status, and social security number.)
 4. Type and size of audience and whether an admission fee was charged. If a fee was charged, payment should be made from such receipts.
 5. Statement explanation regarding any travel expenses. Travel expenses, using the State allowable rates as guidelines, will be allowed if necessary, in addition to the fee. A receipt for lodging and public transportation is required. Expenses should be included on standard voucher with payment of honorarium fee.

(1) The fund from which payment will be made

(2) The total estimated expenditures

3. Contracts

Services not of a short duration require a contract and as such established procedures for contract processing must be followed. In particular payment for credit bearing instruction is processed by the Office of Human Resources using state payroll procedures.

Non-credit instruction and other service contracts are processed by the VP of Business Affairs using the voucher procedures.

It should be noted that where an agreement or contract is required only the Chancellor or specific designees in writing are authorized to sign such documents. Unless such documents are signed by authorized persons, they do not become binding on the State of New York and/or State University and unauthorized persons signing such documents for the State of New York and/or State University can be held personally liable for obligations incurred under such documents.

37. KEYS

The following guidelines for key use and issuance have been formulated to provide for the protection of buildings and equipment.

- a. Responsibilities of the Assistant Vice President for Facilities (or Physical Plant designee).
 - I. Creating a keying system, in coordination with Physical Plant and University Police Departments, which will insure security and reasonable convenience to departments occupying campus facilities.
 - II. Maintaining a central key control inventory and up-to-date records of keys assigned.
 - III. Issuing all keys to faculty, staff and students (exception: student Residence Hall keys).
 - IV. Review all requests for rekeying locks.
 - V. Maintain a file of lost keys as reported to the Department of University Police.
 - VI. Furnish to all personnel once a year, or as required, a listing of all keys issued, by name, room & key number.
- b. Responsibilities of Department Heads
 - I. Authorizing the issuance of keys to staff as necessary and in accordance with these guidelines.
 - II. Reporting loss of keys to the Department of University Police.
- c. Responsibilities of Personnel To whom Keys Have Been Issued
 - I. Signing a key-issuance record.
 - II. Maintaining security of a key issued.
 - III. Reporting loss or theft of keys to the Department of University Police.
- d. Special Security Keying And Changes Of Keying:
 - I. Special security locks and keys for areas of special consideration may be permitted, with the approval of the Chief of University Police, with concurrence of Assistant Vice President for Facilities and the department head.
 - II. No individual locks or keys may be used for space control, nor may locks be changed without prior approval of the department head, Assistant Vice President for Facilities and the Chief of University Police. Unauthorized locks will be removed.
 - III. Areas approved for special locks or keys may only receive maintenance and custodial services by special arrangement.

e. Procedure For Obtaining And Returning Campus Keys:

- I. All requests for keys are to be submitted through the Physical Plant web-based Work Order System, QueCentre at www4.quecentre.com/sunypotsdam
- II. All key requests require the approval of the department chair/supervisor, Building Administrator and Assistant Vice President for Facilities (or Physical Plant designee).
- III. Persons approved for key(s) will sign a key issuance record for each key. This will be completed in the Physical Plant Maintenance Service Center.
- IV. Upon transfer to another department, termination of College service or external agencies leaving the campus, all appropriate issued key(s) will be surrendered back to Physical Plant. This will be completed in the Maintenance Service Center.

f. Recovering Keys From Campus Personnel:

To facilitate recovering campus keys, the Office of Human Resources will arrange for an exit interview with the individual leaving the employment of the College. During this procedure, all keys must be returned to the Office of Physical Plant.

g. Loss or theft of campus keys must be reported immediately to the Department of University Police

I. The Office of University Police will maintain a file on lost keys.

II. A lost key fee of \$6.00 (non-refundable) will be assessed to students who lose any key to an academic or administrative area. In addition, students will have grades and/or transcripts withheld until all keys are returned or the lost key fee is paid.

38. LATE TIMESHEET POLICY

Effective Date: November 20, 2013

Revised: December 2017

Internal Control Policies at SUNY Potsdam require employees to submit timesheets on a timely basis. For unclassified employees, the State University of New York Policies of the Board of Trustees requires that employees certify their presence and record any absences on forms to be provided by the State for review on a monthly basis. For classified employees, the NYS Department of Civil Service Attendance and Leave Manual requires that an adequate and accurate record of attendance must be maintained for each employee. The Direct Deposit enrollment form provided by the Office of the State Comptroller states: "The State agency may cancel an employee's direct deposits when internal control policies would be compromised by this form of salary payment."

In order to comply with these policies it has been determined that any employee behind based on the guidelines below, may have their Direct Deposit privileges cancelled. The employee is required to pick up their check in the Human Resources/Payroll Office and is requested to bring outstanding timesheets or proof of online submission with them. For those who do not work on campus, this may be accomplished through other means.

UNCLASSIFIED EMPLOYEES: Timesheets completed for each month are due by the 10th of the following month.

Action taken by Payroll for late timesheets, 1st month behind

- 1) Reminder e-mail sent to employee on the 10th of the month
- 2) Reminder e-mail sent to employee and supervisor on the 20th of the month

Action taken by Payroll for late timesheets, 2nd month behind or more

- 1) Reminder e-mail sent to employee on the 10th of the month
- 2) On the 20th of the month: cancellation of Direct Deposit for next payday, paper paycheck may be picked up in the Human Resources/Payroll Office.

Cancellation of Direct Deposit:

1. Notification: An email will be sent to the employee and a copy placed in their personnel and payroll files. This email will include the reason for the cancellation, the date direct deposit privileges will be cancelled, and the procedure for reinstatement of direct deposit and release of the check.

2. Reinstatement of Direct Deposit

After two paper paychecks, the employee may request by e-mail or letter to be reinstated to Direct Deposit. If approved, a new Direct Deposit form needs to be completed.

CLASSIFIED EMPLOYEES:

Clerical/Physical Plant/Student Health: Timesheets completed for each pay period are due on Wednesday, close of business, following the end of each pay period.

Action taken by Payroll for late timesheets

- 1) E-mail sent to employee 5 days after deadline.
- 2) E-mail sent to supervisor 3 days after above employee notice.
- 3) 14 days after deadline, cancellation of Direct Deposit for next payday, paper paycheck may be picked up in the Human Resources/Payroll Office.

University Police: Timesheets completed for each month are due by the end of the second pay period of each month based on the payroll schedule.

Action taken by Payroll for late timesheets, 1st month behind

- 1) Reminder phone call given to supervisor 7 days after deadline and daily thereafter.

Action taken by Payroll for late timesheets, 2nd month behind or more

- 1) At the end of the 2nd month behind: cancellation of Direct Deposit for next payday, paper paycheck may be picked up in the Human Resources/Payroll Office.

Cancellation of Direct Deposit

1. Notification

An email will be sent to the employee and a copy placed in their personnel and payroll files. This email will include the reason for the cancellation, the date direct deposit privileges will be cancelled, and the procedure for reinstatement of direct deposit and release of the check.

2. Reinstatement of Direct Deposit

After two paper pay checks, the employee may request by e-mail or letter to be reinstated to Direct Deposit. If approved, a new Direct Deposit form needs to be completed.

39. MAINTENANCE AND PUBLIC ORDER

This policy specifies that each campus communicate these rules to the college community and adopt and promulgate procedures for giving reasonable notice and details of any planned assembly, picketing, or demonstration on the grounds of the institution. To this end, the following local procedures and guidelines are in effect at SUNY Potsdam.

I. Definitions

The term SUNY Potsdam shall refer to facilities under the jurisdiction of SUNY Potsdam including buildings, grounds, parking lots, classrooms, and equipment.

II. Guidelines for any planned assembly, picketing, or demonstration on grounds or in buildings at SUNY Potsdam.

a) Any request for such activities involving SUNY Potsdam facilities shall be made in writing to the Coordinator of Services for Student Life Facilities (BSU Room 208) at least three (3) working days in advance of the activity. If unusual or unforeseen circumstances prevent observance of the three day notification period, it shall be the responsibility of the person(s) organizing the activity to notify the Coordinator of Services for Student Life Facilities for approval at least four (4) hours before any activity begins.

b) All requests shall be reviewed and a decision permitting or not permitting the requested activity shall be given in writing, including any charges for services applicable.

c) In addition to the conduct specified in the Board of Trustees' policy section 535.3, no activity may:

-Amplify sound that interferes with class activity, college activities, or that is in violation of Village ordinances or other ordinances.

-Modify or alter college facilities without permission from the College.

-Revocation or withdrawal of previously granted permission may occur at any time due to unforeseen operational problems, or for violation of the above section c1 or c2.

-If, in the judgment of college officials, an activity is not consistent with the intended purposes as specified in the application, or the activity has been

misrepresented, permission to use the college facility or property shall be withdrawn and the activity in progress shall be halted.

d) The use of college facilities or property does not imply the college's endorsement of the purposes or view of the activity.

40. MANDATORY REPORTING AND PREVENTION OF CHILD SEXUAL ABUSE

Any employee or student of or volunteer for the State University of New York who witnesses or has reasonable cause to suspect any sexual abuse of a child occurring on State University property or while off campus during official State University business or University-sponsored events shall have an affirmative obligation to report such conduct to the relevant University Police Department immediately. Such report should include the names of the victim and assailant (if known), other identifying information about the victim and assailant, the location of the activity, and the nature of the activity. Upon receiving such a report, the applicable University Police Department shall promptly notify the Commissioner of University Police at SUNY System Administration who shall report such incidents to the Chancellor for periodic reporting to the Board of Trustees.

In addition, to aid in the prevention of crimes against children on property of the State University of New York and/or during official State University business at events sponsored by the State University of New York, relevant employees should be trained on the identification of such crimes and proper notification requirements. Vendors, licensees or others who are given permission to come onto campus or to use University facilities for events or activities that will include participation of children shall ensure that they have in place procedures for training, implementation of applicable pre-employment screening requirements and reporting of child sexual abuse.

For the purposes of this policy, the applicable definitions of child sexual abuse are those used in the NYS Penal Law in Articles 130 and 263 and Section 260.10, and "child" is defined as an individual under the age of 17.

41. NEWS POLICY

All programs sponsored by the College, including workshops, conferences, non-credit courses, lectures, concerts, exhibitions, etc. are to be publicized with the assistance of the Public Affairs Office. Faculty and staff approached by the media to discuss personal or academic interests should feel free to respond, but are asked to inform the Public Affairs Office that the media contact has happened. Any faculty or staff member approached by the media to discuss a College program or policy should refer the reporter to the Public Affairs Office.

42. NOTIFICATION OF RESIGNATION OR RETIREMENT

Faculty planning on retiring or resigning are instructed to notify the College President in writing specifying the effective date. A copy of the notification should also be sent to the appropriate Vice President, Dean/Director, Human Resources and the employee's immediate supervisor.

Employees are encouraged to give such notification as far in advance of the effective date as is possible and feasible in order to allow sufficient time for planning and recruitment. The Collective

Bargaining Agreement calls for employees who intend to leave the employ of the University to give thirty (30) days notice to the President or designee.

43. OFFICE HOURS

a) College Offices

Offices will open no later than 8:30 a.m.

Offices will not close before 4:30 p.m. during the academic year and will not close before 4:00 p.m. during the summer (i.e., between commencement day and the first day of the fall semester).

In unusual circumstances and only with the approval of the appropriate Vice President/Provost, specific services may be available only at certain times, so that the office can concentrate on the major priorities. However, the office must remain open and the hours during which the limited services are offered must be posted.

In offices in which there is more than one clerical employee, work schedules are to be arranged to provide continuous coverage over the lunch period.

Classified service employees are entitled to two fifteen minute breaks per day, one in the morning and one in the afternoon. This break time cannot be used to extend the lunch hour or to change arrival or departure time. The scheduling of office coverage and the limiting of specific services within the above policies is the responsibility of the office supervisor in consultation with the immediate supervisor.

b) Teaching Faculty

All teaching faculty are expected to maintain a regular schedule of office hours for consultation with students. Office hours must be held on campus regardless of teaching modality, e.g., whether courses are face-to-face, hybrid, or online. The number of hours and the particular schedule are determined by the faculty member with the condition that they are sufficient enough and convenient enough to assure accessibility to students. Thus, for faculty teaching twelve contact hours a minimum of four hours spread across at least three days is required. The time of such hours should be distributed throughout the week as far as possible. Special provision should be made through appointments for students unable to meet with instructors at announced times. The schedule of office hours should be posted outside the instructor's office and announced in class. Department chairs will work with school deans to assure that faculty members fulfill this responsibility.

c) Department and School Meetings

Full-time faculty members are expected to attend department, school, and college Full Faculty Meetings. This includes faculty members who are teaching distance learning

courses as part of their full-time load. Department chairs will work with school deans to assure that faculty members fulfill this responsibility.

44. OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT OF 1991

The Omnibus Transportation Employee Testing Act of 1991 requires the establishment of rules requiring alcohol and drug testing programs for employees engaged in safety sensitive functions in the aviation, motor carrier, rail, transit, and service industries. This policy addresses the requirements and conditions of the drug and alcohol testing rules, focusing on the regulatory requirements, as they affect SUNY Potsdam.

Every person who operates a motor vehicle that weighs more than 26,001 pounds, or is designed to transport 16 (including the driver) or more passengers, or is used to transport hazardous materials which is required to be placarded and who is required to have a commercial drivers license (CDL), is considered to be "safety sensitive" and affected by the rules.

45. PARENTAL LEAVE POLICY

Parental Leave Policy for Teaching Faculty Members

SUNY Potsdam has developed a policy that relates to how parental leave will be handled in an academic department or program, where the traditional use of sick leave and being out part of a year does not fit with the academic mission of the college. Two issues distinguish teaching faculty from other professional staff: 1) the semester schedule requires that courses meet in designated 15-week blocks. A leave that starts mid-course is very disruptive to student learning and it is often difficult to find appropriate substitute faculty; 2) Teaching faculty members do not accrue vacation time that can be used for additional paid leave beyond the period of the medical leave. Therefore, a special procedure is needed. This document begins with the UUP contract language and proceeds to a campus plan for handling teaching faculty.

The UUP Contract states:

Pregnant employees may be asked or encouraged to report the existence of pregnancy, but they may not be required to do so. Where, in the opinion of the Chief Administrative Officer or designee, the nature of the duties performed may be particularly hazardous or burdensome during pregnancy, this should be pointed out in the letter of appointment and such employees should be urged to advise their supervisors of any pregnancy. In any case where the Chief Administrative Officer or designee believes the employee is unable to perform the duties of the position because of pregnancy, the employee may be required to undergo a medical examination, at the expense of the campus, by a physician designated by the campus. A pregnant employee who is determined to be medically disabled from the performance of job duties must be treated the same as any other employee similarly disabled insofar as disability leave benefits are concerned.

Sick leave may be used only during a period of medical disability. Under this policy, disabilities arising from pregnancy or childbirth are treated the same as other disabilities in terms of eligibility for or entitlement to sick leave with and/or without pay and extended sick leave. Generally, the period of such disability is deemed to commence approximately four weeks prior to delivery and to continue for six weeks following delivery. While doctor's certificates may be required for any period of disability, campuses should request detailed medical documentation whenever disability

is claimed to commence prior to or to extend beyond the period of disability described above.

A Chief Administrative Officer or designee may approve an employee's request for leave without pay during pregnancy and prior to the onset of any medical disability as a matter of discretion. Absences during pregnancy and following childbirth may be charged to vacation, irrespective of whether the employee is disabled. While the use of annual leave prior to the onset of medical disability is discretionary with the Chief Administrative Officer, employees must be permitted to use these accruals during a period of medical disability after sick leave with pay has been exhausted.

Employees, regardless of sex, are entitled to leave without pay for childcare for up to seven months following the date of delivery or adoption under Article 7 of the Domestic Relations Law. However, where the child is required to remain in the hospital following birth, the seven-month mandatory childcare leave shall, upon employee request, commence when the child is released from the hospital. If a child is required to be admitted to a hospital for treatment after child care leave has commenced, upon employee request, child care leave shall be suspended during a single continuous period of such hospitalization and that period shall not count toward calculation of the seven-month period. In such cases, any entitlement to mandatory childcare leave expires one year from the date the childcare leave originally commenced. For purposes of computing the seven-month period of mandatory leave periods during which the employee was absent for "disability" or use of leave credits are included: the mandatory seven-month period is not extended by the granting of disability leave or the use of accrued leave. During a period of leave for childcare, employees shall be permitted, upon request, to use annual leave before being granted leave without pay. As is the case with other mandatory leaves without pay (e.g., military leave), the University shall not require that employees exhaust all appropriate leave credits prior to being granted leave without pay for child care. Sick leave may be used only during a period of medical disability. Except in the case of continuing medical disability, any leave of absence beyond the seventh month following childbirth shall be at the discretion of the Chief Administrative Officer. An employee who requests a leave for child care of less than seven months is entitled to have such leave extended, upon request, up to the seven month maximum and may at the discretion of the Chief Administrative Officer or designee, have such leave extended beyond the seventh month. In certain situations, an employee may not be permitted to return from such leave until the expiration of the period that such employee requested and was granted. Generally, such restrictions on early return are limited to situations where such return would be disruptive of a project or where the termination of a replacement would occur.

During the seven-month period following childbirth, the granting of leave for childcare is mandatory upon request from either parent. If both parents are State employees, leave for child care is mandatory for one parent at a time and the parents may elect to split the mandatory seven-month leave into two separate blocks of leave with each parent entitled to one continuous period of leave but not to exceed a combined total of seven months of leave and not to extend beyond seven months from the date of delivery.

Campuses may, in their discretion, approve other arrangements for shared leave including concurrent leave and may, as a matter of discretion, extend leave for childcare beyond the mandatory seven months.

Campus Procedure Relating to Teaching Faculty

Teaching faculty members have a unique obligation to the students in their courses to present a coherent experience and the campus has an obligation to address the needs of those faculty so as to accommodate faculty members and maintain the integrity of student instruction. Therefore, the following option is available for a faculty member who is pregnant, or adopts a child, or whose partner is pregnant during the academic year.

The employee will be granted full pay for working half time during the one semester in which it is anticipated that an employee will give birth or adopt a child or the one semester immediately following the birth or adoption. Ordinarily, this half time work will not involve teaching but will involve administrative reassignments and can include activities such as internship coordination, research, grant writing and publication, administrative responsibilities within the department or school, curriculum revisions for the department or school, or program review for the department or school. Occasionally the half time commitment may include some teaching, if the class schedule can be modified while assuring the integrity of the instruction.

During the period of time that an employee is deemed medically disabled due to pregnancy or birth, the employee shall use their sick accruals.

To be considered for the option of administrative reassignment, an employee must notify the department chair in writing of the pregnancy or impending adoption. The request is done on the form attached to this policy and available in hard copy in Human Resources or on their website under "Forms". The department chair, in consultation with the dean, will determine what responsibilities can be assigned to the employee for the semester. If the needs of the department do not fit within the employee's schedule for reassignment, then the Dean and Provost will assign responsibilities to the employee that serve the greater good of the school or the college. This arrangement will be put in writing and filed with the chair, dean, and Provost, as well as in the official personnel file in Human Resources.

46. PERSONAL PACKAGES

Central Receiving personnel no longer accept the delivery or receipt of personal packages addressed to an employee at the College unless the employee lives on campus (e.g. Residence Hall Directors). Central Receiving personnel will not be responsible for the liability of handling personal packages. On the occasion that an employee is required to have a personal package delivered to the college for use in their program, notification to Central Receiving personnel is required of its expected delivery method and date.

47. PERSONAL PROPERTY

Faculty are cautioned that neither the College or the State of New York are responsible for personal property brought on campus. Individuals should assure themselves that their personal insurance covers such property while on campus.

48. POLITICAL ACTIVITIES

The State University encourages you to exercise your constitutional right to vote and support the political party and candidate of your choice. You should be aware, however, that if your position is

one which is funded by federal monies, any political activities you pursue may be subject to the provisions of the Federal Hatch Act. Also, please remember that if you participate in any political activities, you must not participate in them during your work hours and they must never involve the use of State equipment, supplies, or services of any kind. Refer to Section 107 of the Civil Service Law, federal Hatch Act, or contact the Office of Human Resources.

49. PRESIDENT'S AWARDS AND CAMPUS GRANT PROGRAMS

A. The President's Award Program was set up as a way to recognize outstanding performance by campus employees. They are broken into thirteen categories.

1. EXCELLENCE IN ACADEMIC ADVISING is based on:

- Availability to students beyond regular office hours, initiative in reaching out to advisees.
- Knowledge of resources and services to give a student additional help.
- Ability to show advisees all available academic and career options.

2 . EXCELLENCE IN CLERICAL SERVICE is based on:

- Exceptional service to students, the public or members of the College community.
- Commitment to continued growth and development and a willingness to undertake new challenges.
- Demonstrated creativity and innovation which has resulted in improved services or significant savings to the College.

3. EXCELLENCE IN COLLEGE SERVICE is based on:

Significant contributions to campus activities such as:

- Significant contributions to campus activities such as committees, governance, student services, mentoring, performances and exhibits
- Demonstrated service outside of one's job duties that positively impacts the College.
- Adaptability and a willingness to undertake new challenges.

4. EXCELLENCE IN COMMUNITY SERVICE AND OUTREACH is based on:

- Meaningful participation community service activities.
- Work outside of campus that aligns with and demonstrates the College's core values.
- Significant contributions to the community.

5. EXCELLENCE IN OPERATIONAL SERVICE is based on:

- Exceptional service to students, the public, or members of the College community.
- Commitment to continued growth and development.
- Adaptability and a willingness to undertake new challenges.

6. EXCELLENCE IN AUXILIARY AND COLLEGE EDUCATIONAL SERVICE is based on:

- Exceptional service to students, the public, or members of the College community.
- Commitment to continued growth and development.
- Adaptability and a willingness to undertake new challenges.

7. EXCELLENCE IN PROFESSIONAL SERVICE is based on:

- Outstanding performance of one's duties.
- Demonstrated decisiveness, creativity, innovation and contemporary understanding of one's field.
- Significant and successful contributions to the College.

7. EXCELLENCE IN PROFESSIONAL ADMINISTRATIVE SERVICE is based on:

- Outstanding performance of one's duties.
- Demonstrated decisiveness, creativity, innovation and contemporary understanding of one's field.
- Significant and successful contributions to the College.

8. EXCELLENCE IN SCHOLARSHIP AND CREATIVE ACTIVITIES is based on:

- Investigation or creation, which has enlarged the store of human knowledge, or has expanded the potential of human creativity.
- Significant and positive impact on the students of the College.
- A record of excellence in creative activity appropriate for the specific field of discipline, such as exhibitions, performance, or critical reviews and grants.

10. EXCELLENCE IN TEACHING is based on:

- Demonstrated excellence in techniques of instruction, availability and help to students.
- Growth in one's field of instruction, concern for intellectual growth of students.
- Adherence to high standards, positive attitude towards the profession.

11. EXCELLENCE IN ADJUNCT TEACHING is based on:

- Demonstrated excellence in techniques of instruction, availability and help to students.
- Growth in one's field of instruction, concern for intellectual growth of students.
- Adherence to high standards, positive attitude towards the profession.

12. EXCELLENCE IN FOSTERING A WELCOMING AND INCLUSIVE CLASSROOM ENVIRONMENT is based on:

- Course curriculum integrates topics around diversity, equity, and inclusion (DEI).

- Exceptional communication and response to student, staff, and faculty needs or inquiries around the topics of DEI.
- Demonstrated commitment to fostering a welcoming and inclusive classroom environment.

13. EXCELLENCE IN FOSTERING A WELCOMING AND INCLUSIVE CAMPUS CLIMATE is based on:

- Demonstrated proactive engagement with the community on topics of DEI.
- Collaboration with various constituencies on campus with respect to DEI.
- Demonstrated commitment to fostering a welcoming and inclusive campus climate.

B. RESEARCH AND CREATIVE ENDEAVOURS PROGRAM

The Research and Creative Endeavors Program is designed to encourage faculty to plan their professional growth and to seek and attract external funding for their work. As in the past, in making awards, the Committee will especially emphasize projects that have the potential to encourage new faculty, women and minorities; to support research and creative endeavors across the disciplines, and to attract external resources. Maximum award allowed through this program is \$1,000.

Deadline for receipt of applications: October and April.

C. GRANT DEVELOPMENT PROGRAM

This program will provide up to \$1500 to full-time faculty or professional staff to pursue the development of new proposals for submission to external funding agencies. All successful applicants will be required to submit a full proposal (with a budget of at least \$50,000/year) to an external sponsor within one year from the time of their award. It is expected that those interested will have identified a potential sponsor and contacted that sponsor to discuss funding possibilities. The application form requires a description of the proposed project and a project time line that incorporates the applicant's plans for meeting the grant submission deadline. Allowable budget items include travel, supplies, books, duplicating, telephone etc.

Deadline for receipt of applications: Open

D. GRANT WRITING INITIATIVE

The Research and Sponsored Programs Office makes up to 6 awards per academic year of \$250 each to faculty and professional staff who develop and submit viable proposals for external funding agencies. All grant proposals submitted through the office (excluding continuation and fellowship applications) will automatically be eligible. Awards are made based on the following considerations: quality of the proposal, match between proposal and sponsor, and institutional support for the proposal.

Deadline for receipt of applications: Open

E. MAJOR FEDERAL FUNDING GRANT DEVELOPMENT PROGRAM

The Office of the Provost supports the Major Federal Funding Grant Development Program. This

program is designed for faculty members who have a strong record of publication and conference presentations in the proposed grant area and a track record of successful grant writing, and the potential to write successful grant proposals for substantial funding from federal agencies. The grant proposal should have a budget of at least \$150,000 with a significant portion salary and wages. Recipients will be given one course release per semester for up to six semesters or until funding is awarded. Contact the Provost's Office for more information or application forms.

50. PRINTING AND PUBLICATIONS POLICY

The Office of Public Affairs is charged with producing the SUNY Potsdam Publications that are destined for an external audience. The publications staff is responsible for maintaining quality and consistency in College publications, while projecting an accurate and favorable image of the institution.

Those members of the college community who wish to produce publications for an external audience by any means, including the use of desk-top publishing, are required to seek review of content and design from the Public Affairs Office. The staff is always ready to offer assistance in creating a design for such publications. Your cooperation in observing the various aspects of the Publications Policy will greatly enhance the efforts of the Office of Public Affairs as it seeks to present a consistent and positive image of the College.

a. Name of the College

The name of the College shall be "State University of New York College at Potsdam", "SUNY Potsdam" is the short form.

b. College Logo and Stationery

The College's logo and stationery are designed to project a unified and up-to-date image of the College. The design standards for both the logo and stationery are to be strictly followed. If in doubt as to the appropriate use of either, consult with the Office of Public Affairs. Copies of the logo, both on paper and on computer disk, are available through the Office of Public Affairs. (the logo is also available in a variety of formats in temporary storage on the campus network)

Official College stationery may now be ordered directly through Duplicating. Do not call the Office of Public Affairs or Receiving and Stores to order stationery, unless you need a change in the name of your office or your phone number. Please allow two weeks for delivery.

c. College Seal

The College seal is not to be used for publications. The College seal is to be reserved for formal documents and occasions (i.e., Presidential proclamations, diplomas, etc.). The College logo is the mark to be used when it is desirable to represent the College in a concise graphic manner.

d. Printing Services

There are three primary printing options for reproducing publications at SUNY Potsdam. Those options and their respective capabilities follow:

1. Duplicating

- Duplicating
- Sizes to 11" x 17"
- Bond, offset, and card stock
- Colored paper is available and NCR
- Black ink only
- Folding, collating, stitching, and plastic binding

2. Central Print Shop

Duplicating and offset printing

- Over 200 copies
- Sizes to 11 x 17"
- Bond, offset, cover and card stock and fine papers available in a variety of colors
- Single and multi-color printing
- Printing halftones and screen tints
- Folding, collating, stitching, and plastic binding
- Colored ink

3. Outside Vendors

For jobs which exceed the capacities of the above operations including:

- Printing on coated stocks
- Printing large areas of solid color
- Four-color process (color photos)
- Large quantities
- Large format

In most instances, the nature, the budget, and the intended audience of the publication will determine how it is to be designed and printed. The staff in the Office of Public Affairs will choose how best to get the job done.

If it is a job which requires simple duplicating, the timeliness of delivery and the quantity required will affect the decision as to where the job is printed. This decision is to be made by the Duplicating staff.

e. Publication Requests

To initiate an external publication to be produced by the Office of Public Affairs, you must file a Publication Request Form. This form provides the basic information necessary to begin production planning. It will also allow for prioritizing the publication in order to schedule the annual workload.

Publication Request Forms are sent to all departments in April. At this time, you are asked to project your publications needs for the following year (July 1 - June 30).

If for some reason, the office is unable to handle your request, the staff will suggest alternative methods for having the publication produced.

Of course, there are always unanticipated needs; the office will try to accommodate these needs on a time-available basis. Publication Request Forms for these unscheduled publications are available throughout the year in the Office of Public Affairs. You should file one as soon as you know your need.

f. Funding For Publication

The Publications budget in the Office of Public Affairs provides for only the major recruitment and development publications of the College. All other publications are funded through the originating departments. Please be sure to include the amount you have budgeted for your publication and the account number to which it will be charged when you complete the Printing Publication Request Form.

g. Recruiting Publications (Admissions)

All publications intended to be used for admissions recruiting must first be reviewed and approved by the Director of Admissions and the Director of Public Affairs.

h. Production Services

1. Planning and Advising

The staff of the Office of Public Affairs is involved in planning printing on a daily basis. Consulting with the office as soon as you know that you will be producing a publication will save you time, energy and money.

2. Time and Cost Estimates

The staff will evaluate your proposed publication, determine the printing option that best suits your needs, and provide time and cost estimates.

3. Editing

The staff provides editorial support. However, you are responsible for preparing original copy. Guidelines for the preparation of copy are available in the Office of Public Affairs. Following these guidelines will expedite the production of your publication.

4. Typesetting

Computerized typesetting for most publications is done in-house. Copy submitted for publication should be on disk in Microsoft Word or Word Star with an attached hard copy.

5. Proofreading

While due caution is exercised in typesetting, typographical errors do occur. Ultimately, it is the client's responsibility to ensure that the typeset matter is free from errors. You will be asked to proofread your copy and to sign off on corrections throughout the production process.

6. Design

Do not try to design your publication in advance. Experienced graphic designers will design a publication that will effectively communicate the intended message while maintaining the College's publication standards.

7. Expediting

If your publication is to be printed in Duplicating, it is your responsibility to see that the Duplicating Job Request is properly filled out and that the job is taken to Duplicating. If the job is to be printed at the Central Print Shop, the designer assigned to the job will fill out the Duplicating Job Request and expedite production. If the job is to be printed by an outside vendor, your designer will coordinate (through Purchasing and Payables) production of the publication.

I) State Printing Regulations

Bidding

All printing purchased from outside vendors is closely regulated by statute and monitored by the Office of General Services and the Office of the State Comptroller. Most of the printing performed by outside vendors requires competitive bidding. Printing orders in excess of \$2,500 require sealed bids. The bidding process can take from thirty to sixty days, depending on the estimated dollar amount of the order.

51. PURCHASING

It is the State University's objective to procure the most appropriate materials, supplies, equipment, services, etc. at the lowest available price, consistent with quality requirements and delivery needs as will best promote the interests of New York State. It is with this objective in mind that the following guidelines have been developed:

The College's Purchasing and Payables Office is charged with the centralized purchasing of all supplies and materials for the campus. This office seeks to attain the most effective and economical acquisition of products and services with consideration for the benefits of quantity buying, standardization of materials and equipment. The reduction of expensive emergency buying, the use of competitive bidding, and the development of new sources of supply will aid in obtaining advantageous prices and achieve maximum use from allocated funds. The office works

with faculty and staff to determine and implement effective purchasing for specialized and all other instructional research needs, subject to rules and regulations set by the State.

The Purchasing and Payables Office is responsible for the College's compliance with all State and local purchasing rules, regulations and procedures and, as such, all purchases must be initiated by the Purchasing and Payables Office. All requests for supplies and/or equipment to be purchased from State funds must be submitted directly to the Purchasing and Payables Office via the web based requisition procedure. A separate requisition must be completed for each individual source or vendor.

a) State Contract Items

The Office of General Services issues state contracts each year for a large number of commodities. The College is required by law to purchase said supplies and/or equipment from the state contract vendor unless it can be proven that the same item (make and model) can be purchased cheaper from another source. Individuals should contact the Purchasing and Payables Office to obtain information regarding source, price, delivery and contract items.

b) Non-Contract Items

Commodities not available under centralized contracts may be purchased directly by the College in accordance with State rules and regulations. It is the declared policy of the University that utilization of preferred sources (Corcraft, Industries for the Blind of New York State, Inc., New York State Industries for the Disabled, Inc., New York State Office of Mental Health) occur whenever possible. It is also the policy of The State University of New York to take affirmative action to ensure that minority and women-owned business enterprises (M/WBE) are given the opportunity to demonstrate their ability to provide the College with goods and services at competitive prices. The Purchasing and Payables Office maintains a file by vendor and commodity which is available for individual use. Campus procedures for purchasing non-contract items provide for:

1. a review for purchase from minority and/or women-owned business, and preferred sources
2. a review for purchases of similar commodities from the same vendor within the previous 12 months.
3. for all state dollar purchases (this includes State, IFR, Dorms, SUCF, Rehab and SUTRA funds) the following procedures apply by dollar level:

Up to \$19,999.99: Send purchase requisition to Purchasing and Payables listing items to be purchased and vendor of choice, maintain documentation for reasonableness of price. Note: in instances where competition is feasible, contracts involving consideration other than money in an amount greater than \$10,000 should be competitively bid or published in the Contract Reporter. The procurement record for these transactions should include documentation indicating reasonableness of price.

\$20,000.00-\$50,000.00: Send purchase requisition to Purchasing and Payables listing goods/services to be purchased and vendor(s) of choice. We will request bids and select vendor based on lowest price. Justification is required if higher price is selected. We are required to advertise the bid in the NYS Contract Reporter.

\$50,000.01-\$125,000.00: Send purchase requisition to Purchasing and Payables listing goods/services to be purchased and vendor(s) of choice. We are required to advertise the bid in the NYS Contract Reporter and solicit a minimum of 3 informal proposals. Justification is required if higher price is selected.

\$125,000.01-\$250,000.00: Send purchase requisition to Purchasing and Payables listing goods/services to be purchased and vendor(s) of choice. Formal bidding is required (IFB or RFP). We are required to advertise the bid in the NYS Contract Reporter and solicit a minimum of 5 sealed bids. AG/OSC approvals are required under the following circumstances: bid protest, non-low bidder selected, award not in accordance with the IFB/RFP, or single or sole source.

\$250,000.01 and above: Formal bidding is required (IFB or RFP). We are required to advertise the bid in the NYS Contract Reporter and solicit a minimum of 5 sealed bids. AG/OSC approvals are required.

c) Citibank VISA Procurement Credit Card Program (aka "P-Card")

The College provides a small dollar program utilizing the VISA credit card for purchases using STATE dollars. The program allows authorized employees to purchase items by using their SUNY VISA credit card in person, on-line or by phone. Each employee must obtain proper receipts and back-up paperwork and complete an on-line certification once monthly for submission to our office for auditing purposes. Additional information and applications can be obtained by contacting the Purchasing & Payables office.

d) Storehouse

Storehouse items must be submitted on a separate requisition and prices should be verified against the College storehouse stock list before submission. The College storehouse list should also be checked before requesting merchandise from other sources.

e) Bookstore Purchases

Bookstore personnel will issue an invoice indicating your departmental appropriation number and total cost. This should be submitted immediately to the Purchasing and Payables Office on the standard requisition form. CitiBank P-Card may also be used for campus bookstore purchases.

f) Equipment

All equipment purchased by the College must be entered immediately into the equipment inventory. No equipment may be removed, relocated, or in any other way be disposed of without the prior written approval of the Office of Physical Plant. All requests for repairs to any State-owned equipment must be processed through the Purchasing and Payables Office.

g) Service Contracts

Service Contracts are required for any service rendered in a fiscal year that exceeds \$5,000. This includes consultants, , piano tuning, linen rental, non-credit instructors, installment or lease purchases, etc. The procedures governing these contracts are lengthy and may require up to ninety days lead time. Details and guidelines are available from the Purchasing and Payables Office.

h) Library Acquisitions

Expenses charged to Library acquisitions are initiated by the Library and are not subject to the above regulations. Expenses chargeable to Library S&E must, however, still follow the stated regulations.

- i) The State Finance Law expressly states that no purchase liability shall be incurred except by issuance of a purchase order. Merchandise ordered and received without the issuance of a purchase order becomes the personal obligation of the individual ordering. Authority is lodged solely in the College Accountant to create any financial obligation between the College and any other party. This applies to purchases, memoranda of understanding, agreements, contracts or any other document resulting in payment of funds by the College. Faculty and staff are cautioned that the law of Agency applies to any transaction improperly entered into without authority in which case the individual is personally liable for any and all payment(s) due other parties.

j) Receiving

Central Receiving is responsible for verifying that all state and non-state contract items purchased with state funding are physically received. All items delivered to the College must be sent directly to Central Receiving. All hand carried orders or yellow book authorizations picked up by College employees must be taken to Central Receiving for proper identification. Exceptions to this rule may require Central Receiving staff to go out into the field to inspect shipments of goods which for one reason or another were unable to pass through Central Receiving. Repairs will be verified by appropriate departmental supervisors.

k) Emergency Purchases

State University Purchasing and Contracting procedures (Procedures Manual Item 7553) defines an emergency purchase as follows:

"An emergency purchase must involve an accident or unforeseen occurrence requiring immediate action; it is unanticipated or fortuitous; it is a sudden or unexpected occasion for action and involves a pressing necessity. The conditions must be such that unless corrected without delay, death, injury or serious property damage would result. Where such conditions exist, the waiver of competitive bidding requirements must be approved in writing by the campus President or appropriate designee to provide for adequate internal control."

All emergency situations must be documented in writing by the designee. The President's designee for determining emergency situations is the VP for Business Affairs.

l) Purchasing From College Employees

Item No. 4, Section 73 of the Public Officers Law states:

"No officer or employee of a state agency, member of the legislature or legislative employee or firm or association of which such person is a member, or corporation, ten per cent or more of the stock of which is owned or controlled directly or indirectly by such person, shall sell any goods or services having a value in excess of twenty-five dollars to any state agency unless pursuant to an award or contract let after public notice and competitive bidding (emphasis added).

In accordance with the above, the purchase of goods or services in excess of \$25 from College employees can only be made as a result of a competitive bidding process.

52. REASONABLE ACCOMMODATION POLICY

A. Definitions

The following definitions are based on the New York Human Rights Law. Unlike both the Americans with Disabilities Act and the Rehabilitation Act of 1973, the New York State Human Rights Law protects all individuals with physical, mental or medical impairments that either impede normal bodily function or are demonstrable by medically accepted diagnostic technique. The protection of the federal statutes is limited to those impairments that substantially limit one or more major life activities.

Term	Definition
Essential job functions	Essential functions are those fundamental to the position; a function is essential if not performing that function would fundamentally change the job or occupation for which the position exists.
<i>Person with a Disability</i>	A person who has “a physical, mental, or medical impairment,” who, upon provision of reasonable accommodation if needed, is able to perform in a reasonable manner, the activities involved in the job or occupation sought or held. Individuals with a disability also include persons who have a record or history of impairment, even if they do not currently have impairment. These individuals are protected from bias, but only current impairments need to be reasonably accommodated. Persons who have a condition regarded by others as an impairment, or who are incorrectly perceived as having an impairment, are also protected from discrimination. However, only actual impairments need to be reasonably accommodated.
<i>Physical, Mental or Medical Impairment</i>	Any impairment “resulting from anatomical, physiological, genetic, or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques.”
<i>Qualified Person with a Disability</i>	A person with a disability who, as defined below, can reasonably perform the activities involved in the job, and who satisfies the requisite skill, experience, education and other job-related requirements of the position which the individual holds or desires.
<i>Reasonable Accommodation</i>	The New York Human Rights Law, the Rehabilitation Act of 1973, and The Americans with Disabilities Act (ADA) of 1990 require that employers provide reasonable accommodation to the known physical or mental limitations of otherwise qualified applicants or employees with

	<p>disabilities, unless it can be demonstrated that providing such accommodations would result in undue financial or operational hardships.</p> <p>Reasonable accommodation refers to the modifications or adjustments to a job application process which enables a qualified individual with a disability to be considered for the position sought and to modifications or adjustments to the work environment or the manner in which a job is performed. An accommodation is reasonable if it removes or mitigates the barriers to performance caused by the individual's impairment, and does not cause undue hardship to the employer.</p>
<i>Reasonable Performance</i>	<p>The Human Rights Law protects from discrimination those who can reasonably perform the job, with reasonable accommodation, if needed, despite the person's impairment. Reasonable performance is not perfect performance or performance unaffected by the disability, but reasonable job performance reasonably meeting the employer's needs to achieve its business goals. Ability to reasonably perform the "activities involved in the job or occupation" means the ability, with or without accommodation, to satisfactorily perform the essential functions of the job as established by the employer. The employer's judgement as to what is minimum acceptable performance will prevail, so long as standards for performance are applied equally to all employees in the same position.</p>
<i>Undue hardship</i>	<p>This means significant difficulty or expense to the employer. In determining whether an accommodation would result in undue hardship, any relevant factor may be considered.</p>

B. Statement of policy

SUNY Potsdam is committed to assuring equal employment opportunity and equal access to services, programs and activities for persons with disabilities. It is the policy of SUNY Potsdam to provide reasonable accommodation to a qualified person with a disability to enable such person to perform the essential functions of the State government position for which he or she is applying or in which he or she is employed. This policy is based on the New York State Human Rights Law, Sections 503/504 of the Federal Rehabilitation Act of 1973, as amended, the Americans with Disabilities Act (ADA), Executive Order 6, and Executive Chamber Memorandum, entitled *Equal Access to State Agency Employment, Programs and Services for Individuals with Disabilities*, issued in 1996, as well as *Executive Chamber Memorandum Technology Policy 96-13-Accessibility to Technology*, issued November 1996 and *Technology Policy 99-3: Universal Accessibility for New York State Web Sites*, issued September 1999.

The Policy applies to all employment practices and actions. It includes, but is not limited to, recruitment, the job application process, examination and testing, hiring, training, disciplinary

actions, rates of pay or other compensation, advancement, classification, transfer and reassignment, and promotions.

The provision of reasonable accommodation assists the College to:

- a. Overcome otherwise exclusionary employment practices, policies and consequences;
- b. Provide equal opportunities for participation in education and training programs;
- c. Enhance the retention and upward mobility of qualified employees with disabilities; and
- d. Ensure the accessibility of procedures for swift and judicious resolution of complaints with this policy and other already existing policies and procedures

To date, most employee requests for reasonable accommodations have been addressed directly by the employee's supervisor or department chair. While department chairs and supervisors are encouraged to continue responding directly to requests from individuals with disabilities, there may be occasions when making a decision about accommodations is complicated by other factors. For instance, the need for an accommodation may be obvious, or it may be difficult to determine what constitutes a reasonable accommodation, or a department's budget may be unable to absorb the total cost of providing the accommodation requested. The following procedure has been developed to ensure that employee request for reasonable accommodations are treated in as consistent and equitable a fashion as possible.

C. Procedure for Requesting and Receiving Reasonable Accommodations

- 1) The employee requesting an accommodation obtains, completes, and forwards to their department chair or supervisor an *Application for Reasonable Accommodation(s)*.
- 2) The department chair or supervisor completes the second half of the *Application for Reasonable Accommodation*, returns one copy to the individual requesting the accommodation, and forwards one copy to the Dean, who will forward the request to the Human Resources Office. Human Resources notifies the employee of the disposition of the *Application for Reasonable Accommodation* within two weeks of receiving the application.
- 3) If the department chair or supervisor states on the *Application for Reasonable Accommodation* that the department can provide the requested accommodation directly without additional documentation or assistance, the application process is complete, and the department proceeds with necessary arrangement. The *Application for Reasonable Accommodation* remains on file in the Human Resources Office for record keeping purposes only.
- 4) If the department chair or supervisor states on the *Application for Reasonable Accommodation* that the Department or unit is prevented from directly accommodating the request due solely to budgetary considerations, and if it is determined that the request or some mutually agreed upon variation thereof may be accommodated without undue financial hardship to the institution as a whole, Human Resources contacts the appropriate dean or director, who then assists in locating funds through channels within their own division. It is

expected that required job accommodations will usually be funded directly by the employee's department or unit.

5) If the department chair or supervisor states on the *Applications for Reasonable Accommodation* that the department lacks information necessary for making a decision about the request, the request is referred to Human Resources who notifies the applicant of the need for additional information.

6) If the procedure for requesting and receiving reasonable accommodations is not completed before step 5, *the Application for Reasonable Accommodation*, as well as all additional information and supporting documentation, is reviewed by Human Resources.

If, based on the review, Human Resources determines that the employee is entitled to an accommodation and that the proposed accommodation is reasonable as defined by the ADA, they will consult with the employee's supervisor about appropriate methods of implementing the requested accommodation or some variation thereof.

7) If a review of the request and of supporting documentation is inconclusive, or if it is determined that medical documentation is inadequate or otherwise problematic, Human Resources, after consulting with the Dean, will specify to the applicant why the documentation is unacceptable, and the applicant will be allowed to submit additional supporting documentation. If, after this additional documentation has been submitted, the need for an accommodation is still not clearly established, the employee may be asked to submit to a medical examination by an appropriate medical professional designated and paid for by the College.

The submitted medical documentation and reports from medical exams will be used solely to assist the appropriate College officials in making an informed decision about the employee's request for accommodation. All such documentation will be held in the strictest of confidence and kept separate from personnel records.

8) While the College may seek technical assistance from a medical professional, State or local rehabilitation agencies or disability constituent organizations in determining how to accommodate a particular individual in a specific situation, the decision as to what is and what is not an appropriate accommodation is made by the College.

D. Channels for Complaints

If the request for accommodation is denied, the individual may either accept the denial and end the process or elect to use the external review process with the New York State Compliance Review Board, responsible for review of denials. The Compliance Review Board is first accessed through the Reasonable Accommodations Unit of the New York State Department of Civil Service (518-457-8023).

A complaint may also be filed externally with any of the following:

- the New York State Division of Human Rights under the Human Rights Law;

- Compliance agencies designated under Sections 503/504 of the Rehabilitation Act of 1973;
- The Equal Employment Opportunity Commission (EEOC) under the Americans with Disabilities Act (ADA);
- Or initiating a private right of action to challenge an alleged discriminatory practice

The Office of Human Resources can provide addresses and telephone numbers of regional offices.

Change History

Date	Change History
7/2019	Contact department changed to Human Resources. Policy format updated.

Responsible Party: Human Resources

Contact Information: (267) 267-4816

53. RECYCLING POLICY

Recycling is mandatory for all waste generators (i.e. households, churches, schools, businesses, etc). Please be courteous and separate all waste products into the appropriate recycle bins throughout campus. Bins are provided in various areas on campus: Paper, Plastic and Aluminum (recyclable beverage containers, i.e. soda cans)

54. REIMBURSEMENT OF EXPENSES TO CANDIDATES INVITED TO CAMPUS FOR AN INTERVIEW

Recruitment costs have risen significantly in recent years and departments are expected to follow guidelines to help reduce recruitment related expenses. All reimbursement of travel costs associated with an on-campus visit to SUNY Potsdam will follow New York State guidelines.

Candidates will make all of their own travel arrangements. The college will reimburse the candidate's personal airfare or mileage expenses up to a maximum of \$1,000. Airfare or mileage reimbursement over \$1,000 requires additional approval, contact Human Resources for these procedures. The college's reimbursement policy covers only the candidate and does not allow coverage for anyone accompanying the candidate. Acceptable forms of transportation include: plane, train, automobile (personal or rental), and bus. Taxis to and from airports are not typically acceptable. All original receipts must be submitted for reimbursement. Claimed expenses submitted without a receipt cannot be reimbursed. Gasoline charges, accessories, repairs, depreciation, anti-freeze, towing, insurance and other expenditures will not be allowed. These are considered operational costs and are covered in the mileage allowance. Charges for gasoline will be approved only for a rental car.

Exceptions to these policies, where appropriate, must have prior approval of the President of the College. Vice Presidents and Deans are requested to exercise careful management of recruitment monies for departments and divisions under their supervision. Chairs/Directors and heads of search committees are expected to exercise all possible economies, without damaging the effectiveness of their searches. More information may be found [here](#).

55. REIMBURSEMENT OF MOVING EXPENSE POLICY

Summary

College funds may be used to reimburse certain expenses incurred by new appointees when transporting themselves, their families, and household goods and personal effects to their new place of residence.

Policy

Policy Statement

When an employing unit’s administration believes it is necessary to attract specific personnel, reimbursement of moving and related expenses may be authorized by the area Dean/Vice President. Reimbursement of moving and related expenses shall not be made to an eligible employee unless the employee agrees in writing to return the monies received for such expenses in the event the employee resigns or voluntarily separates from employment within one year of the initial appointment.

Eligibility Criteria

- Must meet the distance test as outlined in IRS Publication 521 Moving Expenses
- Full time appointment required
- Professional/faculty appointment required

Expense	Qualifies for Reimbursement
Basic cost of moving household goods (reasonable items of furniture, furnishing, clothing, appliances, tools and equipment) and personal effects up to 12,000 pounds, including pianos, refrigerators, and deep freezers	YES –Must use a carrier authorized by the NYS Department of Transportation. Three competitive bids are required if commercial carrier is not used and rental of trailers or trucks from commercial establishment were used. If neither commercial mover nor rental truck is used, documented moving expenses up to \$200 are reimbursable.
Reimbursement of moving expenses must be included in an employee’s federal taxable gross and applicable taxes must be withheld	YES
Additional insurance above the lowest valuation rate charged	YES
Short duration (30 days) in-transit storage	YES

Mileage incurred to drive one personally-owned vehicle from the old to the new location	YES—Mileage is reimbursed at the personal vehicle standard mileage rate instead of the moving mileage rate. The difference between the two mileage rates is taxable to the employee.
Meals and lodging	NO
Second automobiles and other motor vehicles, boats, and trailers (other than those used as the appointees residence)	NO
Expenses related to buying or selling a house	NO
Expenses for renting temporary living quarters	NO
Building materials, animals raised for profit, farming equipment, livestock	NO
Reimbursement request submission timeframe	Within 30 days of incurring expenses, but no later than within one year of the effective date of the appointment.
Storage unit rental	NO
Airfare	NO, No matter the mode of transportation used to transport appointee and his/her family to new location, reimbursement will be made at rate of one automobile at the rate paid by NYS for the use of personally owned automobiles. Mileage to be measured by shortest route between the two places of residence.

Required Documentation & Procedure

- 1.The reimbursement will be based on reasonable costs and budget availability. The Vice President for Business Affairs must confirm budget availability.
- 2.The candidate must complete the Request for reimbursement of Moving Expenses (Form AC-1099-S), sign the form and have area Dean/VP sign the form.
- 3.A receipted original or carbon copy of the Bill of Weight or Freight Bill must be attached. Additionally, if certified carrier is not used, copies of three competitive bids must be included.
3. Receipts from Rental Truck (if applicable)
- 4.A Standard Voucher (Form AC-92) must be attached providing a summary of the details of allowable expenditures.
- 5.All completed forms should be submitted to the Dean/VP then to Human Resources.

Related Information and Forms

[**Request/Agreement for Moving Expense Reimbursement \(Form AC-1099 S\)**](#)

[**Standard Voucher \(Form AC-92\)**](#)

[**State University of New York Policy – Payment of Moving Expenses, Document 82005**](#)

56. RELEASED TIME FOR FACULTY SENATE CHAIR

The Chair of the Faculty Senate will be eligible for up to three credit hours per semester of released time from regular instructional responsibilities in recognition of his or her duties and responsibilities for faculty governance activities. When the chair's absence from a portion of his or her teaching responsibilities impacts the instructional program, funds may be made available to provide appropriate temporary service assistance upon recommendation of the deans.

57. RESEARCH INVOLVING HUMAN OR ANIMAL SUBJECTS

According to Federal and State law the Research Foundation, and College policy any research proposal involving the use of human or animal subjects must receive the approval of the campus Human Subjects Institutional Review Board or the Institutional Animal Care and Use Committee as appropriate prior to submission to a sponsor or implementation of the research project. The purpose of this policy is to protect the rights and welfare of human subjects and to insure humane treatment of animal subjects. Individuals who propose to engage in research involving the use of human subjects or animals should contact the Office of Research and Sponsored Programs for guidelines and forms. Information and guidelines will be provided by these persons.

58. RESPONDING TO GOVERNMENT OFFICIALS

SUNY Potsdam is committed to the free exchange of ideas between people of different social and political systems. It is the policy of the College to encourage such interaction. The College neither requires its employees to answer questions posed by representatives of government agencies nor forbids its staff from responding to such inquiries. The College also believes that its employees should cooperate with and assist officials of government agencies when appropriate and in when compliance with The Family Education Rights and Privacy Act of 1974 (FERPA) commonly known as the Buckley Amendment which forbids staff members from providing certain information such as personal details related to individuals not available through the public online directory. Faculty and staff can obtain information on FERPA from the Office of Public Affairs and can obtain assistance from this office in case of uncertainty about whether to respond to government officials.

59. RESPONDING TO LEGAL AGENCIES

The Office of Human Resources is responsible for the coordination of the responses of a legal nature on this campus. A part of this responsibility includes overseeing of official responses to requests for information and data from off-campus legal agencies such as the Office of University

Counsel, the Office of the Attorney General and Attorneys at Law.

The Assistant Vice President for Human Resources, should be informed of all requests for information from such sources. These requests arrive with some frequency and often ask for similar information from various campus sources. Coordination of replies is necessary to insure that proper procedures are followed and correct information is disseminated.

In addition, the Assistant Vice President for Human Resources is designated as the official campus liaison with the Office of the State University Counsel. University Counsel is the legal advisor to the University. Individual employees and departments requiring legal advice and opinion pertaining to College affairs should make initial contact with and forward copies of relevant correspondence to the Assistant Vice President for Human Resources.

60. RESPONDING TO QUESTIONNAIRES AND REQUESTS FOR CAMPUS DATA

The Office of Institutional Effectiveness is responsible for the coordination of data on this campus. A part of this responsibility includes overseeing of official responses to requests for data from off-campus individuals and agencies.

The Office of Institutional Effectiveness should be informed of all requests for data from such sources. These requests arrive with considerable frequency, and many ask for similar information. Coordination of replies is necessary to insure that correct and consistent information is being disseminated. Also, it is important for this office to know the nature, range and variety of information being sought within the College. Therefore, copies of responses to requests that might not require official information (e.g. questionnaires that ask for personal opinion on professional problems) should also be sent to the Office of Institutional Effectiveness for its records. Your cooperation in this matter is appreciated. It will insure the consistent flow of accurate information both on and off the campus.

61. Policy

Faculty and Staff Health & Safety During COVID-19

Definitions

The following terms are used in this policy.

Term	Definition
COVID-19	The virus that causes COVID-19 is a new coronavirus that has spread throughout the world. COVID-19 is a virus that can spread from person to person. The Center for Disease Control (CDC) has stated that symptoms can appear 2-14 days after exposure and include: cough, shortness of breath or difficulty breathing, fever, chills, muscle pain, sore throat, new loss of taste or smell, headache, congestion or runny nose, nausea or vomiting, diarrhea. Although these symptoms are not all inclusive they are reported by the CDC as the most common. COVID-19 is spread by being in close contact with

	another person who has COVID-19 (less than 6 feet), touching your eyes, mouth or nose after touching a surface with the virus on it, and from respiratory droplets from an infected person when they cough, talk, or sneeze.
College	The State University of New York at Potsdam.
Employee	A public employee working for The College, a Research Foundation employee associated with The College, or a PACES employee associated with The College.
Supervisor	Any person assigned as a supervisor of record within The College who has the authority to direct and control the work performance of an employee.
Visitor	Any person that is not an employee as defined by this policy but is on campus grounds.
Public	Any person that an employee may have face to face contact with during the course of their workday.
Center for Disease Control (CDC)	The CDC is an agency that helps protect America from health, safety and security threats, both foreign and in the U.S.
World Health Organization (WHO)	WHO's primary role is to direct international <i>health</i> within the United Nations' system and to lead partners in global <i>health</i> responses.
Personal Protective Equipment (PPE)	PPE is equipment that is worn to minimize exposure to hazards in the work place that can cause injury and/or illness.
Pandemic	A disease that has affected an entire country or entire world.
Social Distance	Social distancing is the practice of staying at least 6 feet from another person. Social distancing is a key component of stopping the spread of COVID-19 as recommended by the CDC.
Asymptomatic	A person producing or showing no symptoms.
Underlying Health Condition	A medical condition that may make an employee more vulnerable to COVID-19. Employees may be required to provide sufficient medical documentation to Human Resources.

Background

The World Health Organization (WHO) announced on January 30, 2020 a global pandemic due to the novel coronavirus COVID-19. The first known case was in Wuhan, China during December 2019. The first confirmed case of COVID-19 in the United States was in January 2020. As a result of the global pandemic the State University of New York at Potsdam (the College) will adopt this policy to aid in the safety and well-being of all employees.

Basis for Policy

It is of the utmost importance to the College that employee's work in a safe environment during the pandemic. The College is implementing this policy in order to achieve the safest working environment for employees. This policy will remain in effect through the COVID-19 pandemic and/or until management, the state, and/or health officials have determined it is safe to discontinue its use. Management will review with the appropriate collective bargaining units at that time. This policy may be updated as needed to appropriately respond to the pandemic. Any changes will be discussed with the appropriate collective bargaining units and communicated to the campus community.

Policy

This policy applies to all employees and visitors to the campus. Employees must follow the policy below to reduce the spread of COVID-19:

- **Screening**

Employees must complete the self-screening tool in its entirety on each workday they physically report to work within 60 minutes prior to reporting to work. The screening tool can be found [here](#). If an employee does not have access to the screening tool from home, they may contact Human Resources for an alternate method of screening. If an employee does not have a thermometer, they may contact Student Health Services. Supervisors will receive notice when an employee has completed their self-screening tool and they are clear to report to work. It is the responsibility of the employee and supervisor to ensure the screening tool is completed on a daily basis. If an employee answers yes to any of the questions in the screening tool, Human Resources will be notified. The employee is not to report to work and must contact Human Resources and their supervisor immediately for next steps. Employees that are in their period of no obligation or not in work status do not need to complete the screening tool until they physically begin reporting to work again.

- **Face Covering Requirements Policy**

To view the Face Covering Requirement Policy please click [here](#). Employee must adhere to the Face Covering Requirement Policy.

- **Training**

All employees will be required to complete a return to work training presented by the departments of Student Health and Environmental Health & Safety. The training will be administered online through the department of Human Resources.

- **Social Distance**

All employees must practice social distancing to the greatest extent possible. Social distancing is critical as we have learned that people can be asymptomatic, which means they are showing no symptoms of COVID-19.

Social distancing is one of the best tools we have to protecting each other:

- Stay at least six feet (approximately two arms length) from others at all times. Employees are encouraged to professionally remind someone to maintain six feet between them.
- Do not gather in large groups. Employees should consider where they take their meal break.
- Employees who take breaks during the workday must do so while maintaining social distancing requirements. Supervisors must work with their employees to stagger break times and ensure employees are not in a breakroom where social distancing cannot be maintained.
- Stay out of crowded areas and avoid mass gathering.

The College understands that not all employee's duties can be effectively completed while engaging in social distancing. In those instances it is of the utmost importance employee's wear their face covering.

- **Using the Elevator**

Employees are encouraged to use the stairs whenever possible. However, the College understands that may not always be possible. If an employee uses an elevator, no more than one person may enter an elevator. You should stand at least 6 feet from the elevator door to maintain social distancing should someone be exiting off the elevator. While on the elevator, you must wear your face covering. Employees should avoid touching the buttons with exposed hands/fingers, if possible. Wash your hands upon departing the elevator or use hand sanitizer if soap and water are not available.

- **Department Requirements**

Department heads are responsible for the following:

- **Signage:** Departments heads must ensure to post signage in their department and on their office door. You can obtain the signs by clicking [here](#). If appropriate, department heads may place one-directional signage in large open spaces or areas with multiple through-ways.
- **Visual Cues:** Department heads must post visual cues such as tape (or other floor decals) to mark six feet from any front office desk or area that needs social

distancing. This can also include visual cues around desks. This can also be used to indicate where individuals should be waiting in line. Departments may use other items as markers to ensure social distancing.

- **Occupancy:** There may not be more than 50 percent occupancy in a specific area at a time. For specifics about your area or an area you may need contact Andy Martin via email at martinaj@potdam.edu.
- **Shared Workstations:** In the event more than one employee uses a workstation, it must be cleaned between users.
- **State Vehicles**
 - If an employee is required to use a state vehicle as part of their job, they must disinfect high touch surfaces upon entering the vehicle. This may include the steering wheel, key, shifter and seat belt. The College will provide disinfectant for the vehicles. Don't forget to wear your face covering if you are in a vehicle with two or more people!

Symptomatic Employee

Employees must monitor their symptoms as described in the screening section of this policy. If an employee is feeling symptomatic per the CDC guidance, they must contact their supervisor immediately and Human Resources. If an employee is feeling symptomatic during the course of their workday they should safely isolate themselves and immediately contact their supervisor and Human Resources.

If an employee feels sick, they are highly encouraged to stay home. Employees should follow their normal department time and attendance procedures. If an employee feels well enough to work and their position allows for productive telecommuting the College may consider this. In these instances, supervisors must work with Human Resources prior to the approval of a short term telecommuting option.

Exceptions

If an employee is unable to wear a face covering due to an underlying health condition, they should contact the Assistant Director or Director of Human Resources immediately. Employee's may be required to submit appropriate medical documentation to substantiate their underlying health condition. Only the Assistant Director or Director of Human Resources will review medical documentation. Employees should not submit medical documentation to their supervisor.

If an employee has an underlying health condition that may put them at greater risk if they contracted COVID-19 must contact the Assistant Director or Director of Human Resources to discuss an accommodation. Employee's may be required to submit appropriate medical documentation to substantiate their underlying health condition. Only the Assistant Director or Director of Human Resources will review medical documentation. Employees should not submit medical documentation to their supervisor.

Employees who are found in violation of this policy may be subject to disciplinary action in accordance to the appropriate collective bargaining agreement.

Campus Contacts

- What if I need assistance with how my office and/or department is configured?
Andrew Martin, Assistant Vice President for Facilities Planning, martinaj@potsgdam.edu
- What if I need additional training for myself or department?
Tracy Harcourt, Director of Student Health Services, harcoutj@potsgdam.edu
Patrick O'Brien, Interim Director of Environmental Health & Safety, obrienpm@potsgdam.edu
- What if I need to discuss an underlying health condition?
Melissa Proulx, Director of Human Resources, proulxme@potsgdam.edu
Jennifer Murray, Assistant Director of Human Resources, murrayjm@potsgdam.edu
- What if I need hand sanitizer? What if I lose my mask or it is damaged?
Environmental Health & Safety, ppe@potsgdam.edu
- Who should I contact for information about disinfecting products?
Environmental Health & Safety, sds@potsgdam.edu

Responsibilities

This policy identifies the following responsibilities as assigned to those cited below.

Role	Individual/Group	Contact Information
Comply with	All College Faculty & Staff	n/a
Policy Executor(s)	Melissa Proulx Director of Human Resources Patrick O'Brien Interim Director of Environmental Health & Safety	(315) 267-2086 proulxme@potsgdam.edu (315) 267-2596 obrienpm@potsgdam.edu

Change History

Date	Change History
8/27/2020	Added link to Face Covering Requirements Policy.
July 10, 2020	New Policy.

Effective Date: July 10, 2020

Responsible Party: Melissa Proulx; Patrick O'Brien

Contact Information: (315) 267-2086

(315) 267-2596

62. SAFETY GUIDELINES

New York State's Public Employees Occupational Safety and Health Act provides that the same safety and health standards that apply to workers in the private sector apply to employees in the public sector. SUNY complies with these safety and health standards by furnishing its employees with a job and workplace free from recognized hazards and by providing responsible and adequate protection to the lives and safety of its staff.

No one in the University is required to work under conditions that are manifestly dangerous. Some less obvious but still hazardous conditions may exist, so always be sure:

- a. That appliances which protrude from walls and doors, such as pencil sharpeners, are not positioned where people may be injured by them;
- b. That wastebaskets, electric cords, telephone, and similar objects are not located where people may trip over them;
- c. That safety procedures for laboratories are understood and followed;
- d. That you hold on to the handrails when using stairs;
- e. That you remain at a safe distance from the elevator doors;
- f. That the drawers of filing cabinets and desks are kept closed when not in use;
- g. That the upper drawers of filing cabinets are not filled to capacity while lower drawers are empty, thereby creating the possibility of the cabinets tipping over; and
- h. That burning cigarettes or matches are not thrown into the wastebaskets.

Use common sense at all times and report any hazardous conditions to your supervisor. You should consult with your supervisor concerning evacuation procedures and other emergency situations.

63. SCIENTIFIC MISCONDUCT

A crucial element of any policy on scientific misconduct that is to be fair and effective is a process that will distinguish instances of genuine and serious misconduct from insignificant deviations from acceptable practices, technical violations of rules, simple carelessness, and other such minor infractions. The policy proposed in this document will allow such distinctions to be made in a manner that minimizes disruptiveness and protects the conscientious, honest scientist from false or mistaken accusations.

a. Policy Statement

It is the purpose of these policies to instill and promote the principles of professional integrity, to prevent scientific misconduct, and to discover and censure instances of misconduct when they occur. Accordingly,

1. SUNY Potsdam shall maintain high ethical standards in science and other scholarly work, prevent misconduct where possible, and promptly and fairly evaluate and resolve instances of alleged or apparent misconduct.
2. Every member of the College community has the responsibility of reporting misconduct in scientific work. No person raising serious allegations of misconduct will suffer any penalty; however, frivolous, mischievous or malicious misrepresentation in alleging misconduct will not be tolerated and may result in action against the perpetrator.
3. SUNY Potsdam shall take appropriate disciplinary action against any individual found guilty of misconduct. This will include disclosure to funding agencies, collaborating scientists and institutions, journal editors, professional associations, licensing boards, and potential employers who request oral or written references.
4. These policies apply to scientific research and related scholarly writing conducted by any member of the University faculty or staff. They are not intended to address issues, such as the conduct of students in fulfilling course requirements, which are covered by other policies.
5. These procedures for the institutional handling of allegations of scientific misconduct normally have four stages:
 - I. an inquiry to determine whether the allegation or related issues warrant further investigation;
 - II. when warranted, an investigation to collect and thoroughly examine evidence;
 - III. a formal finding, and
 - IV. appropriate disposition of the matter.
6. As a general rule, the College will take no more than (60) days to conduct its inquiry and determine whether an investigation is warranted. If an investigation is to be undertaken, it will begin within (30) days of the conclusion of the inquiry, and the institution shall generally take no more than (120) days to complete the investigation, prepare the report of findings, obtain the comments of the subject(s) of the investigation, and make a decision on the disposition of the case.
7. The College will annually report to all funding and sponsoring agencies as follows:
 - I. Assurance that the institution has established an administrative process for reviewing, investigating, and reporting allegations of misconduct in science in connection with sponsored research.
 - II. Provision of such aggregate information on allegations, inquiries, and investigations as funding and sponsoring agencies may prescribe.

b. Definitions

1. Scientific Misconduct: - "Misconduct" or "Misconduct in Science" means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data.
2. Inquiry: - An Inquiry is an information-gathering and initial fact-finding to determine whether an allegation or apparent instance of misconduct warrants an investigation.
3. Investigation: - An Investigation is a formal examination and evaluation of all relevant facts to determine if an instance of misconduct has taken place. If misconduct is confirmed, the investigation should determine the seriousness of the offense and the extent of any adverse effects resulting from the misconduct.

c. Personnel

1. The Provost, after consultation with the President and others as necessary, will appoint an administrator to serve as the Misconduct Policy Officer.
2. Responsibilities of the Misconduct Policy Officer:
 - a. To work confidentially with a complainant in the development of a specific, formal written complaint.
 - b. To maintain records of all complaints and institutional responses.
 - c. To conduct inquiries and submit recommendations concerning investigations to Provost.
 - d. To assist the Provost in the conduct of formal investigations into allegations of misconduct.
 - e. To inform sponsoring and funding agencies as appropriate.

d. Liability Coverage

The involvement of faculty and staff in inquiries or investigations pursuant to these Guidelines is considered part of their employment duties and responsibilities within the meaning of Section 17 of the Public Officers Law.

e. Inquiry and Investigation of Allegations

1. Inquiry

- I. As a first step in the process of inquiry an initial report of alleged misconduct will be prepared in writing by the Misconduct Policy Officer. The accuracy of this report must be attested to by a statement signed by the person(s) originating the report. The Misconduct Policy Officer will then conduct an immediate, informal, discrete inquiry into allegations of misconduct in order to determine whether there is a substantial basis for

initiating a formal investigation into the alleged misconduct. The Misconduct Policy Officer will make every effort to safeguard all individual reputations and the integrity of the research. Every effort shall be made to protect the interests and privacy of those who in good faith report apparent misconduct and others who testify. In the conduct of this Inquiry, the Misconduct Policy Officer may consult, on an ad hoc basis, with faculty members of his/her choice.

- II. The faculty member or other investigator whose research is the subject of the complaint shall be notified that a complaint has been lodged, the nature of the complaint, and the procedures to be followed. The affected individual(s) will be granted confidential treatment to the maximum extent possible, a prompt and thorough investigation, and an opportunity to comment on allegations and findings of the inquiry and/or the investigation.
- III. Any evidence pertinent to the resolution of the issue shall be made secure by the Misconduct Policy Officer conducting the inquiry.
- IV. (The inquiry shall be conducted in confidence with the purpose of separating unfounded allegation(s) from those of a substantive nature and shall be completed whenever possible within 60 days of the initial receipt of the allegations. At the completion of the inquiry, a written report shall be filed with the Provost with an assessment as to whether or not the allegation(s) is warranted, and the reasons attendant thereto. The Misconduct Policy Officer will maintain sufficiently detailed documentation of inquiries to permit a later assessment of the reasons for determining that an investigation was not warranted, if necessary. Such records shall be maintained in a secure manner for a period of at least three years after the termination of the inquiry and shall, upon request, be provided to authorized representatives of sponsoring and funding agencies.
- V. Precautions should be taken against real or apparent conflicts of interest on the part of those involved in the inquiry or investigation.
- VI. The Provost shall determine on the basis of the written report of the inquiry, and any other consultation deemed necessary, whether the allegations warrant a formal investigation. In either case, the basis for the decision will be fully documented.
- VII. If the decision of the Provost is that no investigation is warranted, the Provost will notify all those concerned of this determination. The Provost may also examine the propriety of the initial charge and take further action if appropriate.
- VIII. If the decision of the Provost is that an investigation is necessary, it shall be formally undertaken within 30 days of the completion of the inquiry.

2. The Investigation

Administrative Actions If the decision of the Provost is that an investigation is necessary, the Provost or her designee shall:

- I. Appoint a Misconduct Investigation Committee, which will have the following membership:
 - Misconduct Policy Officer (Chair)

- Dean/Director of Appropriate Area
- Director of Research & Sponsored Programs (or designee)
- Other administrators as appropriate.

This committee will conduct the investigation and prepare a report for the Provost.

- II. After administrative and legal consultation, inform the Research Foundation, the granting agency and any other parties potentially affected by the investigation of the decision to conduct an investigation. Where there is reasonable indication of possible criminal violations, the appropriate funding agencies shall be notified within 24 hours of this determination. Where Public Health Service (PHS) grants are involved, the PHS Office of Scientific Integrity will be notified.

During the course of the investigation, funding and sponsoring agencies are to be apprised of any developments which disclose facts that may affect current or potential funding for the individual(s) under investigation or that the funding agency needs to know to ensure appropriate use of funds and otherwise protect the public interest.

- III. Inform the subject of the investigation of the accusations and that a formal investigation shall be conducted and invite the subject to make a written response to the allegations.
- IV. Consult, as the need arises, on an ad hoc basis with faculty members of his or her choice during the formal investigation.
- V. Inform collaborator(s) in the research project under investigation and give them the opportunity to comment.
- VI. Immediately proceed to collect and secure all materials necessary for the investigation.
- VII. Take interim administrative actions, as appropriate, when necessary to protect research funds, human subjects, or equipment.
- VIII. Complete the investigation within 120 days, whenever possible.

f. Conduct of the Investigation

During the course of the investigation, the Misconduct Investigation Committee shall:

1. Receive and review relevant documents, including but not necessarily limited to relevant research data and proposals, publications, correspondence, and memoranda of telephone calls.
2. Interview all individuals involved either in making the allegation or against whom the allegation is made, as well as other individuals who might have information regarding key aspects of the allegations. Complete summaries of these interviews should be prepared, provided to the interviewed party for comment or revision, and included as part of the investigative file.
3. Seek additional information as deemed necessary.
4. Consult, when appropriate, with expert(s) from outside the institution.

5. Record and document all relevant information obtained in the course of the investigation. This documentation is to be made available to the appropriate officials of sponsoring agencies, when requested.
6. Analyze and summarize results of the investigation
7. Prepare and submit a written report to the Provost, including a summary of the investigation, findings, and recommendations for further action.

g. The Finding

At the conclusion of the investigation, the Provost (or designee) will:

1. Submit a written report to the President of the results of the investigation. Included in this report shall be:
 - I. A statement of the accusation.
 - II. A statement of the findings.
 - III. An indication of the evidence or lack of evidence of misconduct.
 - IV. An evaluation of the seriousness of any misconduct found.
 - V. Recommendations for further action.
2. Submit a copy of the report to the accused for rebuttal.
3. Include any written rebuttal by the accused as an addendum to the report.

h. If an investigation has been launched on the basis of a complaint, and no fraud or misconduct is found, no disciplinary measures should be taken against the complainant and the institution should undertake diligent efforts, as appropriate, to restore the reputation of persons alleged to have engaged in misconduct. It will also undertake diligent efforts to protect the positions and reputations of those persons who, in good faith, make allegations. If the allegations are found to have been maliciously motivated, disciplinary actions may be taken against those responsible.

Responsibility for recommending the nature and severity of disciplinary action will rest in the Provost. If misconduct is confirmed, the Provost shall make recommendations to the President for appropriate sanctions against the subject.

The President, upon receiving the report of the Provost and any statement of rebuttal by the accused, will make a final determination regarding what action shall be taken and formally notify all parties, including the awarding agency and Research Foundation of that decision.

If misconduct is confirmed, the institution will take appropriate action in accordance with Article 19

of the Agreement between the State of New York and United University Professions. A faculty/staff member who is the subject of an inquiry or investigation has, as a matter of course, the right to consultation with legal counsel if he or she chooses. However, the faculty member has the right to representation by counsel in institutional proceedings only

after formal disciplinary charges have been filed in accordance with Section 19.8 of the Agreement between the State of New York and the United University Professions.

Consideration will also be given to formal notification of other concerned parties, not previously notified, such as:

1. Sponsoring agencies, funding sources.
2. Co-authors, co-investigators, collaborators.
3. Editors of journals in which fraudulent research was published.. State professional licensing boards.
4. Editors of journals or other publications, other institutions, sponsoring agencies, and funding sources with which the individual has been affiliated.
5. Professional societies.
6. Where appropriate, criminal authorities.

i. Reporting Requirements

- a. An institution's decision to initiate an investigation must be reported in writing to the appropriate officials of the sponsoring and funding State or Federal agencies on or before the date the investigation begins. At a minimum, the notification should include the name of the person(s) against whom the allegations have been made, the general nature of the allegation, and the application or grant numbers(s) involved.
- b. An investigation should ordinarily be completed within 120 days of its initiation. This includes conducting the investigation, preparing the report of findings, making that report available for comment by the subjects of the investigation, and submitting the report to the sponsoring agency. If they can be identified, the person(s) who raised the allegation should be provided with those portions of the report that address their role and options in the investigation.
- c. The institution is expected to carry its investigations through to completion, and to pursue diligently all significant issues. If an institution plans to terminate an inquiry or investigation for any reasons without completing all relevant requirements, a report of such planned termination, including a description of the reasons for such termination shall be made to the appropriate funding and sponsoring agencies.
- d. The final report submitted to the sponsoring agency will describe the policies and procedures under which the investigation was conducted, how and from whom information was obtained relevant to the investigation, the findings, and the basis for the findings, and include the actual text or an accurate summary of the views of any individual(s) found to have engaged in misconduct, as well as a description of any sanctions taken by the institution.
- e. If the institution determines that it will not be able to complete the investigation in 120 days, it must submit to the sponsoring agencies a written request for an extension and an explanation for the delay that includes an interim report on the progress to date and an estimate for the date of completion of the report and other necessary steps. If the request is granted, the institution must file periodic progress reports as requested by the sponsoring agency.

- f. The institution is responsible for notifying sponsoring agencies if it ascertains at any stage of the inquiry or investigation that any of the following conditions exist:
1. There is an immediate health hazard involved;
 2. there is an immediate need to protect Federal (or State) funds or equipment;
 3. there is an immediate need to protect the interests of the person(s) making the allegations or of the individual(s) who is the subject of the allegations as well as his/her co-investigators and associates, if any;
 4. it is probable that the alleged incident is going to be reported publicly;
 5. there is a reasonable indication of possible criminal violation. In that instance, the institution must inform the sponsoring agencies within 24 hours of obtaining that information.

64. Sexual Misconduct Response & Prevention Policy

Definitions

Term	Definition
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Affirmative Consent

Is 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.

- 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, and a reasonable person knows or should have known that such person is incapacitated. Incapacitation 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

	<p>intoxicants may be incapacitated and therefore unable to consent.</p> <ul style="list-style-type: none"> • Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
Dating Violence	Is 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. 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
Domestic Violence	A pattern of coercive tactics, which can include physical, psychological, sexual, economic and emotional abuse, perpetrated by one person against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim.
Employee	Shall mean and refer to any person whose primary role with the College community is as a member of the faculty, staff, and/or the Research Foundation for SUNY.
Employer	The State University of New York at Potsdam (the College)
Retaliation	The discharge, suspension, demotion, penalization or discrimination against any employee and/or student or other employment action taken against an employee in the terms and conditions of
Sexual Activity	Shall have the same meaning as “sexual act” and “sexual contact” (A) contact between the penis and the vulva or the penis and the anus, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however slight; (B) contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus; (C) the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade,

	<p>not through the clothing, of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; (3) the term “sexual contact” means the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade,</p>
Sexual Assault	<p>Is forced, manipulated, or coerced sexual acts, which include, but are not limited to, unwanted touching of an intimate part of another person such as a sexual organ, buttocks, breast, sodomy, oral copulation, and rape by a foreign object.</p> <ul style="list-style-type: none"> • Sexual Assault I is 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 is touching a person’s intimate parts (defined as genitalia, groin, breast, or buttocks), whether directly or through clothing, without the active (affirmative) consent of the victim. Sexual Assault II also includes
Sexual Discrimination	<p>Is any behaviors and actions that deny or limit a person’s ability to benefit from, and/or fully participate in the educational programs or activities or employment opportunities because of a person’s sex. This includes, but is not limited to, sexual harassment, sexual assault, sexual violence by employees,</p>
Sexual Exploitation	<p>Is nonconsensual, 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</p>

	<p>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</p>
Sexual Harassment in the Educational Setting	<p>Is any unwelcome conduct of a sexual nature and can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment of a student denies or limits, on the basis of sex, the student's ability to participate in or to receive benefits, services, or opportunities</p>
Sexual Harassment in the Employment Setting	<p>Is any unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature when any of the following occurs: (1) submission to such conduct is made a term or condition of an individual's continued employment, promotion, or other condition of employment; (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting an employee or job applicant; or (3) such conduct is intended to interfere, or results in</p>
Sexual Misconduct	<p>Is sexual harassment or sexual violence and encompasses a wide range of behavior for sexual purposes that is against another's will or at the expense of another. Sexual misconduct includes, but is not limited to sexual assault, intimate partner violence, stalking of a sexual nature, or any conduct of a sexual nature that is nonconsensual, or has</p>
Stalking	<p>Is 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</p>

	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
Vendor	A representative that renders goods or services and includes PACES employees.
Visitor	Also referred to as third party. Shall mean someone that is not an employee, student, or vendor.

Basis for Policy

An atmosphere of mutual respect among members of the academic community is necessary for SUNY Potsdam to function as a center of academic freedom and intellectual advancement. Any violation of mutual trust and any form of intimidation or exploitation damages the institution’s educational process by undermining the essential freedoms of inquiry and expression. Students, staff, and faculty must feel personally secure for real learning to take place. As a place of work and study, SUNY Potsdam must be free of discrimination and harassment in all of its forms, including intimidation and exploitation. All students, staff, and faculty must be assured that the College will take action to prevent such misconduct, prevent its recurrence, remedy its discriminatory effects on the victim(s) and others (if appropriate), and ensure that anyone who engages in such behavior may be subject to disciplinary procedures as outlined in the appropriate collective bargaining agreement or the SUNY Potsdam Code of Conduct, “Community Rights & Responsibilities.”

Sexual harassment is a form of sex discrimination, which is unlawful in the workplace under Title VII of the Civil Rights Act of 1964, as amended, and the New York State Human Rights Law. Under Title IX of the Educational Amendments of 1972, sexual harassment also is prohibited in the provision of educational services and protects students and employees from sexual harassment.

Policy

Sexual harassment is a form of workplace discrimination and employee misconduct, as well as a form of discrimination in the academic setting. All employees and students have a legal right to a workplace and a campus free from sexual harassment. Employees and students can enforce this right by filing a complaint internally with the College, or with a government agency, or in court under federal or state anti-discrimination laws, as detailed in SUNY's Discrimination and Sexual Harassment Complaint Procedure. The College has implemented measures to address and prevent sexual harassment and is taking additional affirmative steps to increase awareness of, and sensitivity to, all forms of sexual harassment in order to maintain a workplace and learning environment free of its harmful effects.

Sexual harassment is prohibited and will not be tolerated at SUNY Potsdam. In accordance with applicable law, sexual harassment is generally described as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment or academic benefit or quid pro quo; or
- Submission to or rejection of the conduct is used as the basis for an employment or academic decision affecting the person rejecting or submitting to the conduct; or
- The conduct has the purpose or effect of unreasonably interfering with an affected person's work or academic performance, or creating an intimidating, hostile or offensive work or learning environment.

Sexual harassment can include physical touching, verbal comments, non-verbal conduct such as leering or inappropriate written or electronic communications, or a combination of these things. Examples of sexual harassment may include, but are not limited to:

- Seeking sexual favors or a sexual relationship in return for the promise of a favorable grade or academic opportunity;
- Conditioning an employment-related action (such as hiring, promotion, salary increase, or performance appraisal) on a sexual favor or relationship; or
- Intentional and undesired physical contact; sexually explicit language or writing; lewd pictures, social media posts, emails, notes, and other forms of sexually-offensive conduct by individuals in positions of authority, co-workers or student peers, that unreasonably interferes with the ability of a person to perform their employment or academic responsibilities.
- Physical acts of a sexual nature, such as:
 - Touching, massaging, pinching, patting, kissing, hugging, grabbing, brushing against, or poking another person's body;
 - Rape, sexual battery, molestation or attempts to commit these

assaults.

- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning a target's job performance evaluation, a promotion or other job benefits or detriments, or an educational benefit or detriment;
 - Subtle or obvious pressure for unwelcome sexual activities;
 - Repeated requests for a date with someone who is not interested.

- Touching oneself sexually in front of others or using sexually-oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile environment.

- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply, because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.

- Sexual or discriminatory displays or publications, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on computers or cell phones and sharing such displays while in the workplace or classroom.

- Hostile actions taken against an individual because of that individual's sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform his or her employment or academic duties;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.

Such behavior can constitute sexual harassment regardless of the sex, gender, sexual orientation, self-identified or perceived sex, gender expression, status of being transgender, or gender identity of any of the persons involved. Sexual harassment is considered a form of employee and student misconduct which may lead to disciplinary action as outlined in the appropriate collective bargaining agreement or the SUNY Potsdam Code of Conduct, "Community Rights and Responsibilities." Further, supervisors and managers may be subject to disciplinary action for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Reporting Title IX Incidents

Please refer to the Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under Title IX Regulations to report a Title IX incident. You should report the conduct immediately to the Title IX Coordinator, a supervisor, a faculty/staff

member, University Police, Human Resources (if accused is an employee), or another reporting resource. If there is a threat or immediate danger, please contact University Police at (315) 267-2222. For more reporting resources, please visit the College’s Title IX Webpage.

Retaliation

Retaliation against a person who files a complaint, serves as a witness, or assists or participates in any manner in this procedure, is unlawful, is strictly prohibited and may result in disciplinary action as outlined in the appropriate collective bargaining agreement or the SUNY Potsdam Code of Conduct, “Community Rights & Responsibilities.” Retaliation is an adverse action taken against an individual as a result of complaining about or provides information regarding unlawful discrimination or harassment, exercising a legal right, and/or participating in a complaint investigation as a third-party witness.

Adverse action includes being discharged, disciplined, discriminated against, or otherwise subject to adverse action because the individual reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Participants who experience retaliation should contact the Title IX Coordinator and may file a complaint pursuant to these procedures.

Change History

Date	Change History
1/1/2019	New Policy Drafted
6/19/2019	Alphabetized definitions; changed retaliatory action to retaliation; added “third party” to visitor definition; added the Code of Conduct to last paragraph under Policy section; spelled out University Police’s full phone number for cell phone users under Reporting Title IX Incidents section
8/14/2020	Added language to direct employees to the new Title IX Grievance Policy. Changed name to Sexual Misconduct. Added link to new Title

Effective Date: 7/1/2019

Responsible Party: Title IX Coordinator

Other Related Information:

Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under the Title IX Regulations

SUNY’s Discrimination and Sexual Harassment Complaint Procedure:

SUNY Potsdam Title IX Webpage: <https://www.potsdam.edu/about/safety/title-ix>

Equal Employment Opportunity Commission

SUNY Policy Doc. No. 6502, Equal Opportunity: Access, Employment and Fair Treatment in the State University of New York

65. SMOKING POLICY AND GUIDELINES

Tobacco Free Policy

Definitions

Term	Definition
Tobacco	Any product made or derived from tobacco or which contains nicotine, intended for human consumption, including, but not limited to: cigarettes, cigars, hookah-smoked products, bidis, kreteks, Electronic smoking device/electronic cigarettes, electronic aerosol delivery systems, smokeless tobacco and snus; term also includes herbal cigarettes and nicotine-free electronic smoking devices. Tobacco does not include drugs, devices, or combination products authorized for sale by the state or U.S. Food and Drug Administration, those terms are defined in the Federal Food, Drug and Cosmetic Act.
Component or Part	Any software or assembly of materials intended or reasonably expected: (1) to alter or affect the Tobacco Product's or Electronic Aerosol Delivery System's performance, composition, constituents, or characteristics; or (2) to be used with or for the human consumption of a Tobacco Product or Electronic Aerosol Delivery System. Component or Part excludes anything that is an Accessory, and includes, but is not limited to e-liquids, cartridges, certain batteries, heating coils, programmable software and flavorings for Tobacco Products or Electronic Aerosol Delivery Systems.
Electronic smoking device / electronic cigarette	An electronic smoking device that, when activated, produces an aerosol that may be inhaled. Includes any Component or Part (but not Accessory) and any liquid or other substance to be aerosolized, whether or not separately sold. Includes all electronic smoking devices, regardless of nicotine content level.

Accessory	Any product that is intended or reasonably expected to be used with or for the human consumption of a Tobacco Product or Electronic Aerosol Delivery System; does not contain tobacco and is not made or derived from tobacco; and meets either of the following: (1) is not intended or reasonably expected to affect or alter the performance, composition, constituents, or characteristics of a Tobacco Product or Electronic Aerosol Delivery System; or (2) is intended or reasonably expected to affect or maintain the performance, composition, constituents, or characteristics of a Tobacco Product or Electronic Aerosol Delivery System but (a) solely controls moisture and/or temperature of a stored Tobacco Product or Electronic Aerosol Delivery System; or (b) solely provides an external heat source to initiate but not maintain combustion of a Tobacco Product. Accessory includes, but is not limited to, carrying cases, lanyards and holsters.
College	The State University of New York at Potsdam.
Campus	Any property owned, leased, or operated by SUNY Potsdam, including but not limited to: private offices, dining areas, recreational facilities, residence halls, athletic facilities, all institute owned or operated vehicles, and vehicles used to transport SUNY Potsdam faculty, staff, or students on any institute-related business, academic, or student life activities.
University Organizations	University organizations are institutionalized organizations for students and/or staff that receive funding directly from the University, and which are coordinated or directed by University Staff. Examples include those societies, clubs or the like, which are formed because of the special interest of any particular group of students.
Employee	A public employee working for The College, a Research Foundation employee associated with The College, or a PACES employee associated with The College.
Visitor/Guest	Someone who is not an employee, student, or vendor.
Vendor	A representative that renders goods or services.
Employer	The State University of New York at Potsdam, (The College), Potsdam Auxiliary College Educational Services (PACES).
Supervisor	Any person assigned as a supervisor of record within The College who has the authority to direct and control the work performance of an employee.

Background

In January 1990, the Clean Indoor Air Act (Act) required that stringent regulations governing smoking be implemented in indoor areas open to the public. In passing this law, the State Legislature found that “there is a substantial body of scientific research showing that breathing secondhand smoke is a significant health hazard for nonsmokers.”

The purpose of this Act is to preserve and improve the health, comfort and environment of the people of this State by limiting exposure to tobacco smoke.

Further, in June 2012, the SUNY Board of Trustees passed a resolution directing all SUNY campuses to begin the work necessary to be tobacco free. As a result, SUNY Potsdam became a tobacco restricted campus. The next step in the process is to become a 100% tobacco free campus.

SUNY Potsdam supports an environment where its students, employees, and visitors do not smoke or use other tobacco products on the campus, and are not exposed to environmental tobacco smoke. SUNY Potsdam cares about the health of all its community members, staff and students and is committed to providing a safe working, living, and educational environment.

Policy Statement

SUNY Potsdam is a 100% tobacco free campus. Tobacco use of any kind is prohibited on campus, at extension campuses, at all indoor and outdoor events, and in all vehicles and equipment owned, leased or operated by the college.

Sale of tobacco products on campus is prohibited. The college will not accept advertising, marketing, distribution, or promotion of tobacco or electronic cigarette / electronic aerosol delivery device products.

Responsibility

Effective implementation of this policy depends on the courtesy, respect, and cooperation of all members of the SUNY Potsdam Community.

Employers and Supervisors (College and vendors) shall communicate this policy to their employees and volunteers.

Event organizers shall communicate this policy to event attendees.

Compliance

Third Party Vendors

- The sale of tobacco products on campus is prohibited.
- The distribution of tobacco products to University organizations is prohibited.
- University organizations are prohibited from accepting money or gifts from tobacco companies, directly or indirectly. This include sponsorship of parties by tobacco companies, distribution of free, reduced, or full price tobacco products, or any promotional items. This does not apply to research funding.
- Tobacco related advertising or sponsorship is not permitted on or in:
 - College management property, including billboards or signage in stadiums or on campus and at College sponsored events.
 - Publications produced by the College.
 - Tobacco related advertising is permitted in a newspaper or magazine not provided by the College and which is lawfully sold, bought, or distributed on College managed property; this includes student run newspapers.

This policy is driven by respect for others and the environment and relies on the thoughtfulness, consideration and cooperation of tobacco and electronic

cigarette/electronic aerosol delivery users and non-users for its success. Enforcement of this policy will depend on the cooperation of all members of the SUNY Potsdam campus community. The campus community will be treated respectfully in the consistent observance of the policy. It is the responsibility of all members of the College community to observe this tobacco and electronic cigarette/electronic aerosol delivery device use policy.

SUNY Potsdam will inform members of the campus community about the tobacco and electronic cigarette/electronic aerosol delivery device policy by widely disseminating information about the policy. The tobacco free policy will be clearly posted in employee and student handbooks, on the campus website, and included in new employee orientation.

The policy will be shared with parents, alumni and visitors through media, campus announcements, website and other media outlets. Key components of the policy will be posted on signage around campus. Public announcements will address the policy at events on campus.

Non-compliance prompts an educational response, which includes information regarding the existence of the policy, the rationale for the policy and the availability of nicotine cessation support services, both on and off campus.

Excessive non-compliance by students is referred to the appropriate campus student conduct office. If a student is found in violation of this policy, they may be subject to charges as outlined in the Student Code of Conduct.

In the event of non-compliance by Visitors and Guests, University Police may be notified and take appropriate action.

Resources

The College understands the addictive nature of tobacco products, and that breaking the addiction is extremely difficult for many people. The College will make every effort to assist and encourage those who wish to stop using tobacco products and will offer various educational and cessation programs. Employee should contact the Employee Assistance Program (EAP) for more information and assistance. Students and employees should contact the NYS Quitline at 1-800-NY-QUITS.

Policy Review

SUNY Potsdam maintains a broad-based Tobacco Free Taskforce to identify and address concerns related to this policy, the implementation process, compliance, and cessation.

FAQS

Change History

Date	Change History
8/1/2019	New Policy.

Effective Date: 8/1/2019

Responsible Party: Defined in Policy

It is the responsibility of the Deans in consultation with the Provost and department chairs to develop instructional programs which will result in reasonably equal service to students, the College and the State University of New York from each member of the teaching faculty. The policy of SUNY Potsdam on faculty utilization reflects the criteria of the Board of Trustees of the State University of New York for the evaluation of academic employees (Policies of the Board of Trustees, Article XII, Title A) and the practice which has been in effect for many years at the College.

While the primary responsibility of full-time faculty at SUNY Potsdam is academic instruction, other responsibilities include, but are not limited to, academic advising, research and/or creative activities, continuing professional development, and campus and community service.

Full-time faculty at SUNY Potsdam normally carry 12 semester hours each semester (24 "Modified Carnegie" units in Crane). These 12 semester hours are not limited to standard classroom teaching, but may include contact with students in credit-bearing lab sections, research seminars, and other learning modes. Responsibilities are not determined on the basis of student load (i.e., a professor who teaches one or more large sections is not automatically given a course load reduction).

Low-enrolled courses (e.g., fewer than 12 students in a lower division course; fewer than 9 students in an upper division course) are reviewed by the dean for possible cancellation and substitution of a higher demand course. Some faculty also teach tutorials and direct research projects for a few students. Schedules are reviewed before and after pre-registration to assure the effective use of faculty resources while allowing the continuation of courses that are essential to major or other programs.

Currently, variations on the normal expectations of teaching load are determined by the Deans, Provost, and in some cases, by the President. Faculty may apply for a course reduction for research and other scholarly activity through the Department and the Department Chair to the Dean's office. Such applications state the purpose of the reduction and carry with them the recommendation of the Department and the Department Chair. Decisions on requested reductions are made by the Provost in consultation with the appropriate dean.

In addition to the reduction granted for department chairs, a reduction in teaching assignment may be granted for such reasons as:

- a. Administrative assignments (e.g., chair of the Faculty Senate)
- b. Research and other scholarly activity, as noted above,
- c. Chair of a major search committee;
- d. Extraordinary community service.

All full-time faculty are expected to submit an annual report of their activities. The reports are reviewed by the deans and, in the case of decisions regarding merit pay, reappointment, promotion and the granting of continuing appointment, by the Provost and the President. Faculty are evaluated, promoted, and receive merit pay increments on the basis of teaching effectiveness, mastery of subject matter, scholarly ability, effectiveness of university service (including advisement of students), public service, and continuing growth.

The assessment of faculty utilization is an on-going process. As stated in the Faculty Handbook "It is the responsibility of the Deans in consultation with the Provost and Department Affairs and Department Chairs to develop instructional programs which will

result in reasonably equal service to students, the College, and the State of New York from each member of the teaching faculty." Specifically, the Provost conducts an annual review of faculty utilization for each academic department, including an analysis of enrollments, number of majors, general education needs, student/ faculty ratios, and SUNY benchmark information. When vacant lines are available, they are reallocated to different departments in such a way as to maximize the efficiency, effectiveness, and the quality of the overall academic program.

67. Textbook Access and Affordability

SUNY Potsdam Policies on Textbook Access and Affordability

To comply with the Higher Education Opportunity Act (HEOA), effective July 1, 2010, and the New York Textbook Access Act (Education Law § 720 et seq.), effective July 1, 2009, SUNY Potsdam (hereinafter "College") has adopted the following policies regarding:

1. Textbook requisition

College faculty members shall place their textbook orders with The College Store (hereinafter "bookstore") by March 1 for the summer session and fall semester and by October 1 for the Winterim session and spring semester. These dates are chosen to allow bookstore staff sufficient lead time before the start of each semester/session to confirm the availability of course materials and, when appropriate, the availability of used textbooks or alternate digital formats. If a faculty member does not wish to use a textbook or uses other materials, this information must be provided to the bookstore as well. The bookstore will make every effort to fill the order as requested by the faculty member.

2. Notification of textbook information to students

The College's on-line student course registration system (BearPaws) shall display a link to textbook information (and other required materials, if applicable) for each scheduled class. The information displayed for each course shall consist of the following:

- a. For courses with required and/or recommended textbooks and/or materials, the textbook author, title, ISBN, price, edition, and whether the selection is required or recommended will be displayed.
- b. For courses without required and/or recommended textbooks, the phrase "No Book Required" will be displayed.
- c. For courses where other course materials are required (individualized by student), the phrase "See instructor for information" will be displayed.
- d. For courses for which no order has been received, the phrase "Yet to be determined" will be displayed.

The College and its bookstore shall make best efforts to notify students as to the availability of the following: textbook rentals, used textbooks for purchase, textbook buyback programs, alternative content delivery programs (e.g., e-texts) and other cost saving strategies.

2. Liaisons between departments and the bookstore

Each academic department shall identify a bookstore liaison to help coordinate

timely submission of textbook orders and to follow-up on late orders.

4. Informing faculty

The College President or his/her designee shall keep faculty informed of their obligations under the current textbook laws and provide them with information regarding options for reducing textbook costs to students.

5. Allowable compensation

No College faculty member, administrator or employee shall demand or receive any payment, loan, advance, goods, or deposit of money, present or promised, for adopting specific course materials required for course work or instruction, except as follows:

- a. Sample copies, instructor's copies, or instructional material, that are not to be sold;
- b. Royalties or other compensation from sales of textbooks that include an instructor's own writing or work;
- c. Honoraria for academic peer review of course materials; or
- d. Compensation for training in the use of course materials and learning technologies.

1. Academic freedom

These policies shall not supersede faculty members' academic freedom in the selection of course materials for use by students.

Adopted 22 February 2010

68. THEFT OF STATE PROPERTY

Whenever state property is found missing or to have been stolen, the Office of University Police is to be notified immediately. University Police personnel will initiate an immediate investigation and prepare and file required investigative reports.

69. TITLE IX POLICY

Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under the Title IX Regulations

1. Introduction

What is the purpose of the Title IX Grievance Policy?

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access our educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that:

- Defines the meaning of “sexual harassment” (including forms of sex-based violence)
- Addresses how this institution must respond to reports of misconduct falling within that definition of sexual harassment, and
- Mandates a grievance process that this institution must follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.

See, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available here: <http://bit.ly/TitleIXReg>

Based on the Final Rule, SUNY Potsdam will implement the following Title IX Grievance Policy, effective August 14, 2020.

How does the Title IX Grievance Policy impact other campus disciplinary policies?

In recent years, “Title IX” cases have become a short-hand for any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual assault. But under the Final Rule, SUNY Potsdam must narrow both the geographic scope of its authority to act under Title IX and the types of “sexual harassment” that it must subject to its Title IX investigation and adjudication process. Only incidents falling within the Final Rule’s definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the Title IX Grievance Policy defined below.

SUNY Potsdam remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule.

For example, our campus has:

- Sexual Harassment Response & Prevention Policy
- Consensual Relationship Policy
- Mandatory Reporting and Prevention of Child Sexual Abuse
- Domestic Violence and the Workplace
- Workplace Violence Policy

To the extent that alleged misconduct falls outside the Title IX Grievance Policy, or misconduct falling outside the Title IX Grievance Policy is discovered in the course of investigating covered Title IX misconduct, the institution retains authority to investigate

and adjudicate the allegations under the campus [policies and procedures](#) through a separate proceeding.

The elements established in the Title IX Policy under the Final Rule have no effect and are not transferable to any other policy of the College for any violation of the employment policies or any civil rights violation except as narrowly defined in this Policy. This Policy does not set a precedent for other policies or processes of the College and may not be cited for or against any right or aspect of any other policy or process.

How does the Title IX Grievance Policy impact the handling of complaints?

Our existing Title IX office and reporting structure remains in place. What has changed is the way our Title IX office will handle different types of reports arising from sexual misconduct, as detailed in full throughout Section 2.

2. The Title IX Grievance Policy

General Rules of Application

Effective Date

This Title IX Grievance Policy will become effective on August 14, 2020, and will only apply to formal complaints of sexual harassment brought on or after August 14, 2020. Complaints brought prior to August 14, 2020 will be investigated and adjudicated according to the Title IX Grievance Policy if a case is not complete by that date.

Revocation by Operation of Law

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this policy, this policy, or the invalidated elements of this policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication. Should the Title IX Grievance Policy be revoked in this manner, any conduct covered under the Title IX Grievance Policy shall be investigated and adjudicated under the existing policies and procedures.

Non-Discrimination in Application

The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or state law. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant, Respondent, or Witness. Individuals who wish to file a complaint about the institution's policy or process may contact the Department of Education's Office for Civil Rights using contact information available at <https://ocrcas.ed.gov/contact-ocr>.

Definitions

Covered Sexual Harassment

For the purposes of this Title IX Grievance Policy, “covered sexual harassment” includes any conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution’s education program or activity;
3. Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent;
4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.
5. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under New York State’s domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of New York.
6. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to-- (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

Note that conduct that does not meet one or more of these criteria may still be prohibited under the code of conduct (*Student Community Rights and Responsibilities*).

Consent

For the purposes of this Title IX Grievance Policy, “consent” means affirmative consent, which is 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.

- A. 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.

- B. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- C. Consent may be initially given but withdrawn at any time.
- D. Consent cannot be given when a person is incapacitated, and a reasonable person knows or should have known that such person is incapacitated. Incapacitation 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 an 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.
- E. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- F. When consent is withdrawn or can no longer be given, sexual activity must stop. (See Affirmative Consent definition in [Sexual Harassment Response and Prevention Policy](#)).

Education Program or Activity

For the purposes of this Title IX Grievance Policy, SUNY Potsdam’s “education program or activity” includes:

- Any on-campus premises
- Any off-campus premises that SUNY Potsdam has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of SUNY Potsdam’s programs and activities over which SUNY Potsdam has substantial control.

Formal Complaint

For the purposes of this Title IX Grievance Policy, “formal complaint” means a document – including an electronic submission - filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within SUNY Potsdam’s education program or activity and requesting initiation of the procedures consistent with the Title IX Grievance Policy to investigate the allegation of sexual harassment.

Complainant

For the purposes of this Title IX Grievance Policy, Complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute covered sexual harassment as defined under this policy.

Relevant evidence and questions

“Relevant” evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

“Relevant” evidence and questions do not include the following types of evidence and questions, which are deemed “irrelevant” at all stages of the Title IX Grievance Process:

- Evidence and questions about the complainant’s sexual predisposition or prior sexual behavior unless:
 - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
 - They concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent. 34 C.F.R. § 106.45(6)(i).
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege.
- Any party’s medical, psychological, and similar records unless the party has given voluntary, written consent. 85 Fed. Reg. 30026, 30294 (May 19, 2020).

Respondent

For the purposes of this Title IX Grievance policy, Respondent means any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment as defined under this policy.

Privacy vs. Confidentiality

Consistent with *Student Community Rights and Responsibilities* references made to *confidentiality* refer to the ability of identified confidential resources to not report crimes and violations to law enforcement or college officials without permission, except for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to *privacy* mean SUNY Potsdam offices and employees who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed 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 for tracking patterns and spotting systemic issues. SUNY Potsdam will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

Disability Accommodations

This Policy does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX Grievance Process that do not fundamentally alter the Process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

Making a Report Regarding Covered Sexual Harassment to the Institution

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by

any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Contact Information for the Title IX Coordinator:

Name: Eric Duchscherer

Title: Interim Dean of Students and Interim Title IX Coordinator

Office Address: Draime Extension S283

Email Address: duchscherer@potSDam.edu

Telephone Number: (315) 267-2117

Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Confidential Reporting

The following Officials will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited under this policy:

- Title IX Coordinator or designee
- Human Resources
- Mandatory Reporters

Non-Investigatory Measures Available Under the Title IX Grievance Policy

Supportive Measures

Complainants (as defined above), who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from SUNY Potsdam regardless of whether they desire to file a complaint, which may include as appropriate. Supportive measures are non-disciplinary and non-punitive.

As appropriate, supportive measures may include, but not be limited to:

- Employee Assistance Program (EAP)
- Campus escort service (University Police)
- Modifications of work schedules
- Restrictions on contact between the parties (no contact orders)
- Changes in work locations
- Leave of absence
- Rave Guardian mobile app
- Ombuds Program
- Increased monitoring of certain areas of campus.

See 85 Fed. Reg. 30401.

Emergency Removal

SUNY Potsdam retains the authority to remove a respondent from SUNY Potsdam's program or activity on an emergency basis, where the College (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual harassment justifies a removal.

If SUNY Potsdam determines such removal is necessary, the respondent will be provided notice and an opportunity to challenge the decision immediately following the removal. SUNY Potsdam will follow the appropriate collective bargaining agreement process for emergency removal.

Administrative Leave

SUNY Potsdam retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Process, consistent with the appropriate collective bargaining agreement.

The Title IX Grievance Process

Filing a Formal Complaint

The timeframe for the Title IX Grievance Process begins with the filing of a Formal Complaint. The Grievance Process will be concluded within a reasonably prompt manner, and no longer than ninety (90) school days after the filing of the Formal Complaint, provided that the Process may be extended for a good reason, including but not limited to the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The procedure for applying for extensions is described below.

To file a Formal Complaint, a complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Policy if they are currently participating in, or attempting to participate in, the education programs or activities of SUNY Potsdam including as an employee. For complainants who do not meet this criteria, the College will utilize existing campus policies and procedures.

If a complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary. SUNY Potsdam will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Policy and Process.

Nothing in the Title IX Grievance Policy or campus policies and procedures prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

A complainant who files a Formal Complaint may elect, at any time, to address the matter through the Institution's Ombuds Program. Information about this process is available [here](#).

Multi-Party Situations

The institution may consolidate Formal Complaints alleging covered sexual harassment against more than one respondent, or by more than one complainant against one or more

respondents, or by one party against the other party, where the allegations of covered sexual harassment arise out of the same facts or circumstances.

Determining Jurisdiction

The Title IX Coordinator will determine if the instant Title IX Grievance Process should apply to a Formal Complaint. The Process will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred on or after August 14, 2020;
2. The conduct is alleged to have occurred in the United States;
3. The conduct is alleged to have occurred in SUNY Potsdam's education program or activity; and
4. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

If all of the elements are met, SUNY Potsdam will investigate the allegations according to the Grievance Process.

Allegations Potentially Falling Under Two Policies

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process will be applied to investigation and adjudication of only the allegations that constitute covered sexual harassment.

Mandatory Dismissal

If any one of these elements are not met, the Title IX Coordinator or designee will notify the parties that the Formal Complaint is being dismissed for the purposes of the Title IX Grievance Policy. Each party may appeal this dismissal using the procedure outlined in "Appeals," below.

Discretionary Dismissal

The Title IX Coordinator or designee may dismiss a Formal Complaint brought under the Title IX Grievance Policy, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
- The respondent is no longer enrolled or employed by SUNY Potsdam; or,
- If specific circumstances prevent SUNY Potsdam from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

Any party may appeal a dismissal determination using the process set forth in "Appeals," below.

Notice of Dismissal

Upon reaching a decision that the Formal Complaint will be dismissed, the institution will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint, and the reason for the dismissal, simultaneously to the parties through their institutional email accounts. It is the responsibility of parties to maintain and regularly check their email accounts.

Notice of Removal

Upon dismissal for the purposes of Title IX, SUNY Potsdam retains discretion to follow the appropriate collective bargaining agreements to determine if a violation of the campus policies and procedures has occurred. If so, SUNY Potsdam will promptly send written notice of the dismissal of the Formal Complaint under the Title IX Grievance Process and removal of the allegations to the conduct process.

Notice of Allegations

The Title IX Coordinator will draft and provide the Notice of Allegations to any party to the allegations of sexual harassment. Such notice will occur as soon as practicable after the institution receives a Formal Complaint of the allegations, if there are no extenuating circumstances.

The parties will be notified by their institutional email accounts if they are a student or employee, and by other reasonable means if they are neither.

The institution will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

The Title IX Coordinator or designee may determine that the Formal Complaint must be dismissed on the mandatory grounds identified above, and will issue a Notice of Dismissal. If such a determination is made, any party to the allegations of sexual harassment identified in the Formal Complaint will receive the Notice of Dismissal in conjunction with, or in separate correspondence after, the Notice of Allegations.

Contents of Notice

The Notice of Allegations will include the following:

- Notice of the SUNY Potsdam's Title IX Grievance Process including any informal resolution process and a hyperlink to a copy of the process.
- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, as required under 34 C.F.R. § 106.45(b)(5)(iv);
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source, as required under 34 C.F.R. § 106.45(b)(5)(vi);

Ongoing Notice

If, in the course of an investigation, the College decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered "sexual harassment" falling within the Title IX Grievance Policy, the College will notify the parties whose identities are known of the additional allegations by their institutional email accounts or other reasonable means.

The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

Advisor of Choice and Participation of Advisor of Choice

SUNY Potsdam will provide the parties equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

SUNY Potsdam has a long-standing practice of requiring employees to participate in the process directly and not through an advocate or representative. Employees participating as Complainant or Respondent in this process may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice shall not participate directly in the process as per standard policy and practice of SUNY Potsdam.

SUNY Potsdam will not intentionally schedule meetings or hearings on dates where the Advisors of Choice for all parties are not available, provided that the Advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

SUNY Potsdam's obligations to investigate and adjudicate in a prompt timeframe under Title IX and other college policies apply to matters governed under this Policy, and SUNY Potsdam cannot agree to extensive delays solely to accommodate the schedule of an Advisor of Choice. The determination of what is reasonable shall be made by the Title IX Coordinator or designee. SUNY Potsdam will not be obligated to delay a meeting or hearing under this process more than five (5) days due to the unavailability of an Advisor of Choice, and may offer the party the opportunity to obtain a different Advisor of Choice or utilize one provided by SUNY Potsdam.

Notice of Meetings and Interviews

SUNY Potsdam will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

Delays

Each party may request a one-time delay in the Grievance Process of up to five (5) days for good cause (granted or denied in the sole judgment of the Title IX Coordinator, Director of Human Resources, or designee) provided that the requestor provides reasonable notice and the delay does not overly inconvenience other parties.

For example, a request to take a five day pause made an hour before a hearing for which multiple parties and their advisors have traveled to and prepared for shall generally not be granted, while a request for a five day pause in the middle of investigation interviews to allow a party to obtain certain documentary evidence shall generally be granted.

The Title IX Coordinator, Director of Human Resources, or designee shall have sole judgment to grant further pauses in the Process.

Investigation

General Rules of Investigations

The Title IX Coordinator and/or an investigator designated by the Title IX Coordinator will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations.

SUNY Potsdam and not the parties, has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from SUNY Potsdam and does not indicate responsibility.

SUNY Potsdam cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information. SUNY Potsdam will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations) as described below.

Inspection and Review of Evidence

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

1. Evidence that is relevant, even if that evidence does not end up being relied upon by the institution in making a determination regarding responsibility;
2. inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

The institution will send the evidence made available for each party and each party's advisor, if any, to inspect and review through an electronic format or a hard copy. The Institution is not under an obligation to use any specific process or technology to provide the evidence and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The parties will have ten (10) business days to inspect and review the evidence and submit a written response by email to the investigator. The investigator will consider the parties' written responses before completing the Investigative Report. Parties may request a one-time, reasonable extension for approval by Title IX Coordinator or designee.

The institution will provide the parties up to ten (10) days to provide a response, after which the investigator will not be required to accept a late submission. Investigator has 10 business days to generate a report or, alternatively, may provide the parties with written notice extending the investigation for 10 business days and explaining the reason for the extension.

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

The parties and their advisors will not disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX grievance process. See, 85 Fed. Reg. 30026, 30435 (May 19, 2020).

The parties and their advisors will not photograph or otherwise copy the evidence. See, 85 Fed. Reg. 30026, 30435 (May 19, 2020).

Inclusion of Evidence Not Directly Related to the Allegations

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will be included in the appendices to the investigative report.

Investigative Report

The Title IX Coordinator and/or an investigator designated by the Title IX Coordinator will create an Investigative Report that fairly summarizes relevant evidence.

The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations - relevant evidence) will be referenced in the Investigative Report.

The investigator may redact irrelevant information from the Investigative Report when that information is contained in documents or evidence that is/are otherwise relevant. See, 85 Fed. Reg. 30026, 30304 (May 19, 2020).

Hearing

General Rules of Hearings

SUNY Potsdam will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing

The live hearing may be conducted with all parties physically present in the same geographic location, or, at the College's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually. This technology will enable participants simultaneously to see and hear each other. At its discretion, SUNY Potsdam may delay or adjourn a hearing based on technological errors not within a party's control.

All proceedings will be recorded through audio recording and/or audiovisual recording. That recording will be made available to the parties for inspection and review.

Prior to obtaining access to any evidence, the parties and their advisors must sign an agreement not to disseminate any of the testimony heard or evidence obtained in the hearing or use such testimony or evidence for any purpose unrelated to the Title IX Grievance Process. Once signed, this Agreement may not be withdrawn See, 85 Fed. Reg. 30026, 30435 (May 19, 2020).

Continuances or Granting Extensions

SUNY Potsdam may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, SUNY Potsdam will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

Participants in the live hearing

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

Complainant and Respondent (The Parties)

- The parties cannot waive the right to a live hearing.
- The institution may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence, including through any evidence gathered that does not constitute a "statement" by that party. 85 Fed. Reg. 30026, 30361 (May 19, 2020).
 - For example, A verbal or written statement constituting part or all of the sexual harassment itself is not a "prior statement" that must be excluded if the maker of the statement does not submit to cross-examination about that statement. In other words, a prior statement would not include a document, audio recording, audiovisual reading, and digital media, including but not limited to text messages, emails, and social media postings, that constitute the conduct alleged to have been the act of sexual harassment under the formal complaint. See, OCR Blog (May 22, 2020), available at <https://www2.ed.gov/about/offices/list/ocr/blog/20200522.html>
- SUNY Potsdam will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the party's participation. See 34 C.F.R. § 106.71; see also 85 Fed. Reg. 30026, 30216 (May 19, 2020).
- If a party does not submit to cross-examination, the decision-maker cannot rely on any prior statements made by that party in reaching a determination regarding responsibility, but may reach a determination regarding responsibility based on evidence that does not constitute a "statement" by that party.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's absence from the live hearing or refusal to answer cross examination or other questions. See 34 C.F.R. §106.45(b)(6)(i).

The Decision-maker

- The hearing body will consist of three MC designated employees as designated by the President.

- No member of the hearing body will also have served as the Title IX Coordinator, Title IX investigator, or advisor to any party in the case, nor may any member of the hearing body serve on the appeals body in the case.
- No member of the hearing body will have a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The hearing body will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.
- The parties will have an opportunity to raise any objections regarding a decision-maker's actual or perceived conflicts of interest or bias at the commencement of the live hearing.

Advisor of choice

- The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
- The advisor of choice may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party, except for the purpose of cross-examination.
- In addition to selecting an advisor to conduct cross-examination, the parties may select an advisor who may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party.
- The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the institution will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.
- The advisor is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The advisor is not prohibited from being a witness in the matter.
- If a party does not attend the live hearing, the party's advisor may appear and conduct cross-examination on their behalf. 85 Fed. Reg. 30026, 30340 (May 19, 2020).
- If neither a party nor their advisor appear at the hearing, SUNY Potsdam will provide an advisor to appear on behalf of the non-appearing party. See, 85 Fed. Reg. 30026, 30339-40 (May 19, 2020).

Witnesses

- Witnesses cannot be compelled to participate in the live hearing, and have the right not to participate in the hearing free from retaliation. See, 85 Fed. Reg. 30026, 30360 (May 19, 2020).
- If a witness does not submit to cross-examination, as described below, the decision-maker cannot rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a witness or party who testifies at the live hearing. 85 Fed. Reg. 30026, 30347 (May 19, 2020).

For all live hearings conducted under this Title IX Grievance Process, the procedure will be as follows:

- The Hearing Board will open and establish rules and expectations for the hearing;
- The Parties will each be given the opportunity to provide opening statements;
- Members of the Hearing Board will ask questions of the Parties and Witnesses;
- Parties will be given the opportunity for live cross-examination after the Hearing Board conducts its initial round of questioning; During the Parties' cross-examination, the Hearing Board will have the authority to pause cross-examination at any time for the purposes of asking the Hearing Board's own follow up questions; and any time necessary in order to enforce the established rules of decorum.
- Should a Party or the Party's Advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the Hearing Board. A Party's waiver of cross-examination does not eliminate the ability of the Hearing Board to use statements made by the Party.

Live Cross-Examination Procedure

Each party's advisor will conduct live cross-examination of the other party or parties and witnesses. During this live-cross examination the advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.

Before any cross-examination question is answered, the Hearing Board will determine if the question is relevant. Cross-examination questions that are duplicative of those already asked, including by the Hearing Board may be deemed irrelevant if they have been asked and answered.

Review of Transcript/Recording

The recording of the hearing will be available for review by the parties within ten (10) business days, unless there are any extenuating circumstances. The recording of the hearing will not be provided to parties or advisors of choice. An official audio recording will be made of the proceedings. This recording is the property of the College and will not be duplicated or released. Participants are prohibited from making their own recording during the hearing (including but not limited to audio, photographic and/or written recording). The Referred Party and Referring Party may submit a written request to the Director of Human Resources for permission to listen to the official audio recording in a supervised location on campus. An official written transcript can be provided by the College at the requesting party's expense.

Determination Regarding Responsibility

Standard of Proof

SUNY Potsdam uses the preponderance of the evidence standard for investigations and determinations regarding responsibility of formal complaints covered under this Policy.

This means that the investigation and hearing determines whether it is more likely than not that a violation of the Policy occurred.

General Considerations for Evaluating Testimony and Evidence

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Decision-maker.

Decision-makers shall not draw inferences regarding a party or witness' credibility based on the party or witness' status as a complainant, respondent, or witness, nor shall it base its judgments in stereotypes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.

Still, credibility judgments should not rest on whether a party or witness' testimony is non-linear or incomplete, or if the party or witness is displaying stress or anxiety.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by the Title IX Final Rule, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed, but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

The Final Rule requires that SUNY Potsdam allow parties to call "expert witnesses" for direct and cross examination. SUNY Potsdam does not provide for expert witnesses in other proceedings. While the expert witness will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.

The Final Rule requires that SUNY Potsdam allow parties to call character witnesses to testify. SUNY Potsdam does not provide for character witnesses in other proceedings. While the character witnesses will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford very low weight to any non-factual character testimony of any witness.

The Final Rule requires that SUNY Potsdam admit and allow testimony regarding polygraph tests ("lie detector tests") and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to such processes relative to the testimony of fact witnesses.

Where a party or witness' conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Decision-maker may draw an adverse inference as to that party or witness' credibility.

Components of the Determination Regarding Responsibility

The written Determination Regarding Responsibility will be issued simultaneously to all parties through their institution email account, or other reasonable means as necessary. The Determination will include:

1. Identification of the allegations potentially constituting covered sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding which section of the campus policies and procedures, if any, the respondent has or has not violated.
5. For each allegation:
 - a. A statement of, and rationale for, a determination regarding responsibility;
 - b. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
 - c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
6. The recipient's procedures and the permitted reasons for the complainant and respondent to appeal (described below in "Appeal").

Timeline of Determination Regarding Responsibility

If there are no extenuating circumstances, the determination regarding responsibility will be issued by SUNY Potsdam within ten (10) business days of the completion of the hearing.

Finality

The determination regarding responsibility becomes final either on the date that the institution provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in "Appeals" below, or if an appeal is not filed, the date on which the opportunity to appeal expires.

Appeals

Each party may appeal (1) the dismissal of a formal complaint or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal within five (5) business days of being notified of the decision, indicating the grounds for the appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow the institution's own procedures);
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.
- severity of sanctions.

The submission of appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal.

If a party appeals, the institution will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals may be no longer than five (5) pages (including attachments). Appeals should be submitted in electronic form using times new roman, 12 point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Appeals will be decided by an Appeal Board, who will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or hearing decision maker in the same matter.

Outcome of appeal will be provided in writing simultaneously to both parties, and include rationale for the decision.

Retaliation

SUNY Potsdam will keep the identity of any individual who has made a report or complaint of sex discrimination confidential, including the identity of any individual who has made a report or filed a Formal Complaint of sexual harassment under this Title IX Grievance Policy, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding under this Title IX Grievance Policy.

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under this Title IX Grievance Policy.

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for campus policy and procedure violations that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or Formal Complaint of sexual harassment.

Complaints alleging retaliation may be filed according to the Sexual Harassment Response and Prevention Policy.

Responsibilities

This policy identifies the following responsibilities as assigned to those cited below.

Role	Individual/Group	Contact Information
Comply with	All College staff	n/a
Policy Executor(s)	Title IX Coordinator	315-267-2184

Change History

Date	Change History
9/1/2020	Updated Title IX Coordinator Information.
8/14/2020	New Policy.

Effective Date: 8/14/2020

Responsible Party: Title IX Coordinator

Contact Information: 315-267-2184

70. TRAFFIC AND PARKING REGULATIONS

The operation of motor vehicles on campus must conform with all state, municipal and College regulations. Vehicle and traffic laws of the State of New York are applicable and enforceable on the campus and other College property. Campus University Police Officers are empowered to enforce these statutes. All reportable accidents on campus, as defined by the Vehicle and Traffic Law, should be reported to the University Police Department.

a. Registration Of Vehicles

All members of the College community who operate a motor vehicle on campus must register the vehicle with University Police. Only a motor vehicle owned by the employee or an immediate member of his/her family may be registered. Any change of vehicle, license or registration should be promptly reported. An employee with a physical disability may be issued a handicapped decal following

his/her written application to the Chief of University Police. The application must be supported by a physician's written statement certifying such need. Beginning January 2003, any faculty or staff member who parks a vehicle on campus will be required to have an annual vehicle registration decal. You will receive this decal upon receipt of a \$10 vehicle registration fee. Should you have more than one vehicle that will be parked on campus, it will be necessary to register and obtain a decal for each separate vehicle at the cost of \$10.00 per vehicle.

b. Regulations

1. Vehicles may be parked only in areas specifically designated for the type of parking permit issued and displayed.
2. Permission to park or stand in unauthorized areas to load or unload materials necessary to the College function must be obtained from the University Police Department.
3. Operators of disabled motor vehicles should notify the University Police Department when it is necessary to leave the vehicle in an unauthorized area.
4. Special parking designation may be granted for extraordinary circumstances, with the approval of the Chief of University Police. Any motor vehicle which is parked in violation of these regulations may be ticketed and/or towed from campus at the owner's expense.
5. If you or your class are going to a conference or class trip which will require you and/or your students to leave your vehicles on campus overnight, please check with the University Police Department as to which parking lots you can use for overnight parking. Certain parking lots are not designated for overnight parking, so you or your class could receive tickets for parking in an unauthorized lot.

c. Enforcement

The penalty for violation of regulations is as follows:

1. For no permit displayed/improperly displayed the penalty shall be a \$15.00 fine,
2. For violation of a handicapped designated space the penalty shall be a \$50.00 fine.
3. For all other violations the penalty shall be a \$15.00 fine, except parking in a bus stop, loading dock, or fire lane, which shall be a \$30.00 fine.
4. Unpaid fines or fees shall be deducted from the salary or wages of any employee of the College (Education Law, s360) and grades and transcripts shall be withheld from students until all fines or fees are paid.

71. TRAVEL ADVANCES

Travel advances are available to employees on College business and are issued upon request by the Purchasing and Payables Office. Travel advances are personal loans to the individual and repayment becomes the individual's responsibility. All procedures established pursuant to travel advances are those of the New York State Department of Audit and Control and are outlined as follows:

- a. Travel requisitions are required for ALL trips. This form is an estimate of all expenses of the trip and gives the traveler permission to travel and proper approval of reimbursement out of State accounts listed on the requisition.

- b. Travel advances will be limited to those people on State payroll or specific designees of the President.
- c. Dollar amount of the travel advance will be limited to the appropriate per diem rate times the number of nights the traveler is in approved travel status up to a maximum advance of \$400.00. Registration fees may also be paid in advance, but these checks will only be made out to the vendor or sponsoring agent. Registration fees will not affect the \$400.00 maximum advance. Requests for advances of registration fees must be accompanied by a registration or application form. These checks will be made out to the sponsoring agent and sent with the traveler.
- d. All travelers wishing to receive a travel advance must fill out an Application for Travel Advance form.
- e. As noted on the application form, it is the responsibility of the traveler to file a New York State Travel Voucher within 15 days of his/her return or a judgment affecting the traveler's next scheduled pay check will be entered against him/her. Revenues must continue to flow back into this system for the advance program to continue to be effective.
- f. The advance will normally be paid back by using the State of New York travel reimbursement check. If additional funds are due the traveler, a reimbursement check will come in his/her name. If the travel voucher falls short of the advance, the traveler will be expected to refund the balance to the account.
- g. State procedures prohibit advancing money for State vehicle or personal vehicle mileage.

A minimum of two days should be expected for preparation of travel advance checks. Try to plan ahead.

72. TRAVEL POLICIES AND PROCEDURES

Expenses for travel on College business by State vehicle, personal car, Enterprise Rent A Car, or other transportation are subject to reimbursement as outlined in Appendix XIV.

a. State Vehicles

The College operates a fleet of State-owned vehicles which may be used by the faculty and staff for travel on official College business.

To reserve a state-owned vehicle, you must complete a Vehicle Request/Authorization Form and send it to the Office of Physical Plant, Room 518 Raymond Hall. Keys and a vehicle use envelope may be signed out one working day in advance of travel. Keys and credit card receipts must be returned in the completed, signed envelope, immediately upon completion of travel.

If a traveler is unable to return a state-owned vehicle on schedule, he/she is required to notify the Office of Physical Plant (267-2134).

A mileage charge will be made against the traveler's authorized budget for the use of a State-owned vehicle. When available, State-owned vehicles should be used rather than privately-owned vehicles.

State-owned vehicles will be operated in accordance with the guidelines prepared by the Office of General Services entitled, "Driving a State Passenger Car," a copy of which is to be located in the glove compartment of each State-owned passenger vehicle. Fuel for these vehicles should be obtained from State facilities where possible.

All designated drivers of State-owned vehicles must have valid driver's licenses and must be presented when keys are issued.

Students will be assigned to drive a State-owned vehicle only when it is not feasible to use another driver. The President (or designee) must authorize all student drivers of a State-owned vehicle. A separate authorization for the use of a student driver must be made for each trip. Student-owned vehicles may not be used for official College business. State-owned vehicles may be assigned to students for the purpose of conducting official business of the Student Assembly.

State-owned vehicles may be used for transporting students only for the purpose of field trips required for an instructional or research program or to inter-collegiate competitions in such fields as athletics, speech, music and drama, and other social, recreational, cultural and educational programs authorized by the President (or designee), provided such events are accompanied by a member of the campus staff. A complete list of all students traveling in a State-owned vehicle must be filed with the Office of Physical Plant prior to each trip.

b. Personal Car

A traveler on College business using his/her personal car will be reimbursed at the State reimbursement rate in effect at the time of travel as well as for receipted tolls and receipted parking. The reimbursement rate may not exceed that approved by the State Comptroller. Owners of private automobiles used for travel on College business in which students are passengers are advised to carry liability insurance of \$100,000/\$300,000 as a minimum.

c. Enterprise Rentals

When deciding the most cost efficient means of transportation for your trip, you should consider the rental car option through the NYS Contract vendor – Enterprise. Reduced rates are given to NYS employees on official College business. Currently, employees must call Enterprise to make sure a car is available. After reserving it they must follow through with sending a purchase requisition with the details of the trip – destination, dates of trip, driver, and reservation number. Purchasing will fax a purchase order to Enterprise to reserve the rental car. Additionally, Enterprise Rent-A-Car has created an online rental booking system designed to make the reservation process easy and convenient for you. Whether you need a vehicle at a local branch or at an airport, reserving your vehicle online using the booking system will save you time. Plus, now you can book your rental car anytime, anywhere, and at your leisure. Also, the system will print receipts for completed trips. Instructions and links for this service can be found at the Purchasing & Payables web page <http://www.potsdam.edu/offices/purchasing/forms.cfm>. Rates and details of the contract can be obtained by calling ext. 2140.

Citibank Travel cardholders can reserve their car through Enterprise and pay with their travel card. The \$8.99 per day insurance should be declined as Citibank provides that insurance automatically for the cardholder.

d. Out-Of-State Travel

Official travel outside of the State of New York requires prior approval of the responsible vice president. Direct travel through New Jersey en route between upstate and downstate is not considered out-of-state travel.

e. Tax Exemption Certificates for Lodging

Tax exemption certificates are available from the Purchasing and Payables Office if you pay lodging charges while on College business where there is a room occupancy tax

(within NYS). Printable copies of this form are available at the Purchasing & Payables web page at <http://www.potsdam.edu/offices/purchasing/forms.cfm>.

f. Travel Expense Voucher

In order to be reimbursed for travel expenses related to college business, a travel expense voucher with original receipts must be completed by the traveler and received in the Accounting Office after completion of travel. If the traveler used his/her personal car the form AC160, Statement of Automobile Travel must also be completed and submitted. Please ensure that starting and ending points (including addresses) for each claimed trip are listed on this form. A trip that includes multiple destinations requires that each destination be listed on the AC160.

73. USE OF STATE UNIVERSITY OF NEW YORK STATIONERY

It is contrary to the policy of the State University of New York and the State of New York for State employees to use State agency stationery for the conduct of personal, non-agency related business. An Executive Chamber Policy Memorandum underscores the importance of communicating this policy to employees:

"The use of State agency stationery, accompanied by the typed words 'Personal and Unofficial,' constitutes an unacceptable contradiction in the message transmitted. As a matter of policy, State agency stationery should be utilized only for official governmental business. If a communication is 'personal and unofficial,' it has no business being sent on agency stationery. Sending such communications on agency stationery could give the appearance of an inappropriate attempt to utilize the influence of an individual's office for a private purpose."

All State University employees should make every effort to keep official and personal activities separate and to avoid potential conflicts of interest.

74. USE OF UNIVERSITY RESEARCH EQUIPMENT

The following guidelines underscore the University's willingness to have industry use the University's research equipment through cooperative arrangements involving faculty, students, and technical staff:

SUNY Potsdam is committed to implementing arrangements for cooperative use of available research equipment, while recognizing that priority on use of such equipment must be for the University's primary academic mission and activities of the campus.

In recognition of this educational mission, proposals for cooperative use of equipment should involve faculty, students or technical staff in ways that add to their knowledge and professional skills.

Each such cooperative use of research equipment must be defined in scope (by dollar amount, time, or other quantitative measure). Appropriate permit or contract procedures should be followed consistent with the procedures developed for the administration of sponsored programs and the use of University facilities by outside organizations.

In order to ensure that necessary priority is given to ongoing University research and educational programs the determination regarding the availability of particular items of equipment for cooperative use should rest with the Provost, or designee, in consultation with the principal research investigators.

University facility and equipment services will not be provided to non-University organizations or individuals in direct competition with private companies that provide equivalent equipment services on a commercial basis in the geographic region.

Under normal circumstances, full cost, both direct and indirect must be recovered, including special costs relating directly to security, insurance and indemnification protection for the University.

All arrangements must be consistent with Board of Trustees' policies. Non-University organizations and individuals, who utilize University research facilities under such cooperative arrangements, will retain ownership of all patentable inventions or discoveries.

Consistent with Trustees' Policies, patent and licensing rights may also be subject to provisions of formal agreements with industrial sponsors of University research programs.

Responsibility for the management of these Guidelines lies with the Office of Research and Sponsored Programs, to which all inquiries should be directed.

75. VEHICLE USE POLICY - FLEET VEHICLES

Vehicle Use Policy

1. Travel in fleet vehicles owned or leased by the College is for SUNY Potsdam faculty, staff, students and for official College business.
2. Verify that all drivers of fleet vehicles have a valid driver's license by enrolling each driver, faculty, staff and students, in the NYS License Event Notification System (LENS) program.
3. Require that all drivers have at least three (3) years of driving experience and be an employee of the College or a registered student, in the case where students are authorized to drive a vehicle.
4. Require that all drivers of passenger vans complete a van driver training course, to include classroom and behind the wheel training. Training course will be offered on campus and on a scheduled basis beginning July 1, 2002.
5. State owned / leased vehicles may be used for transporting students only for the purpose of field trips required for an instructional or research program or to intercollegiate competitions in such fields as athletics, speech, music and drama and other social, recreational, cultural and educational programs authorized by the President or his/her designee, provided such events are accompanied by a member of the campus faculty / staff.
6. Students will be assigned to drive a State owned / lease vehicle only when it is not feasible to use another driver. A separate authorization for the use of a student driver must be made for each trip and be approved by the President or his/her designee.
7. A complete list of passengers traveling in fleet or rented vehicles must be filed with the Office of Physical Plant, Raymond Hall 518, prior to the scheduled trip.
8. Student owned vehicles are not to be used for official University business.

9. State owned / lease vehicles may be assigned to students for the purpose of conducting official business of the Student Assembly.

10. The President, or designee, must approve all out-of-state travel, prior to the scheduled trip. Direct travel through New Jersey en route between upstate and downstate is not considered out-of-state travel.

11. College departments are prohibited from renting 15 passenger vans unless they are contracted with a "for hire" business that provides a properly licensed and trained driver with the vehicle.

12. The towing of small utility or boat trailers by College fleet passenger vans, owned or leased, will require the review and approval of the Assistant VP for Facilities. Only faculty / staff will be approved for trailer towing, on a limited basis, following the proper training of handling and safety of trailer towing.

13. Fleet vehicles are reserved by completing a "Vehicle Request Authorization Form" and sent to the Office of Physical Plant, Raymond Hall 518. Keys and a vehicle use envelope may be picked up one working day in advance of the trip. Keys, credit card receipts and gas receipts must be returned in the completed, signed envelope immediately upon completion of travel. If a traveler is unable to return the vehicle at the scheduled time, notification must be provided to the Office of Physical Plant (267-2134).

14. All fleet vehicle usage will follow College regulations and provide necessary reports to Physical Plant as required.

15. Vans with a seating capacity of 11 or more passengers must be operated by a driver who has been certified as a Vehicle and Traffic Law Article 19-a driver, if such person transports students more than thirty (30) days each calendar year. The driver must have a valid class CDL C driver's license with a P endorsement and must comply with the physical examination and certification requirements provided in 15 NYCRR Part 6, Department of Motor Vehicles Commissioner's Regulations.

Usage Rates: (Effective July 1, 2002)

Cars: \$0.28 / mile (4 dr. sedans & station wagons)

Vans: \$0.38 / mile (7 & 12 passenger)

76. VIDEO SURVEILLANCE

A. Purpose

SUNY Potsdam believes that safeguarding the personal welfare of the students and employees is of paramount importance at all campus locales and in all buildings. In an effort to discourage those behaviors which threaten personal safety or a potential loss of campus resources, selective use of video surveillance is engaged at the campus.

B. Policy

The State University of New York College at Potsdam reserves the right to place video surveillance cameras on campus where necessary and appropriate. SUNY Potsdam respects the privacy of the university community members and takes pains to balance that privacy against safety needs on campus. Cameras extend the protection of University Police, even when officers are not in an immediate area. Cameras are not a guarantee of safety but are a tool that assists University Police. Cameras protect campus community members from dangers by serving as deterrents and alerting police to dangers. Cameras are never used to monitor or track the behaviors of campus community members. This policy does not apply to legitimate academic use of video cameras for educational purposes, to cameras used for journalism, or to private video cameras owned and operated by members of the campus community. This policy does not apply to cameras used covertly by University Police or another law enforcement agency for criminal surveillance as governed by the New York Penal Law. This policy does not apply to video cameras or webcams established for reasons unrelated to surveillance activity, including remote monitoring of facilities construction to ascertain project progress or campus public relations initiatives.

C. Definition of Terms:

1. Video Surveillance Cameras: a camera device that is capable of capturing images (not audio), viewable by the naked eye and transferring such images to a data storage system. Image capture may use any technological format.
2. Data Storage System: a computer or electronic device dedicated to the purpose of storing data.
3. Public Area: an area open for public use where the expectation of privacy is not violated by what could normally be openly observed, such as the campus quad, an academic hallway, classroom, library study rooms, all outdoor areas.
4. Private Areas: areas such as bathrooms, shower areas, locker and changing rooms, areas where a reasonable person might change clothing, designated break rooms or offices assigned to individuals. The only exceptions are cameras used narrowly to safeguard money, documents, or supplies, from theft, destruction, or tampering.
5. Temporary Video Surveillance Cameras: cameras that are established by University Police to provide additional security for a campus event or situation, and that are not in place for more than 30 days.
6. Permanent Video Surveillance Cameras: cameras which may be established as part of the campus infrastructure. Placement of permanent cameras requires joint approval by the The Chief of University Police, Chief Information Officer, Chief Financial Officer and Director of Environmental Health and Safety.

D. Camera Placement:

1. SUNY Potsdam University Police currently monitor video surveillance cameras located in public areas on campus. These cameras capture images only, no audio.
2. Requests for placement of video surveillance cameras must be made to the Chief of University Police. Approved requests will include joint approval from The Chief of University Police, Chief Information Officer, Chief Financial Officer and Director of Environmental Health and Safety.
3. All camera purchases occurring subsequent to the implementation of this policy must meet the guidelines of this policy.
4. Placement of video surveillance cameras shall be the responsibility of The Chief of University Police, Chief Information Officer, Chief Financial Officer and

Director of Environmental Health and Safety and shall conform to applicable federal and state laws.

5. This policy does not apply to cameras used covertly by University Police or another law enforcement agency for criminal surveillance as governed by the New York Penal Law.
6. Cameras may not be established in private areas of the campus without obtaining a warrant and are subject only to appropriate legal authority.
7. Video surveillance cameras shall not be directed or zoomed into the windows of any private residential building including residence halls.
8. Electronic shielding will be used to the extent possible so that the camera does not have the ability to look into or through windows.
9. This policy prohibits the use of dummy or placebo cameras.

E. Video Surveillance Use and Nonuse:

1. Video surveillance camera are not to be used to monitor individual students, faculty, or staff, except as necessary for a criminal investigation and/or except as in accordance with the terms of a warrant. Cameras may be used to monitor a student or employee work area, such as an area with financial transactions, even if there is only one student, faculty, or staff member employed in that work area. Cameras used to monitor a work area will not be used to view the contents of computer screens.
2. Video surveillance cameras will not be used by the college to evaluate employee performance or to monitor employees. Video surveillance cameras shall not be used to monitor violations on campus, such as violations of parking rules, nor used to collect data on students such as parking patterns or student activity.
3. Use of video surveillance cameras shall be accompanied by signage indicating use of such cameras with signage appropriate to the facility and camera placement. Signage content and placement must be approved by the Chief of University Police or his designee.

F. Video Surveillance Camera Monitoring:

1. Video or camera images may be monitored only by SUNY Potsdam University Police or other select personnel as authorized by the Chief of University Police. No unapproved employees may monitor or view video or camera images for any reason except as necessary in the course of an investigation or adjudication. Information Technology Administrators would also have access to the video camera systems for maintenance purposes.
2. If University Police feels it is necessary to aid in an investigation or search, small video clips or image stills may be released to the media or the public. Prior to releasing the video clip, or image still, the face and identifying features of all those on video but not of interest to the investigation will be blurred.
3. All University Police Officers, and other select personnel as authorized by the Chief of University Police, approved to monitor video or camera images shall receive a copy of this policy and provide written acknowledgement that they have read and understand this policy. Officers and authorized personnel will receive any and all updates or amendments to this policy.

G. Video or Other Storage Media:

1. Video tapes or other media will be stored and transported in a manner that preserves security. Current and archived tapes or media shall be kept locked and secured.
2. Recorded images not related to or used for an investigation shall be kept confidential and destroyed on a regular basis. Recorded images will be retained for a minimum of thirty (30) days and a maximum of one year. Cameras purchased prior to the implementation of this policy will be granted a variance to this policy if recorded image retention is less than thirty (30) days. All recorded images used for an investigation or prosecution of a crime shall be retained until the end of the proceeding and appeal period unless directed otherwise by a court of law.
3. All new camera purchases will be expected to conform to a recorded image retention minimum of thirty (30) days, as well as comply with campus hardware standards. Information Technology Department defines the technologies and coordinates licensing and procurement.
4. No recorded image shall be altered in any manner. The only narrow exception allows for faces of nonparticipants in an incident to be blurred for privacy reasons in the event a video or still image is provided to the media.
5. SUNY Potsdam currently maintains a closed circuit video surveillance system not available on the Internet, located in the University Police Department and select, authorized, campus locations.

H. Video Surveillance Equipment Maintenance:

1. Every area with authorized video surveillance equipment is responsible for maintaining said equipment in good and working order. In the event that equipment may require disposal, replacement, or update, University Police must be consulted prior to any action being taken. Information Technology Department defines and coordinates licensing and procurement of all equipment. All costs associated with equipment maintenance, including disposal, are the responsibility of the originating area.

I. Destruction or Tampering with Video Surveillance Equipment:

1. Any person who tampers with or destroys a video surveillance camera or any part of the video surveillance system may be prosecuted in the criminal justice system as well as the campus judicial system and be held responsible for cost of repair and/or replacement.

J. Compliance:

1. It is the responsibility of all members of the college community to observe this policy. Anyone found to be in non-compliance will be subject to sanctions as determined by the laws of New York and/or campus administrative procedures.

K. Authority:

1. New York State's Public Officers Law and Penal Code laws constitute the authority regarding this policy. The Consolidated Laws of New York State can be found at <http://public.leginfo.state.ny.us/menueff.cgi?COMMONQUERY=LAWS>.

Please complete the non-shaded areas of the [Security Survey Request Form \(PDF\)](#) to request the SUNY Potsdam University Police Department to conduct a security survey in your area. Survey location must fall under the purview of the requesting department/office. Once the assessment is complete, UPD will issue recommendations regarding appropriate security/surveillance measures. Subsidization of such measures is neither implied nor implicit. Video surveillance equipment may not be installed without recommendation from the UPD and approval by the Vice President for Business Affairs. Other security measures may be approved by UPD with this form.

77. WHEELED VEHICLES

SUNY Potsdam recognizes that skateboards, rollerblades, bicycles and other wheeled vehicles or devices are legitimate methods of both exercise and transportation. However, some people choose to utilize these items in other than a conventional manner, thereby creating a physical danger to themselves and others as well as hazard to property. In an effort to continue to provide for the open use of College property of these modes of transportation, the following guidelines are adopted:

Trick or stunt riding is prohibited. Trick or stunt riding is defined as repetitive or competitive moves where wheels leave the surface. Vehicles or devices used in such a manner are subject to impounding.

No wheeled vehicle or device for personal transportation may be used in any campus building. Wheelchairs and youth strollers are exempt from this provision.

Skateboards, bicycles, rollerblades and similar wheeled devices are prohibited from any tennis court surface.

Skateboards and rollerblades using sidewalks will do so safely and will yield the right of way to pedestrians.

Skateboards and rollerblades using campus roadways will travel in the right lane of traffic only, as close to the right-hand curb as is feasible and safe.

78. WORKPLACE VIOLENCE PREVENTION POLICY AND PROCEDURES

Policy:

SUNY Potsdam (herein after referred to as "The College") is committed to providing a safe work environment for all employees and has adopted a zero tolerance policy regarding workplace violence. SUNY Potsdam will respond promptly to threats, acts of violence, and acts of aggression by employees or against employees by coworkers, members of the public or others. This document sets forth standards for employee conduct and guidelines for reasonable precautions. The procedures outline response to threats or violence should they occur in the workplace.

Statement:

Any and all forms of violence, threatening behavior, and/or acts of aggression which involve or affect The College employees or which occur on The College's campus are prohibited by this policy. This includes, but is not limited to, threatening behavior, violent actions, and acts of aggression by college employees directed against other employees, by employees directed against students, or visitors, and by students, or visitors directed against college employees. The College will actively work to prevent and eliminate violence, threatening behavior, and acts of aggression on campus. The College will respond promptly and decisively to violence, threatening behavior and acts

of aggression on campus. This response may include termination of employees or dismissal of students and will include timely involvement of law enforcement agencies, where appropriate. All disciplinary measures taken against students shall be in accordance with the procedures of the campus judicial system. This policy does not alter any codes of student conduct or procedures of the campus judicial system. The College's response may also include removal of third party vendors or contractors from campus or termination of contracts with such vendors or contractors. Engaging in violence, threatening behavior and/or acts of aggression is considered a form of employee misconduct.

Definitions:

"Violence, threatening behavior and acts of aggression" includes, but is not limited to, conduct against persons or property that is offensive, intimidating, hostile, injury producing, and/or abusive. Normal, courteous, respectful, pleasant, non-coercive interactions between employees and students, employees and employees, and visitors and students or employees, are not considered to be violent, threatening or acts of aggression.

"Employer" means the State University of New York at Potsdam (The College)

"Employee" means a public employee working for The College or a Research Foundation employee associated with The College

"Visitor" means someone that is not an employee, student, or vendor.

"Vendor" means a representative that renders goods or services and includes PACES employees

"Workplace" means any location away from an employee's home, permanent or temporary, where an employee performs any work in the course of his or her employment by an employer.

"Supervisor" means any person within The College who has the authority to direct and control the work performance of an employee.

"Retaliatory actions" mean the discharge, suspension, demotion, penalization or discrimination against any employee or other employment action taken against an employee in the terms and conditions of employment.

Application of Policy:

The College's prohibition against threatening behavior, violence, and acts of aggression applies to all persons involved in the operation of the College and all persons who attend the College, including but not limited to all college employees, all college students, third party vendors, and anyone else on campus.

This policy shall be deemed supplemental to all applicable State and Federal laws, all personnel rules and regulations, and all student codes of conduct.

To determine if a complaint of workplace violence has occurred, the following standard will be applied:

The evidence and information appears reliable and is of such weight and persuasiveness as to convince an authorized personnel, as defined in this policy, has occurred.

Prohibited Conduct:

The College will not tolerate any act or threat of violence made in the workplace, on College property, or while in work status.

No person may engage in violent conduct or make threats of violence, implied or direct, on College property or in connection with College business. This includes but is not limited to:

- The use of force with the intent to cause harm, e.g. physical attacks, any unwanted contact such as hitting, fighting, pushing, or throwing objects
- Behavior that is sexual, racial, religious or ethnic harassment (i.e. hate symbols, words, name calling, slurs, and gestures).
- Acts or threats which intimidate, harass, threaten, bully, coerce, or cause fear of harm Acts of threats made by oral or written words, gestures or symbols that communicate a threat of physical or mental harm

No person, without legal authority, may carry, possess or use any dangerous weapon or instrument on College property or in College buildings or facilities as defined by New York State Penal Code.

Responsibilities:

Employer

- Perform an annual risk evaluation of the workplace to determine the presence of factors or situations that might place employees at risk of workplace violence
- Create and maintain the highest practical level of physical security on campus.
- Facilitate appropriate responses to reported incidents of workplace violence.
- Assess the potential problem of workplace violence.
- Evaluate incidents to prevent future occurrences.
- Utilize prevention, intervention and interviewing techniques in responding to workplace violence.
- Develop workplace violence prevention tools to assist in recognizing and preventing workplace violence on campus.
- Arrange regularly scheduled workplace violence prevention training sessions for employees.
- At the time of the employees' initial assignment and annually thereafter, the University shall provide its employees with information and training on the risks of violence in their workplace.
- Maintain accurate records on campus violence.

President

- The President shall have ultimate responsibility for oversight of the workplace violence policy and response to reported incidents of workplace violence, in consultation with the appropriate Vice President and Human Resources.

Supervisors

- Supervisors are required to contact University Police immediately in the event of imminent or actual violence involving weapons or potential physical injuries.
- Supervisors must report to the University Police any complaint of workplace violence made to them and any other incidents of workplace violence of which they become aware or reasonably believe to exist. Supervisors are expected to inform their immediate supervisor promptly about any complaints, acts, or threats of violence even if the situation has been addressed and resolved. After having reported such complaint or incident to the University Police and immediate supervisor, the supervisor should keep it confidential and only disclose it as necessary during the investigation process and/or subsequent proceedings.
- Supervisors are empowered to take immediate action to resolve or stabilize situations on campus and to protect people from harm.
- Failure of a supervisor to initiate appropriate action may result in administrative action including possible discipline in accordance with appropriate collective bargaining agreement

Employees and Vendors

- Responsible for helping to maintain a safe work and educational environment and all are urged to take reasonable precautions to prevent violence and other unsafe conditions in the workplace and report indicators of increased risk of violent behavior.
- Notify University Police whenever a protective restraining order is granted which mentions College property or involves a College employee, or a person working at or attending the College, and provide a copy of the order to University Police. Employees should also notify their Supervisor.
- Victims of domestic violence who believe the violence may extend into the workplace, or employees who believe that domestic or other personal matters may result in their being subject to violence extending into the workplace, are encouraged to notify University Police and their Supervisor.
- All employees have an obligation to report any incidents of workplace violence.

University Police

- University Police is responsible for responding to, intervening and mitigating imminent danger situations.
- University Police is responsible for documenting all incidents reported to them of workplace violence.
- The Dean for Student Affairs or designee will be notified of an incident involving a student.
- University Police will maintain incident reports of all threats and incidents of violence.
- University Police Officers will be trained in workplace violence awareness and prevention, non- violence crisis intervention, conflict resolution and dispute resolution.
- When informed, University Police will maintain a record of any Orders of Protection.

Human Resources

- Human Resources is responsible for assisting the Chief of Police and supervisors in responding to workplace violence, assisting the President in facilitating appropriate responses to reported incidents of workplace violence, referring to University Police workplace violence incidents reported to HR, and consulting with, as necessary, counseling services to secure professional intervention.
- Human Resources is responsible for providing new employees or employees transferred to the College with access to the Workplace Violence Policy and Procedure and ensuring that employees receive appropriate training pursuant to NYS Labor Law§27b and annually thereafter.
- Human Resources will conduct background checks on all new employees.

Reporting Procedures

- Any person experiencing or witnessing imminent danger or personal injury or violence involving weapons or actual violence must be reported to University Police at 267-2222.
- Any person who is the subject of a suspected violation of the Workplace Violence Policy involving violence without weapons or personal injury, or is a witness to such suspected violations, should report the incident to University Police.
- Employees who commit a violent act or threaten to commit a violent act are subject to disciplinary action and /or criminal prosecution as appropriate.
- Any individual who exhibits threatening behavior or engages in violent acts on the College property shall be subject to removal from the premises as quickly as safety permits.

Retaliation

Retaliatory action against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action will be subject to discipline up to and including termination.

79. WORK ORDER REQUESTS

a. Maintenance of Campus Physical Facilities

1. Scope

Maintenance of campus physical facilities is the responsibility of the Physical Plant Department. Work done by the department may be classified as either routine or non-routine.

I. Routine Work

The primary function of the Physical Plant Department is the routine maintenance and operation of campus physical facilities. This function is defined as upkeep, repair, replacement and preventative maintenance of buildings, systems, components and non-academic equipment as originally configured, installed and operated. Routine maintenance and operation work is given priority. This is necessary because facility malfunctions tend to affect the campus community as a whole, rather than one or a few individuals. The cost of routine maintenance is the responsibility of the Physical Plant Department and is paid from the department's operating budget.

II. Non-Routine Work

Non-routine work is considered any job that is not maintenance and operation oriented, such as requests for partitions, shelves, space alterations, utility enlargements, academic equipment construction and/or repair. The cost of non-routine work is not a part of the Physical Plant Department's operating budget. The funding source will have to be identified and the project may require approval of the Building Administrator, Department Chair/Director, Dean, Provost and/or President.

2. Procedures

A request to have work (routine or non-routine) performed by Physical Plant requires the submission of a work order through the department's web-based system, QueCentre at www4.quecentre.com/sunypotsdam.

- a. Submit work order.
- b. Physical Plant personnel will review the work order to determine the feasibility of the request, as well as the capability of the Physical Plant Department to complete the project, and budget and personnel requirements.
- c. For non-routine work, the Physical Plant Office will estimate the project cost, recommend a funding source(s) (e.g. department budget, campus OTPS pool, capital construction), and discuss with the requester before proceeding. Where the funding source identified is the campus OTPS pool, it is the requester's responsibility to request the funds. If capital construction funds are required, the Assistant Vice President for Facilities is responsible for submitting the request as required after approval by the President (or designee).
- d. Authorized work requests will be assigned to the appropriate supervisor for action. The requester will be notified that this has been done.
- e. The requester may, at any time, review the status of a work order through the QueCentre system and contact Physical Plant supervisors as necessary.

It is to be noted that because of the large number of work orders submitted it may not always be possible to complete requests within time limits desired due to available personnel, funding requirements, the availability of materials and other commitments.

b. SUNY Potsdam Telecommunications Network

The SUNY Potsdam Telecommunications Network supports voice services. Voice services are provided through a cable plant of twisted-pair wiring connecting each campus telephone to the telephone switch. Voice services include Octel voice mail and auto-attendant features.

Services relating to the SUNY Potsdam Telecommunications Network (repair, maintenance or installation) must be requested from the TelCom Office on a Network Add/Change/Repair form or by emailing telcom@potsdam.edu. The form must include a description of the work to be performed and an account to be billed for work performed.

For more information, please contact [Melissa Proulx](#), Director of Human Resources