



IMPORTANT INFORMATION *for* **Students, Faculty & Staff** **2008-2009**

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❖ Consumer Information Disclosure

The JCC catalog is available to current and prospective students and their parents and provides important information regarding these and other subjects. The college catalog is available upon request from the admissions offices.

<i>subject</i>	<i>contact for information</i>
Academic programs and accreditation	Marilyn Zagora, vice president and dean, academic affairs
Campus security reports	Susan Bronstein, director of human resources and college-wide safety
College accreditation, approval & licensure	Marilyn Zagora, vice president and dean, academic affairs
College facilities	John Garfoot, vice president and dean of administration
Cost of attendance *	Laurie Vorp, financial aid director
Disabled student services and facilities	Nancy Callahan, coordinator of disability support services
Faculty	Marilyn Zagora, vice president and dean, academic affairs
Family Educational Rights and Privacy Act (FERPA) [^]	H. Kreig Elicker, registrar
Financial aid programs ^{^^}	Laurie Vorp, financial aid director
Graduation rates *	Barbara Russell, assistant dean, research and planning
Intercollegiate athletic programs **	William Burk, athletics director
Requirements to officially withdraw from the college*	H. Kreig Elicker, registrar
Refund policy *	Nate Bell, assistant controller
Requirements for return of Title IV financial aid funds*	Laurie Vorp, financial aid director
Satisfactory academic progress standards ^{^^}	Marilyn Zagora, vice president and dean, academic affairs
Study abroad and financial aid eligibility	Laurie Vorp, financial aid director

[^] additional information also published in the annual Important Information brochure, available from the campus life offices and extension center offices

* additional information also published in each semester's master schedule, available from the counseling centers and extension center offices

^{^^} additional information also published in the *Financial Aid Resource Guide*, available from the financial aid office and extension center offices

** additional information regarding enrollment data and graduation rates of student athletes, athletic program participation and rates, and financial support, is also available from the athletic director's office.

Jamestown Community College does not discriminate on the basis of color, sex, sexual orientation, race, creed, national origin, age, marital status, veteran status, or disability. This policy applies to access to all activities and programs under the college sponsorship as well as to application and selection for admission, employment, and all other personnel procedures within the college. JCC is sponsored by a regional board of trustees representing Cattaraugus County, Chautauqua County, and the City of Jamestown.

The college reserves the right, whenever it deems advisable, to change its schedule of tuition and fees; to withdraw, cancel, reschedule, or modify any course, program of study, degree, requirement, or policy.

This material can be made available in alternative media upon request for those with disabilities. Accommodations for those with disabilities can be arranged upon request.

❖ **National Voter Registration Information**

In compliance with the 1998 Reauthorization of the Higher Education Act, Title IV-Student assistance Program Participation agreement, Section 668.14(d):

In accordance with the provisions of the 1998 amendments of the Higher Education Act, JCC participates in the distribution of mail voter registration forms to students enrolled in certificate or degree programs.

General Election Day for all states is November 4, 2008, and most states require eligible voters to register prior to that date. Eligible students who are not registered may complete mail voter registration forms and mail them according to their state filing deadlines to participate in local, state, and national elections:

New York voter registration deadline: October 10, 2008

Pennsylvania voter registration deadline: October 6, 2008

Individuals can obtain voter registration forms in the libraries, campus life offices, and disability support services offices on JCC's Jamestown and Cattaraugus County campuses, the JCC North County Center main office, and the JCC Warren Center reception desk, or by calling 1-800-FOR-VOTE to request a form. In-person registration can be done at your local county board of elections. Additional information regarding voter registration requirements can be obtained at the following websites:

Federal Election Commission - www.fec.gov

New York State Board of Elections - www.elections.state.ny.us

Pennsylvania Department of State - Bureau of Commissions, Elections, and Legislation - www.dos.state.pa.us

❖ **Drug and Alcohol Abuse Prevention**

prepared by Jamestown Community College in compliance with the Drug Free Schools and Communities Act Amendments of 1989

All students and employees of JCC should be aware that JCC takes seriously its responsibility to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol. We urge you to read carefully the information in this booklet which details the college policy on the use of drugs and alcohol, the civil penalties which may be imposed, the health risks incurred by users, and counseling services available to assist employees and students. We hope this educational booklet can help eliminate the problems of drug and alcohol abuse from our educational community.

Policy and Procedures Regarding the Use of Drugs and Alcohol

in compliance with the Drug Free Workplace Act and the Drug Free Schools and Communities Act, Policy No. 190-104, 9/1/90, Rev. No. 1

JCC prohibits the unlawful manufacture, distribution, possession, and/or use of illicit drugs and alcohol by employees and students on any college owned or controlled property or as part of its activities. This includes reckless or intentional action which threatens the mental or physical health of another for the purpose of initiation into or affiliation with any organization.

Employees violating this policy shall be subject to disciplinary actions as defined in their respective labor contracts. Employees not covered by a labor contract shall receive a three-day suspension without pay for a first offense and termination of employment for a second offense. Employees who commit a second offense and/or are convicted of criminal drug offenses may avoid termination by agreeing to a rehabilitation program approved by JCC. A subsequent offense following rehabilitation will result in termination.

Any student organization which authorizes such conduct as noted above will be immediately ejected from campus and further action may result in rescission of permission for that organization to operate **3**

on campus property.

Students violating this policy shall be subject to the judicial procedures and sanctions, up to and including expulsion, which are outlined in the student constitution. Copies of the constitution are available in the campus life office, the office of the dean of student development, the dean's office on the Cattaraugus County Campus, and the directors' offices at the North County and Warren centers. These judicial procedures shall be implemented in a fair and consistent manner, with consideration given to the circumstances and severity of the offense, and the disciplinary history of the student.

In compliance with federal law, any faculty member, staff member, or student employee convicted of any criminal drug statute violation which has occurred in or on the workplace premises, is required to notify JCC within five (5) calendar days following such conviction. JCC is obligated to notify the appropriate federal contracting agency, if applicable, within ten (10) days of receipt of notice of an employee conviction.

JCC shall make good faith efforts to establish and maintain a drug free environment and shall provide an awareness program for the college community informing employees and students of the dangers of drug and alcohol use and the availability of rehabilitation programs.

A New York state permit to sell alcohol must accompany sale of any alcoholic beverages on campus. Any non-affiliated group or individual requesting the sale or distribution of alcohol on campus will be required carry the necessary permits, liability insurance coverage, and to name JCC as additional insured.

Any individual or group interested in serving alcohol on college property (excluding the president's private residence) must complete an application stating type of event, type of alcohol expected to be served (i.e. beer, wine, and/or liquor), and an agreement to assume all responsibility for verifying the age of persons consuming alcohol. This application will be forwarded to the dean of administration for approval. Consumption of alcohol without permission from the dean of administration is forbidden. Such permission will not be granted for events in which there will be a preponderance of attendees under age 21. Permission will required that the person(s) serving alcohol will be responsible for checking proof of age and shall have the right to refuse serving alcohol to any individual who appears to be intoxicated. Bartenders may be required for any function serving alcohol at the discretion of the dean of administration. Non-alcoholic beverages shall be provided at all events at which alcohol is served.

The Effects of Alcohol

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

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

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

Federal Penalties & Sanctions - Illegal Possession, Controlled Substance

21 U.S.C. 844 (a)

- 1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000 or both.
- After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000 or both.
- After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000 or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000 or both if:

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

21 U.S.C. (a) (2) and 881 (a) (7)

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

21 U.S.C. 881 (a) (4)

- Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844a

- Civil fine of up to \$10,000 (pending adoption of final agreement.)

21 U.S.C. 853a

- Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

18 U.S.C. 922 (g)

- Ineligible to receive or purchase a firearm.

Miscellaneous

Revocation of certain federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are vested within the authorities of individual federal agencies.

Note: These are only federal penalties and sanctions. Additional state penalties and sanctions may apply.

New York State Penal Law

Articles 220 and 221 of the Penal Law are directly aimed at unlawful traffic in mind-affecting drugs. They are compatible with the Public Health Law and the provisions of the latter are often cross-referenced in the Penal Law sections that deal with the different drugs.

Articles 220 and 221 set criminal penalties for possession or sale of drugs considered harmful or subject to abuse. The seriousness of the offense and penalty imposed upon conviction depend upon the individual drug and amount held or sold. The table of penalties in this publication was derived from those statutes.

Marijuana has been placed in Article 221 and separately dealt with in the Penal Law, as a result of the Marijuana Reform Act of 1977. That statute made the penalties upon conviction of use of small amounts of marijuana less severe than formerly.

Specific sections of interest in Article 220 follow:

Section 220.44 - makes a sale of a controlled substance in or near school grounds, to a person less than 19 years of age, a Class B felony.

Section 220.45 - makes criminal possession of a hypodermic instrument a Class A misdemeanor.

Section 220.46 - makes criminal injection of another person with a narcotic drug, with consent of that person, a Class E felony.

Section 220.50 - bans possession or sale of drug paraphernalia; deals with things that dilute drugs, like dextrose or mannite; and gelatin capsules, plastic envelopes, etc., considered commercial preparation materials (Class E felony).

Section 220.60 - makes criminal possession of certain "precursors" of controlled substances used in their preparation or manufacture, but not the drugs themselves, a Class E felony (for example, ergot or dissimilate).

It is important to be aware that under the Penal Law, a gift of drugs, including marijuana, is treated as a sale.

New York State Penal Law defines a misdemeanor as a crime punishable by imprisonment for more than 15 days but not more than one year. A felony is a crime punishable by imprisonment for more than one year.

New York Law: Illegal Sale or Possession of Alcohol

1. ***Unlawfully Dealing with a Child:*** It is unlawful to give or sell alcohol (or cause it to be given or sold) to a person under the age of 21. This is a Class B misdemeanor. The penalty could be up to three months imprisonment and a \$500 fine.
2. ***DWI:*** Driving While Intoxicated (by drugs or alcohol) is a misdemeanor punishable by up to a year imprisonment and a fine of up to \$500.
3. ***DWAI:*** Driving While Ability Impaired by Alcohol is a violation punishable by up to 15 days imprisonment and a fine of up to \$350.
4. ***Liability of One Serving a Person under Age 21:*** Anyone who furnishes or assists an intoxicated person to procure alcoholic beverages is liable for any damages caused by that person while under the influence.
5. ***Dram Shop Liability:*** Any person who sells alcoholic beverages or unlawfully assists an intoxicated person to procure alcoholic beverages is liable for any damages caused by that person while under the influence.
6. ***Fraudulent Documents:*** It is in violation of state law for a person under the age of 21 years to present false evidence of age to procure alcoholic beverages. Possessing such false evidence may also be criminal possession of a forged instrument within the meaning of the penal law.

The penalty for using fraudulent means to obtain alcoholic beverages may include probation up to a year and a fine of up to \$100.

For more information about laws regarding alcohol and drugs, visit the JCC website, www.sunyjc.edu.

Where to Turn for Help with Problems of Alcohol or Drug Abuse On Campus:

The counseling center and health center at both the Jamestown and Cattaraugus County campuses stand ready to assist students and employees with alcohol or drug-related problems.

The services which follow are available to individuals in the greater Jamestown and Olean areas. JCC has no official relationship with any of these organizations and, therefore, cannot endorse or bear any responsibility for the services which they provide.

In the Olean area:

Alcoholics Anonymous

201 N. Union St., Olean, NY 14760..... 716/372-4800

Allegany Council on Alcoholism and Substance Abuse

76 Park Ave., Wellsville, NY 14895..... 585/593-6738

Cattaraugus County Council on Alcoholism and Substance Abuse

201 S. Union St., Olean, NY 14760 716/373-4303

Cattaraugus County Mental Health Dept.

Delaware Park Center, Olean, NY 14760 716/372-0208

In the Jamestown area:

Chautauqua Alcohol & Substance Abuse Council

Drug Prevention Education/Intervention & Referral Services..... 716/664-3608

2-6 E. Second St., Fenton Bldg., Suite 405, Jamestown, NY 14701 www.casacweb.org

includes information on: Adult Children of Alcoholics (ACOA),

Alcoholics Anonymous, ALANON, and ALATEEN

Chautauqua County Dept. of Mental Hygiene & Alcohol/Substance Abuse Clinic

200 E. Third St., 5th floor, Jamestown, NY 14701..... 716/661-8330

319 Central Ave., 3rd floor, Dunkirk, NY 14048 716/363-3550

Family Service of the Chautauqua Region

332 East Fourth St., Jamestown, NY 14701..... 716/488-1971

Pastoral Counseling Service of Western New York

715 Falconer St., Jamestown, NY 14701 716/664-4433

WCA Dunkirk Health Center

338 Central Ave., Suite 240, Dunkirk NY 14048 716/363-0018

WCA Hospital Outpatient Alcoholism & Mental Health Program

Jones Memorial Health Center, 716/664-8625 alcoholism

51 Glasgow Ave., Jamestown, NY 14701..... 716/484-1314 mental health

WCA Hospital Wellness Program

207 Foote Ave., Jamestown, NY 14701 716/664-8619

❖ Crime Awareness and Campus Security:

The Jeanne Clery Act

*prepared by JCC in compliance with the Crime Awareness and Campus Security Act of 1990,
now known as the Jeanne Clery Act of 1998*

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is the landmark federal law, originally known as the Campus Security Act, which requires colleges and universities across the United States to disclose information about crime on and around their campuses. JCC complies with these regulations by providing information relating to crime statistics automatically to all current students and employees.

Appropriate statistical data will be collected for the following sites:

- Jamestown Campus
- Cattaraugus County Campus
- North County Center
- Warren Center
- Other extension sites under the control of JCC

Minor crime incidents are investigated by the director of college-wide safety and are followed up with local law enforcement as appropriate. Serious crime incidents and felonies are reported to the appropriate police department depending on campus or extension center location.

The director of human resources/college-wide safety also maintains a daily log of crimes and incidents that occur on campus that is available for the public to view. This daily log is available at the human resources office, located in the Hamilton Collegiate Center on the Jamestown Campus. Entries or updates are generally made within two business days after the event occurs. While most events are logged, the director of human resources/college-wide safety may determine that an incident be classified as “confidential” in order not to jeopardize a criminal investigation or the identity of the victim.

A copy of the JCC campus crime statistics as reported annually to the U.S. Department of Education will be provided upon request by the director of human resources and college-wide safety at 716/338-1035. Information can also be obtained on JCC’s website, www.sunyjcc.edu, or at <http://ope.ed.gov/security/>. A summary is provided as follows:

Crime Awareness Statistics - Listed below are the reportable crimes on campus over the past three years:

	2005				2006				2007			
	J	C	W	N	J	C	W	N	J	C	W	N
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Murder/negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses/Forcible	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses/Non-Forcible	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	12	4	0	0	2	0	0	3	10	0	0	1
Motor Vehicle Theft	0	0	0	0	1	0	0	0	0	0	0	1
Liquor Law Violations (Referred for Disciplinary Action)	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Drug Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations (Referred for Disciplinary Action)	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Arrests (Referred for Disciplinary Action)	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0

*J - Jamestown Campus, C - Cattaraugus County Campus,
W - Warren Center, N - North County Center*

Reporting Criminal Actions/Emergencies

Students and employees should report any crime or potential criminal action immediately to the appropriate police agency directly or to the director of human resources/college-wide safety. Appropriate agencies for each site are listed below. These police agencies will notify immediately the director of human resources/college-wide safety of any occurrences of violent crimes for which timely notice to the campus community is necessary. Other crimes will be reported on a regular basis to the director of human resources/college-wide safety for compilation in the annual report.

Potential criminal actions and other emergencies on campus can be reported directly by any student, faculty member, or employee to the director of human resources/college-wide safety. An incident report will be completed and forwarded to the appropriate police agency. JCC encourages accurate and prompt reporting of all crimes or suspected criminal activity. Reports may be made anonymously via the web by going to the Silent Witness at www.sunyjcc.edu, or to the director of human resources/college-wide safety at 716-338-1035.

On-Campus Reporting

Jamestown Campus

Director of Human Resources/College-wide Safety716-338-1035
 Vice President and Dean of Student Developmentext. 1050
 Health Servicesext. 1077

During evenings and weekends:

Buildings and Grounds 490-0415 cell phone

Cattaraugus County Campus

Director of Human Resources/College-wide Safety 376-7500, ext. 1035
 Vice President and Dean of Cattaraugus County Campus.....ext. 7509
 Health Servicesext. 7569

During evenings and weekends:

Buildings and Grounds 490-0414 cell phone

North County Extension Center

Director 366-2255, ext. 8824

During evenings and weekends:

Building and Grounds..... 490-0477 cell phone

Warren Extension Center

Director 814/723-3577

Off-Campus Reporting

Jamestown Campus

Jamestown Police Department..... 911-emergencies or 483-7536

Cattaraugus County Campus

Olean Police Department 911-emergencies or 376-5678

North County Extension Center

Chautauqua County Sheriff's Department 911-emergencies or 753-4231 or 661-7231

Warren Extension Center

Warren Police Department 911-emergencies or 814/723-2700

State Police

New York State Police..... 716/665-3113

Pennsylvania State Police 814/728-3600

Victims are encouraged to report crime on a voluntary basis. Reports of this nature are to be filed with the director of human resources/college-wide safety for information purposes for inclusion in the college's annual crime statistics report.

In cases of threats to the safety of students and employees of JCC, timely notification will be made through electronic mail and paper memorandum to all faculty and staff and through the college's newsletter. Faculty and staff will be directed to inform students in classes and/or during other organized activities.

Victims of violent crimes will be informed of appropriate counseling available through JCC's counseling centers or in the community.

A response team will respond to emergencies related to campus crime and shall consist of the president, dean of academic affairs, dean of Cattaraugus County Campus, dean of administration, director of buildings and grounds, dean of student development, director of marketing, and director of human resources/college-wide safety.

Security Policies and Procedures

During the 2007-08 academic year approximately 2744 full-time and 1480 part-time students were enrolled across JCC campuses in Jamestown and Cattaraugus County and the extension center sites in Warren, PA and Dunkirk, NY. JCC employs approximately 500 people across all locations. The college does not currently request information from employee applicants concerning involvement in criminal offenses.

During open hours, students, faculty, and employees of JCC have access to academic, recreational, and administrative facilities at each campus and extension center. The buildings are closed from approximately 10 p.m. to 7 a.m. The general public can attend cultural and recreational events on campus, as well as access the libraries. Many events are advertised for the public at large and athletic facilities are periodically open to the general public. JCC offers a truly open campus experience within its facilities at all locations. JCC does not employ a security force. Security services are provided through a joint effort between staff and faculty and coordinated by the director of human resources/college-wide safety. The building and grounds department maintains the college buildings and grounds with a concern for safety and security. The department inspects campus facilities regularly, promptly makes repairs affecting safety and security, and responds immediately to reports of potential safety and security problems.

Alcoholic beverages are not permitted on campus without the express approval of the dean of administration. JCC has adopted a Drug and Alcohol Abuse Prevention Program (see page 3). Intentional use, possession, or sale of firearms or other dangerous weapons on campus or college property by students and employees is strictly forbidden and is a violation of the college's Constitution of the Student Body.

JCC will sponsor appropriate security awareness and crime prevention programs for its students and employees. Program topics may include: personal safety awareness and security, rape prevention, and the prevention of burglary and vandalism. In addition, information on safety and security is provided to students and employees through electronic and paper memoranda, posters, brochures, and the college newsletter.

Students' And Employees' Responsibilities

The cooperation and involvement of students and employees in a campus safety program is absolutely necessary. Students and employees must assume responsibility for their own personal safety and the security of their personal belongings by taking simple, common sense precautions. For example, although the campus is well-lit, any student or employee, male or female, may feel more comfortable walking with a friend or contacting a member of the maintenance department for an escort to their vehicles at night. Valuables should not be left where they can be seen in the vehicle, but should be locked in the trunk. Bicycles should be left in designated areas and locked. Students and employees should report any suspicious activity or individuals whom they feel do not belong on campus or any unusual incidents in and around the campus or extension center location to the director of human resources/college-wide safety as soon as noted.

The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act

This act sets the requirements for sexual offender registration and community notification. The Campus Sex Crimes Prevention Act of 2000 provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. It requires sex offenders, already required to register in a state, to provide notice of each institution of higher education in that state at which that person is employed, carries on a vocation, or is a student. The act amends the Family Educational

Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders. This registration is to be made available to law enforcement agencies with jurisdiction where the institutions of higher education are located. JCC will notify the college community of the presence of any registered sex offender on campus (student or employee) via the JCC website. Law enforcement agency information provided by the state concerning registered sex offenders, may be obtained through New York Department of Criminal Justice Services' Sex Offender Registry at <http://criminaljustice.state.ny.us/nsor/> or you may also contact the NY DCJS Sex Offender Registry at 518-457-6236 or 1-900-288-3838.

Health & Safety Committee

JCC's health and safety committees, which include membership from all campus constituencies, shall be charged with reviewing campus security policies and emergency response procedures. Any changes in campus security procedures and emergency planning will be reviewed by both the health and safety committee and members of the response team. The dean of student development and marketing shall be responsible for implementation of this policy as it relates to students, and the dean of administration shall be responsible as it relates to employees.

Further Information

Further information about campus safety and security can be obtained from the director of human resources/college-wide safety in the human resources office in the Hamilton Collegiate Center or by telephone at 716-338-1035.

❖ Sexual Assault Prevention

prepared by Jamestown Community College

Sexual Offense Policy Statement

The JCC administration fully supports all local, state, and federal laws governing harassment, rape and sexual assault and will prosecute violators to the fullest extent possible. JCC is committed to providing prompt and compassionate support services to any victims of such assaults. If you or anyone you know has been a victim of a sexual offense on the JCC campus, you are urged to report the incident to campus authorities. If you are a survivor of a sexual assault, you have the right to: report the incident to the director of college-wide safety for internal reporting and/or to pursue criminal charges; access the wide range of support services, including free and confidential counseling, provided by the college and/or the community.

Sexual Assault and the Law: What You Should Know

Sexual assault can happen anywhere, at anytime, to anyone - male or female. It is especially prevalent on college campuses. Sexual assaults have occurred at campus parties, in student apartments, in parking lots, and on jogging trails. Sexual assault can occur at any time of the day. Many assaults take place in the victim's own house or living area.

JCC has programs in place to protect all members of the JCC community from sexual assault, including programs for prevention and prosecution of these crimes that occur on JCC property.

New York state law contains the following legal provisions defining the crimes related to sexual assault:

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

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

Section 130.40/45/50 – Criminal Sexual Act. This series of offenses includes oral or anal sexual conduct with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes oral or anal sexual conduct with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to imprisonment for a period not to exceed 25 years.

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

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

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

Factors Contributing to Acquaintance Rape

Several factors may contribute to the occurrence of acquaintance rape. Some common to college campuses are: use of alcohol or other drugs; ineffective communication between people; ignoring your own feelings when you become uncomfortable or unsafe; and lack of forethought about your sexual desires and limits. We encourage you to discuss these factors with both men and women to gain a clearer understanding of what you consider appropriate sexual conduct. Time spent in communication may help you and others to avoid much pain and remorse.

If you are sexually or otherwise assaulted on campus:

- Get to a safe place as soon as you can.
- Try to preserve all physical evidence; do not bathe, douche, or change your clothes.
- Contact 911 in an emergency, or use a Blue Light (Cattaraugus County Campus) or other campus phone.
- Remember, assaults – sexual or otherwise – are crimes; they are not the victims' fault.

Disciplinary Action

Victims have the right to pursue adjudication of crimes that occur on JCC property through criminal courts and/or through the college's internal disciplinary process.

Where there is probable cause to believe the college's regulations prohibiting sexual misconduct have been violated, the college will pursue strong disciplinary action through its own channels. Students violating this policy shall be subject to the judicial procedures and sanctions, up to and including expulsion, which are outlined in the Constitution of the Student Body. Employees violating this policy shall be subject to disciplinary actions as defined in their respective labor contracts or human resource policies and procedures. Incidents of sexual assault involving students should be reported to the dean of student development and marketing; those involving faculty and staff should be reported to the director of human resources. Referral to outside agencies shall be made as appropriate. All incidents on the Cattaraugus County Campus should be reported to the campus dean. Incidents at either the North County Center or the Warren Center should be reported to the director of that center.

An individual charged with sexual misconduct will be subject to college disciplinary procedures, whether or not prosecution under New York state criminal statutes is pending.

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

Information and Support

If you are the victim of sexual assault or sexual misconduct, you may seek support services as well as the assistance described above.

If You Need Counseling or Support Services

On Campus:

Jamestown Campus Health Center 338-1013/1077 or 490-0401 cell phone
Cattaraugus County Campus Health Center 376-7569 or 490-0400 cell phone
Counseling and Career Development Center - Jamestown 338-1007
Counseling Center - Cattaraugus County Campus 376-7508

Off-Campus:

Catholic Charities (Dunkirk or Jamestown) 366-3533 or 484-9188
Family Service Inc. - Jamestown 488-1971
Family Service Inc. - Northern Chautauqua County 363-3500
Southern Tier Counseling 665-3765
Cattaraugus Community Action 945-1041
Catholic Charities of Olean 372-0101
Warren General Hospital 814/723-3300 general or 814/726-2510 emergency
Crime Victims Compensation Board 1/800-247-8035
Hotline for Domestic Violence and Sexual Assault 814/726-1271
Family Services of Warren County, Inc. 814-723-1330

If You Need Medical Attention

On Campus:

Jamestown Campus Health Center 338-1013/1077 or 490-0401 cell phone
Cattaraugus County Campus Health Center 376-7569 or 490-0400 cell phone

Off-Campus:

WCA Hospital (Jamestown) 487-0141 general
Olean General Hospital 373-2600 general or 372-6275 emergency
Brooks Memorial Hospital (Dunkirk) 366-1111 or 366-3065 emergency
Warren General Hospital 814/723-3300 general or 814/726-2510 emergency

Resolution of Human Rights/Affirmative Action Issues

Human Rights Officer.....Susan Bronstein, Collegiate Center, Jamestown Campus,
716/338-1035

Ms. Bronstein is also Affirmative Action Officer.

Human Rights AssistantPaula Snyder, College Center, Cattaraugus County Campus, 716/376-7569

❖ Bias Crimes and the Law

It is a mandate of JCC to protect all members of the JCC community by preventing and prosecuting bias or hate crimes that occur on our campuses and extension center sites.

Hate crimes, also called bias crimes or bias-related crimes, are criminal activity motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their race, religion, ethnicity, gender, sexual orientation, or disability. Hate/bias crimes have received renewed attention in recent years, particularly since the passage of the federal Hate/Bias Crime Reporting Act of 1990 and the New York State Hate Crimes Act of 2000 (Penal Law Article 485). Copies of the New York Law are available from the director of college-wide safety in the human resources office in the Hamilton Collegiate Center or by calling 716-338-1035, or on JCC's website, www.sunyjcc.edu, or at http://criminaljustice.state.ny.us/legalservices/ch107_hate_crimes_2000.htm.

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

In addition to preventing and prosecuting hate/bias crimes, JCC also assists in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and defined by the College as acts of bigotry, harassment, or intimidation directed at a member or group within the JCC community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status, may be addressed through JCC's human rights/affirmative action complaint procedure or the student constitution. Bias incidents should be reported to the human rights/affirmative action officer located in the Hamilton Collegiate Center or by calling 716-338-1035. The human rights/affirmative action officer will investigate and follow the appropriate procedures, bringing local police in where required.

If you are a victim of, or witness to, a hate/bias crime on campus report it to the director of college-wide safety at ext. 1035 or by calling 911 in an emergency, using a Blue Light (Cattaraugus County Campus) or other campus phone. The director of campus wide-safety will investigate, bringing local police in where required.

Factors Contributing to Bias Crimes

Trends are hard to identify because reporting is hit and miss, but these crimes and incidents happen. Many victims don't report bias or hate crimes because of fears of reprisal and a belief that nothing will be done. Why do these crimes happen? Sometimes it's first-time freedom for students, or first-time exposure to diverse communities. Alcohol and drugs don't help, nor do exclusionary groups such as fraternities. Ineffective communication between people can also be a problem. Some campus bias incidents leave lingering tension and confusion, with one side seeing racism and the other seeing oversensitivity. Saying, "I didn't mean to hurt anyone" doesn't remove the hurt. Don't ask, "Can't they take a joke?" Instead ask "Why didn't I realize this 'joke' was offensive?" JCC encourages open discussion of these factors among students to gain a better understanding of what is acceptable behavior.

Victims of bias crime or bias incidents can avail themselves of medical and/or counseling and support services as follows:

If You Need Counseling or Support Services

On Campus:

Jamestown Campus Health Center..... 338-1013/1077 or 490-0401 cell phone
Cattaraugus County Campus Health Center.....376-7569 or 490-0400 cell phone
Counseling and Career Development Center - Jamestown Campus 338-1007
Counseling Center and Career Planning Center - Cattaraugus County Campus 376-7508

Off Campus:

Catholic Charities (Dunkirk or Jamestown)..... 366-3533 or 484-9188
Family Service Inc. - Jamestown 488-1971
Family Service Inc. - Northern Chautauqua County..... 679-3455
Southern Tier Counseling 665-3765
Cattaraugus Community Action 945-1041
Catholic Charities of Olean 372-0101
Warren General Hospital 814/723-3300 general or 814/726-2510 emergency

❖ Human Rights/Affirmative Action Complaint

A human rights/affirmative action complaint is a claim by an employee, prospective employee, student, prospective student, or a group of same, based upon a claimed violation of the affirmative action policy of JCC, or a claimed violation of state or federal human rights laws, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the Age Discrimination Act of 1975 and the Sexual Orientation Non-Discrimination Act of New York State. The affirmative action policy states that JCC does not discriminate on the basis of color, sex, sexual orientation, race, creed, national origin, age, marital status, veteran status, or disability. This policy applies to access to all activities and programs under JCC sponsorship, as well as to application and selection for admission, employment, and all other human resource procedures within JCC.

The following procedure shall be followed to resolve a human rights/affirmative action complaint. This procedure may be followed in addition to any union complaint.

The complainant shall discuss the complaint informally with JCC's human rights officer, Susan Bronstein (ext. 1035) in the Collegiate Center on the Jamestown Campus. If the claim is not resolved at this stage:

- A. A written complaint, which includes information pertaining to the incident and the outcome desired by the complainant, should be submitted to the human rights officer. A written complaint must be filed within the statute of limitations for the complaint: within one year of the alleged incident for state complaints and within 300 days for federal complaints.
- B. The human rights officer shall conduct a preliminary investigation and discuss the issue with the parties involved, either individually or in a joint meeting.
- C. Within 20 working days after the filing of the written complaint, the human rights officer shall render a decision in writing to the complainant.
- D. If the complainant, or the respondent, is not satisfied with the written decision, and wishes to proceed further, he/she shall, within 10 working days, file a written appeal of the decision with the human rights committee.
- E. Within 15 working days, the human rights committee of JCC will appoint a panel consisting of impartial representatives chosen from the faculty, administration, staff, or student body.
- F. A hearing shall take place within 30 working days of the date the written appeal was filed at a time and place agreeable to both parties.

- G. The hearing panel shall render a decision in writing to both parties within 10 working days after the end of the hearing. Included in the panel's decision of validity shall be a statement of recommended disciplinary action, if warranted. Such disciplinary action is dependent upon the nature of the violation and may vary from the minimum of a written letter describing the violation placed in the violator's file to a maximum of dismissal from the institution.
- H. If the complainant, or the respondent, is not satisfied with the written decision and wishes to proceed further, he/she may take the complaint to the civil rights agency of his/her choice, or seek other legal remedies.

❖ **Release of Student Information**

The Family Educational Rights and Privacy Act is a federal law which states that a written institutional policy must be established covering the privacy rights of students. The law provides that an institution will maintain the confidentiality of student educational records.

JCC accords all the rights under the law to students who are 18 years or older. No one outside the institution shall have access to, nor will the institution disclose any information from, a student's educational record without the consent of the student. Within JCC only those members, individually and collectively, acting in the student's educational interest, are allowed access to student educational records. These members include administrative personnel and faculty, within the limits of their right to know.

Currently enrolled students and those students who have been enrolled within the past two years should understand that all full-time faculty and selected others have access to their academic records. Former students should understand that releasing their social security numbers provides others with access to their records.

Additionally, the Family Education Rights and Privacy Act permits the release of directory type information without the written consent of the student, provided the student has been given the opportunity to withhold such disclosure. JCC reserves the right to disclose, at its discretion, the following information: names, permanent addresses, dates of attendance, class, previous institution(s) attended, major field of study, awards, honors, degree(s) conferred (including dates), and past and present participation in college activities. Students who wish JCC to withhold such information must notify the registrar, in writing, prior to the start of each semester.

Review of Student Records

The law provides students with the right to inspect and review information contained in their educational records; to challenge the contents of their educational records; to have a hearing if the outcome of the challenge is unsatisfactory; and to submit explanatory statements for inclusion in their files. The dean of student development has been designated by this college to coordinate the inspection and review procedures for the following student records: admissions, financial, and placement records. The dean of academic affairs has been designated to coordinate inspection of and review procedures for student academic records. The dean of the Cattaraugus County Campus has been designated to coordinate inspection of and review procedures for all records at the Cattaraugus County Campus. Students wishing to review their educational records must make a written request to the appropriate dean listing the item or items of interest.

Students who believe their educational records contain information that is inaccurate or misleading can discuss the problem informally with the appropriate dean. If the dean's decision is in agreement with the student's request, the appropriate records will be amended and the student will be notified in writing. If there is no agreement, the student will be notified within a reasonable period of time that the records will not be amended and the student will be informed of his/her right to a formal hearing. A

request for a formal hearing must be made to the dean.

Within a reasonable period of time after receiving a request, the dean will inform the student of the date, time, and place of the hearing. The student may present evidence relevant to the issues raised and may be assisted or represented at the hearings by persons of his/her choice. Decisions of the hearing panel will be based solely on the evidence presented at the hearing and will consist of written statements summarizing the evidence and stating the reasons for the decisions and delivered to all parties. Students who believe adjudication of their challenges was unfair may appeal for assistance to the college president.

Educational Records Not Accessible

Students may not inspect and review the following as outlined by law: financial information submitted by their parents; confidential letters and recommendations associated with admissions; records of instructional and administrative personnel which are in sole possession of the maker; records of someone employed by the institution; and records of a person after he/she is no longer in attendance at JCC, i.e. alumni records.

Institutional Policy

Official records are kept by JCC as long as there is a reasonable need for them. After that time they are destroyed. The registrar's record of a student's academic performance is retained permanently. JCC considers the student's name and whether he/she is enrolled at JCC as being public information, essential to its operation. This, therefore, may be disclosed without restriction. A copy of the Educational Rights and Privacy Act is on file in the registrar's office and is available for review by students.

Students who believe their privacy rights have been violated may file a complaint concerning alleged failure of JCC to comply with the requirements of the Family Educational Rights and Privacy Act by contacting: Family Policy Compliance Office, US Department of Education, 400 Maryland Ave., SW, Washington, DC 20202-4605.

Gramm-Leach-Bliley Act of 1999 (GLB)

JCC complies with all privacy and security provisions of GLB. JCC has taken appropriate measures to ensure the security and confidentiality of our customers' financial information. JCC complies with the Family Educational Rights and Privacy Act (FERPA). By doing so, JCC is in compliance with the privacy requirements of the GLB. Measures have been taken to protect against any anticipated threats to the security or integrity of such information. JCC has put into place an Information Security Program (ISP) that guards against the unauthorized access to or use of such information that could result in substantial harm or significant inconvenience to any customer. The ISP covers administrative, technical, or physical safeguards used to access, collect, distribute, process, protect, store, use, transmit, dispose of, or otherwise handle customer information. For further information on this issue, please contact the director of human resources at ext. 1035.

❖ Meningococcal Disease

On July 22, 2003, Governor Pataki signed New York State Public Health Law (NYS PHL) §2167 requiring institutions, including colleges and universities, to distribute information about meningococcal disease and vaccination to all students meeting the enrollment criteria, whether they live on or off campus. This law became effective August 15, 2003.

JCC is required to maintain a record of the following for each student:

- A response to receipt of meningococcal disease and vaccine information signed by the student or student's parent or guardian. This must include information on the availability and cost of

meningococcal meningitis vaccine (Menomune™); **and either**

- A record of meningococcal meningitis immunization within the past 10 years; **or**
- An acknowledgement of meningococcal disease risks and refusal of meningococcal meningitis immunization signed by the student or student's parent or guardian.

Meningitis is rare. However, when it strikes, its flu-like symptoms make diagnosis difficult. If not treated early, meningitis can lead to swelling of the fluid surrounding the brain and spinal column as well as severe and permanent disabilities, such as hearing loss, brain damage, seizures, limb amputation and even death.

Cases of meningitis among teens and young adults 15 to 24 years of age (the age of most college students) have more than doubled since 1991. The disease strikes about 3,000 Americans each year and claims about 300 lives. Between 100 and 125 meningitis cases occur on college campuses and as many as 15 students will die from the disease.

A vaccine is available that protects against four types of the bacteria that cause meningitis in the United States – types A, C, Y and W-135. These types account for nearly two-thirds of meningitis cases among college students.

If you wish to receive the meningococcal meningitis vaccine (Menomune™), it is available through your private health care provider or the county health department. The cost of the vaccine can be as much as \$90 but the cost may be covered by the individual's health insurance policy.

Be sure to complete the Meningococcal Meningitis Response Form which is available at the JCC health center on the campus you are attending. According to New York State Public Health Law, no institution shall permit any student to attend the institution in excess of 30 days without complying with this law. The 30-day period may be extended to 60 days if a student can show a good faith effort to comply.

To learn more about meningitis and the vaccine, contact the JCC health center and/or your physician. You can also find information about the disease at the New York State Health Department website, www.health.state.ny.us; the Centers for Disease Control and Prevention (CDC) website, www.cdc.gov/ncidod/dbmd/diseaseinfo; and the American College Health Association (ACHA) website, www.acha.org.

❖ **Meningococcal Disease Facts: Information for College Students**

Issued by the New York State Department of Health - July 2003

What is meningococcal disease?

Meningococcal disease is a severe bacterial infection of the bloodstream or meninges (a thin lining covering the brain and spinal cord).

Who gets meningococcal disease?

Anyone can get meningococcal disease, but it is more common in infants and children. For some college students, such as freshmen living in dormitories, there is an increased risk of meningococcal disease. Between 100 and 125 cases of meningococcal disease occur on college campuses every year in the United States; between 5 and 15 college students die each year as result of infection. Currently, no data are available regarding whether children at overnight camps or residential schools are at the same increased risk for disease. However, these children can be in settings similar to college freshmen living in dormitories. Other persons at increased risk include household contacts of a person known to have had this disease, and people traveling to parts of the world where meningitis is prevalent.

How is the germ meningococcus spread?

The meningococcus germ is spread by direct close contact with nose or throat discharges of an infected person. Many people carry this particular germ in their nose and throat without any signs of illness, while others may develop serious symptoms.

What are the symptoms?

High fever, headache, vomiting, stiff neck and a rash are symptoms of meningococcal disease. Among people who develop meningococcal disease, 10-15% die, in spite of treatment with antibiotics. Of those who live, permanent brain damage, hearing loss, kidney failure, loss of arms or legs, or chronic nervous system problems can occur.

How soon do the symptoms appear?

The symptoms may appear two to 10 days after exposure, but usually within five days.

What is the treatment for meningococcal disease?

Antibiotics, such as penicillin G or ceftriaxone, can be used to treat people with meningococcal disease.

Is there a vaccine to prevent meningococcal meningitis?

Yes, a safe and effective vaccine is available. The vaccine is 85% to 100% effective in preventing four kinds of bacteria (serogroups A, C, Y, W-135) that cause about 70% of the disease in the United States. The vaccine is safe, with mild and infrequent side effects, such as redness and pain at the injection site lasting up to 2 days. After vaccination, immunity develops within seven to 10 days and remains effective for approximately three to five years. As with any vaccine, vaccination against meningitis may not protect 100% of all susceptible individuals.

How do I get more information about meningococcal disease and vaccination?

Contact your family physician or your student health center. Additional information is also available on the websites of the New York State Department of Health, www.health.state.ny.us; the Centers for Disease Control and Prevention www.cdc.gov/ncid/dbmd/diseaseinfo; and the American College Health Association, www.acha.org.