

AGENDA

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Approval of Agenda
- V. Public Comment
- VI. Consideration of Minutes for Meeting held on December 10, 2024
- VII. COMMITTEE REPORTS
 1. Academic & Student Affairs (L. Gharthey, Chair)
 2. Board Policy (I. Guzman, Chair)
 1. Approval of the Data Access Privacy Policy (Res. # 2025-18)
 2. Approval of the Records & Retention Schedule Policy (Res. # 2025-19)
 3. Approval of the Disposal of Customer Data Policy (Res. # 2025-20)
 4. Approval of the Data Classification Policy (Res. # 2025-21)
 5. Approval of the Revised Title IX Policy (Res. # 2025-22)
 6. Approval of the Accountability Clause to All Policies that impact employees, students or both (Res. # 2025-23)
 3. Finance & Facilities (S. Caswell, Chair)
 1. Approval of the Capital Project for Sport Field Improvements – Design Services (Res # 2025-24)
 2. Approval of the Bid for Window Treatments in Drumlin Hall (Res. # 2025-25)
 3. Approval of the Bid for Bowne Hall Third Floor Renovations – Design Services (Res. # 2025-26)
 4. Approval for the College to use Fund Balance for Unrestricted Strategic Investments (Res. 2025-27)
 4. Personnel and Community Relations (M. Dupree)
 1. Approval of Professional Staff Titles (Res. # 2025-28)
 - a) Associate Director of ACT/Transfer Pathways and Partnerships
 - b) Coordinator of Student Conduct and Community Standards
 - c) Deputy Chief of Campus Safety and Security
 - d) Executive Director of Marketing and Communications
 2. Approval of the Joint Defense Agreement between Dutchess Community College and the County of Dutchess (Res. # 2025-29)
 3. Approval of the agreement with The Pappalardo Law Group PLLC (Res. # 2025-30)
- VIII. Report of the Student Trustee

- IX. Report of the Chairperson
- X. Report of the President
- XI. Other Business
- XII. Date of Next Meeting – **March 25, 2025**
- XIII. Adjournment

DUTCHESS COMMUNITY COLLEGE
Minutes
Board of Trustees Meeting
December 10, 2024

Trustees Present: Ms. Angela Flesland, Chair; Mr. Michael Dupree, Vice-chair, Mr. Frank Castella, Mr. Stephen Caswell, Ms. Darrah Cloud, Mr. Ibis Guzman, Ms. Evelyn Panichi, Ms. Linda Pratt, Mr. Bobby Biersack and Dr. Peter Grant Jordan, President

Absent: Ms. Lisa Gharthey

I. The meeting was called to order at 6:33 p.m. by Chairperson Flesland.

II. Chair Flesland led the Pledge of Allegiance.

III. Roll Call by Ms. Ponticello, quorum present.

IV. Approval of Agenda:

Upon motion made by Mr. Biersack, seconded by Mr. Guzman, voted on and duly carried, the agenda was approved as distributed.

V. Public Comment

Carolyn Rounds, Associate Professor in the Allied and Biological Sciences Department commented on the capital project for CBI:

“My name is Carolyn Rounds. I am an Associate Professor in the Allied Health and Biological Sciences (or AHBS) department, where I've worked for the past 13 years. I'm here tonight to share some serious concerns held by the faculty and staff of my department with regard to the capital project request for restructuring CBI in order to accommodate a Center of Excellence for Nursing and Allied Health.

The concept for this Center of Excellence was first presented to my department by Dr. Jordan on December 18, 2023. In this meeting, he described the possible creation of a Center of Excellence which would include the Nursing, Medical Lab Tech, Paramedic, and Exercise Science programs. This would split apart the current AHBS department, which includes these programs along with Biology which is part of the Liberal Arts & Science (or LAX) program.

There are several concerns with a physical restructuring of the AHBS department to create this Center of Excellence in CBI. One is that teaching classes in both the Allied Health and Biology disciplines is extremely common for faculty in our department, and raises the question of where those instructors would be placed with the restructuring of offices and labs that is proposed.

Additionally, having programs currently part of AHBS housed within the same physical location provides excellent avenues for collaboration between faculty who are teaching similar subject matter, and who share the same students in a semester. Another issue with the restructuring suggested is that the Allied Health courses utilize

the same lab space and materials, and are supported by the same lab staff, as Biology courses. It makes little sense to replicate labs and personnel that already exist and function well in Washington Center.

Our current structure also provides seamless access for students with similar interests to meet in a common space within Washington Center. Students who are in an Allied Health program who will be doing large amounts of laboratory work in their career are in the same space as Biology students who want to go into laboratory research. Students who are in Exercise Science who will mostly be interacting with patients or clients as Physical Therapists or Personal Trainers are able to come together with Biology students who are going into pre-med or physician's assistant programs where they will also be working directly with patients.

Based on the description of a Center of Excellence provided in this resolution, I would argue that we already have one for Allied Health and Biological Sciences that functions well to prepare students for application to a nursing program, or for their local careers as lab technicians, paramedics, personal trainers, and medical professionals.

We respectfully ask that the Members of the Board consider our concerns with regard to the restructuring changes being proposed for CBI, and that the Board vote to not approve the capital project request in the resolution.

We in AHBS are happy to work with Dr. Jordan on achieving a vision that best supports the academic success of our students, but physically restructuring a functional department is not the way to achieve this goal.”

VI. Consideration of Minutes

Upon motion made by Mr. Biersack, seconded by Mr. Guzman, voted on and duly carried, the minutes for October 22, 2024 and November 25, 2024 meetings were approved.

VII. COMMITTEE REPORTS

Chairperson Flesland noted for the minutes that all of the resolutions that are presented to the Board for approval are reviewed and discussed at committee meetings prior to the Board meeting.

A. Finance & Facilities Committee (S. Caswell, Chair)

1. Approval of the Capital Project for CBI Interior Restack and Reprogramming – Design (Res. # 2025016)

S. Caswell offers the following resolution and moves its adoption:

WHEREAS, Dutchess Community College has submitted a new funding request for a capital project for CBI Interior Restack and Reprogramming - Design with a total estimated cost of \$1,975,000 to the SUNY Office for Capital Facilities, and

WHEREAS, upon approval by the SUNY Board of Trustees, the project will be submitted for inclusion in the State Budget as a new capital

appropriation in the 2025-2026 budget cycle, and

WHEREAS, the State funds would cover the state share of 50% of this project, and

WHEREAS, the sponsor share of this capital project (\$987,500) would be bonded in accordance with SUNY funding policy and procedures for capital projects, and

WHEREAS, the project involves either (1) maintenance or repair involving no substantial changes in an existing structure or facility or (2) the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, now, therefore, be it

RESOLVED, It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 NYECL Section 0101 et seq., and its implementing regulations, Part 617 of 6 NYCRR, that this project is a “Type II” Action within the meaning of Section 617.5(c)(1) & (2) of 6 NYCRR, and, accordingly, is of a class of actions which do not have a significant impact on the environment and no further review is required, and be it further

RESOLVED, that the following capital project is hereby authorized and approved in the amount indicated below:

Project Name	Estimated Total Cost	State's Share (Appropriation)	Sponsor's Share
CBI Interior Restack and Reprogramming - Design	1,975,000.00	987,500.00	987,500.00

and, be it

FURTHER RESOLVED, that this resolution be forwarded to the Dutchess County Legislature for its consideration.

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Seconded by **M. Dupree**

Motion Carried Unanimously

B. Personnel & Community Relations (M. Dupree, Chair)

1. Approval of the Contract Extension for President, Dr. Peter Grant Jordan (Res #. 2025-17)

M. Dupree offers the following resolution and moves its adoption:

BE IT RESOLVED, that the Board of Trustees hereby reappoints Dr. Peter Grant Jordan to the position of President of Dutchess Community College with a contract covering the period September 1, 2024 through August 31,

2029, and be it

FURTHER RESOLVED, that his salary for fiscal year 2024-2025 shall be \$235,000.00

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Seconded by **B. Biersack**

Motion Carried Unanimously

VIII. Report of the Student Trustee

Mr. Biersack reported on new bus trips to New York City that will take place in the spring semester and planning being done with the Red Cross for a blood drive at Dutchess Community College.

Mr. Biersack also reported on a panel he participated in focusing on mental health. Mr. Biersack spoke on his personal experience with his mental health struggles and how he over came them. As a result, Mr. Biersack was happy to share with the Board that he was accepted into Marist University on a \$25,000.00 scholarship.

IX. Report of the Chairperson

Chairperson Flesland spoke on accolades for the month of November and December 2024.

X. Report of the President

Dr. Jordan began his report by expressing gratitude to the board of trustees for their confidence and trust in his leadership.

He also extended his appreciation to his leadership team, faculty, and staff, acknowledging their hard work and dedication. In addition, Dr. Jordan thanked community members for their collaborative efforts in supporting the college.

He took a moment to recognize another unsung hero by giving a special shoutout to DCC's facilities team, who consistently manage the college's landscaping, snow removal, and heating and cooling systems.

Dr. Jordan concluded his report by informing the Board that the College successfully held four town hall sessions, which focused on the four key lenses and the strategic plan. Each session was very well attended.

XI. Other Business

There was none.

XII.. Date of Next Meeting

The next meeting of the Board of Trustees will be held on January 28, 2025 at 6:30 p.m.

XIII. Adjournment

There being no further business to discuss, a motion was made by Mr. Biersack, seconded by Mr. Dupree, voted on, and duly carried, to adjourn the meeting. The meeting adjourned at 7:03 p.m.

Respectfully submitted,



Joia Ponticello
Executive Assistant

VII.

Board Policy1. Approval of the Data Access Privacy Policy (Res #. 2025-18)

Upon review of a proposed policy related to maintaining data containing confidential, and personal information, the Board Policy committee is recommending that the Board adopt a new policy called Data Access Privacy policy. This policy establishes the procedures and protocols for collecting, maintaining, protecting, disclosing, and disposing of confidential data records, including data containing Personally Identifiable Information collected by Dutchess Community College, and is a GLBA requirement.

2. Approval of the Records Retention Policy (Res #. 2025-19)

Pursuant to Article 57-A of the New York State Arts and Cultural Affairs Law containing legal minimum retention periods for local government records, Dutchess Community College Staff needs to legally dispose of community college records. Upon review of article 57-A, the Board Policy committee is recommending that the Board adopt a new policy called the Records and Retention Schedule Policy, which is a GLBA requirement.

3. Approval of the Disposal of Customer Data Policy (Res # 2025-20)

Upon review of a proposed policy related to the Disposal of Customer Data, the Board policy committee is recommending that the Board adopt a new policy called the Disposal of Customer Data Policy. The purpose of this policy is to establish clear standards for the secure disposal and permanent removal of customer data from all digital and physical information systems owned and managed by Dutchess Community College, which is a GLBA requirement.

4. Approval of the Data Classification Policy(Res # 2025-21)

Upon review of a proposed policy related to prioritization of confidential and personal information, the Board policy committee is recommending that the Board adopts a new policy called the Data Classification Policy. The purpose of this policy is to help determine baseline security controls for the protection of data, and is a GLBA requirement.

5. Approval of the Revised Title IX Policy (Res # 2025-22)

The College's Sex Discrimination and Sexual Harassment (Title IX) policy needs to be revised and adopted in order for the College to be compliant with updated Title IX regulations.

6. Approval of the Accountability Clause to All Policies that impact employees, students or both (Res. # 2025-23)

It is being recommended by the Board Policy committee that an accountability clause be included in all institutional college Board policies to ensure transparency, responsibility, and integrity in the administration and functioning of the institution. By embedding accountability, DCC can better guarantee that all stakeholders—including students, faculty, staff—are responsible for their actions, decisions, and compliant with institutional guidelines.

Finance and Facilities

1. Approval of the Capital Project for Sport Field Improvements (Res # 2025-24)

Proposals for the Design Services for Sports Field Improvements were solicited on RFP-DCC-03-2025. This phase of the project will focus on planning and design of the multi-purpose sports field. Phase two will focus on construction and require a different bidding and Board approval process. Currently, the college has a baseball and softball field but does not have a soccer field. With the growing demand for athletic field facilities to accommodate various sports, the project will consist of the conversion of the baseball field into a multi-purpose artificial turf field for baseball and soccer according to NJCAA requirements. The existing softball field will remain as is.

There were Six (6) proposals received. A committee consisting of Robert Cirillo, Associate Vice President of Administration, Scott Schnackenberg, Vice President for Enrollment and Student Success, Lisa Keto, Associate for Capital Finance and Administration, Matthew Paquet, Athletics Director and Gregory Starzyk, Grounds Supervisor reviewed each proposal. The committee ranked the proposals based on the qualifications and experience of the firm, key personnel, the project approach and their fee proposal. Three firms that best met the project specifications were interviewed; Appel Osborne, CHA Consulting, and KG+D Architects.

The committee recommends awarding the Design Services for the Sports Field Improvements to CHA Consulting. CHA specializes in athletic facilities and had the most comprehensive proposal with extensive

experience on comparable facilities, including other SUNY institutions. In addition, CHA had on staff engineers and architects enabling them to self-perform the scope of work so they will only need to utilize consultants for the Geotechnical Engineer and Land Surveyor. The committee felt they had the greatest understanding of the project scope, project budget and addressed a clear and achievable plan.

2. Approval of the Bid for Window Treatments in Drumlin Hall (Res # 2025-25)

The College is seeking a contractor to furnish labor and equipment for all operations necessary in connection with the installation of Mecho 5x window treatments in Drumlin Hall. The drapes in L.G Greenspan Dining Room require replacement due to their age. The fabric is torn in several places and the tracks and mechanisms are non-functional.

3. Approval of the Bid for Bowne Hall Third Floor Renovations – Design Services (Res. # 2025-26)

Proposals for the Design Services for the Bowne Hall Third Floor Renovations were solicited on RFP-DCC-08-2025. The project will design the Bowne Hall third floor for use as office space, conference room, restrooms, storage and mechanical room.

The third floor of Bowne Hall, an approximately 2,647 Square foot area, has been vacant for many years and is currently used for storage. It is desired to renovate this space to accommodate the Marketing and Communications department as they need a larger more productive office and work space. The renovations are required to reconfigure the space into offices and a conference room, for code, ADA compliance and to upgrade the mechanical systems.

There were Five (5) proposals received. A committee consisting of Susan Rogers, Chief of Staff, Robert Cirillo, Associate Vice President of Administration, Jaclyn Murray, Associate Director Marketing & Communications, Lisa Keto, Associate for Capital Finance and Administration, Barbara Warren, Director of Campus Safety and Project Management, Anthony Corrado, HVAC Supervisor reviewed each proposal. The committee reviewed and evaluated each proposal based on the qualifications and experience of the firm, key personnel, the project approach and their fee proposal.

The committee recommends awarding Lothrop Associates Architects, D.P.C. the Design Services for the Bowne Hall Third Floor Renovations. Lothrop has the most comprehensive proposal with the best understanding of the project scope and they are well versed in higher education facilities and office renovations.

4. Approval for the College to use Fund Balance for Unrestricted Strategic Investments (Res # 2025-27)

The justification for the use of fund balance totaling \$7,100,000 for strategic investments is based on Board Resolution #2025-01, including but not limited to the allocation of proceeds from the recent sale of college-owned frequencies to T-Mobile for \$4.0MM. These institutional assets will be used to fund strategic initiatives that align with and advance objectives of DCC's strategic plan, particularly the growth lens. These investments are integral to achieving our wildly important goal of increasing student enrollment to 5,000 by 2028. Proceeds from the sale to T-Mobile, categorized as unrestricted operating revenue, are added to the College's fund balance, thereby providing the necessary financial resources for the initiatives in the plan, and after securing Board mandated reserves of 15% of annual operating costs.

Personnel and Community Relations

1. Approval of Professional Staff Titles (Res# 2025-28)

Section 35 of Civil Service Law requires that title determination of positions in professional service be made by the Board of Trustees. Based upon review, it has been determined that new titles need to be created to align with assigned job responsibilities. There are four (4) new titles being proposed for Board approval.

2. Approval of the Joint Defense Agreement between Dutchess Community College and the County of Dutchess (Res. # 2025-29)

In connection with the Worth Construction Company, Inc lawsuit, the College has been advised by legal counsel to enter into a joint defense agreement in light of the College and County's shared litigation interests. A joint defense agreement permits the County and College, and their attorneys, to exchange confidential and/or privileged information without waiving confidentiality.

3. Approval of the agreement with The Pappalardo law Group LLC (Res # 2025-30)

The College is seeking to enter into a mediation agreement with The Pappalardo Law Goup PLLC for the purpose of conducting mediation in connection with a lawsuit pending against the college entitled Worth Construction Co., Inc v. County of Dutchess et al. The College is responsible for 1/6 of the cost which should not exceed \$5,000.00

_____ offers the following resolution and moves its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews the College's policies on a regular basis, and

WHEREAS, to comply with GLBA regulations, a policy on Data Access Privacy has been written, and

WHEREAS, the College's Professional Staff organization (PSO), Professional Service Alliance (PSA) and the Student Government Association (SGA) has reviewed said policy to ensure it meets Board policy development requirements, and

WHEREAS, the Policy Committee finds said policy to be appropriate to the needs of the College, now, therefore, be it

RESOLVED, that, based upon the recommendation of the Board Policy Committee, and review by the Board of Trustees, the attached Data Access Privacy policy, which shall be made part of the official minutes of this meeting, is hereby approved, and be it

FURTHER RESOLVED, that this policy shall be effective immediately, and be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

* * * * *

Seconded by _____

Data Access Privacy and Security Policy

Last Updated: August 2024

Description

Dutchess Community College collects and maintains data containing confidential, personal information of students, parents, faculty, staff, alumni, donors, prospective students and families, and trustee records for its legitimate business purposes and to comply with federal and state laws and regulations. This data is utilized for campus operations, federal and state reporting, and scholastic research. Dutchess Community College does not permit access to, or the disclosure of, confidential personal information, student education and financial records, or Personally Identifiable Information contained therein except for purposes authorized under law, regulation, or agreement.

Purpose

This policy establishes the procedures and protocols for collecting, maintaining, protecting, disclosing, and disposing of confidential data records, including data containing Personally Identifiable Information collected by Dutchess Community College.

Scope

This policy applies to all Dutchess Community College employees, students, and representatives, including any contractor or third-party provider of services to Dutchess Community College, with access to confidential, sensitive, or restricted information that Dutchess Community College has collected or otherwise has in its possession. This policy applies to all confidential, sensitive, or restricted information collected, maintained,

transmitted, stored, retained, or otherwise used by Dutchess Community College, regardless of the medium on which that information is stored.

Restricted information is protected by:

- Family Educational Rights and Privacy Act (FERPA)
<http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>
- Gramm-Leach-Bliley Act (GLBA)
<https://www.ftc.gov/tips-advice/business-center/privacy-and-security/gramm-leach-bliley-act>
- General Data Protection Regulation (GDPR)
<https://gdpr.eu/>
- Health Insurance Portability and Accountability Act (HIPAA)
<https://www.hhs.gov/hipaa/for-professionals/security/laws-regulations/index.html>
- Federal Information Security Management Act (FISMA)
- Other applicable laws, regulations
- Any agreement between Dutchess Community College and outside agencies or entities.

Definitions

Confidentiality

Confidentiality refers to a person's obligation to not disclose or transmit information to unauthorized parties; how Personally Identifiable Information collected is protected and when an individual's consent is required for disclosure.

Data

Data refers to any items of information that are received, created, collected, maintained, accessed, provided by a third party, used, transmitted, or disclosed, whether in electronic, paper, or other format.

Data Collection

Data Collection includes any collection of records, which may include data collected in an enterprise-level system (e.g., Student Information System) or through alternate collection means.

De-identification

De-identification is a process that renders data safe to utilize and share by removing or obscuring all identifying fields such as name or identification numbers, thus making it very difficult to identify an individual based on a combination of variables.

Disclosure

Disclosure means to permit access to or the release, transfer, or other communication of Personally Identifiable Information contained in records by any means, including oral, written, or electronic means (internally or externally).

Enterprise Identification Number

Enterprise Identification Number (A#) is a unique number assigned by Dutchess Community College enterprise data systems that does not contain any series of numbers matching a Social Security Number.

Linkage

Linkage consists of the ability to combine records through use of common identifiers for the purpose of research or re-identification.

Memorandum of Understanding

Memorandum of Understanding (MOU) refers to the data disclosure and confidentiality agreement between Dutchess Community College and the entity requesting data.

Personally Identifiable Information

Personally Identifiable Information (PII) includes any information that can be reasonably used to distinguish or trace an individual's identity, such as name, email address, phone number, race, Social Security Number, date and place of birth, mother's maiden name, biometric records, and any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information.

Privacy

Privacy defines the right of individuals to have their personal information adequately protected to avoid the potential for harm, embarrassment, inconvenience, and/or unfairness.

Re-disclosure

Re-disclosure describes the sharing or use of data collection beyond the original intent.

Records

Records describe any information or data recorded in any medium—including but not limited to handwriting, print, or system—which contains Personally Identifiable Information which is maintained by an institution or a person acting for the institution.

Security

Security means technical procedures that are implemented to ensure that records are not lost, stolen, vandalized, illegally accessed, or improperly disclosed.

Security Incident

Security Incident refers to an adverse event in an information system. A Security Breach may include a violation of an explicit or implied security policy, unauthorized access, unwanted denial of resources, unauthorized use, or changes without knowledge, instruction, or consent.

Suppression

Suppression denotes withholding information from publication. Some information is withheld from publication to protect small counts that could lead to disclosure. Other information is withheld from publication in a table to prevent the calculation of the data based on small counts from the published information; that is known as complementary suppression.

User

User refers to an individual who creates, accesses, processes, enters, reads, deletes, or otherwise “uses” data.

Vendor-Partner

Vendor-Partner includes any campus contract holders with access to confidential records.

Information Collected and Maintained

Dutchess Community College collects, through enterprise data systems and other collection methods, data from students and their families, alumni, donors, prospective students and families, trustees, and employees, including but not limited to:

- Personally Identifiable Information that identifies each person. This data may include, but is not limited to, name, email address, address, race/ethnicity, gender, date of birth, Social Security Number, and place of birth.
- Participatory data, including, but not limited to, employment, attendance, degree completion, donor relations, and board or committee assignments.
- Financial data, including, but not limited to, financial aid eligibility and awards, employee pay rates and benefits, donor contributions, and vendor payments.

This information is maintained in one or more secure data systems.

Maintaining Security of Confidential Data

Dutchess Community College shall utilize the following procedures and measures to ensure the security of confidential data:

- A unique Enterprise Identification Number is assigned to each individual. The Enterprise Identification Number is system-generated and contains no embedded meaning. This Enterprise Identification Number is encouraged when record linkage is needed.
- Security protocols which limit which persons, organizations, or entities have access to confidential data and for what purposes. Statistical cut-off procedures are utilized to prevent student identification in anonymized, aggregate-level reports. For Dutchess Community College, it is recommended for record count less than 5.
- Dutchess Community College shall maintain a current listing of campus personnel who have access to Personally Identifiable Information through authentication and internal links.

- Confidential data shall be communicated or transferred electronically to external entities only through secure mediums, the location of which shall only be accessible by the authorized entities.
- Confidential data shall be shared via network shares or OneDrive with appropriate permissions or encrypted email or alternative secure transfer method.
- If possible, users make every attempt to follow this protocol while sending or receiving confidential information.
- De-identification rules should be followed which involve the removal of Personally Identifiable Information in order to protect personal privacy. With the exception of disclosure of records for required audits, evaluations and studies, data is provided in a de-identified or aggregate form. The Enterprise Identification Number, such as Banner ID, can be provided to allow for matching of data records or re-identification but must be excluded from any publicly produced reports.
- Other safeguards – All Dutchess Community College employees, students, contractors, and other entities with direct access to confidential information are responsible for protecting the same via the following procedures:
 - Prevent disclosure of data by protecting visibility of reports and computer monitors when displaying and working with confidential information.
 - Workstations must be locked or shut down when left unattended for any amount of time.
 - Data and electronic files containing confidential information must be stored in a secure location.
 - Confidential information shall not be sent via text or facsimile.
 - When no longer needed, paper reports containing confidential information shall be shredded and electronic files shall be destroyed.
 - Reports, external storage drives, and/or any other media containing confidential information must be stamped or otherwise marked as confidential prior to being

released. The envelope containing the information also must indicate that the contents are confidential.

Security Incident Notification

Users that suspect an unauthorized disclosure or breach of confidential information shall immediately notify the Dutchess Community College technical staff listed below and cooperate with technical staff as part of any necessary investigation.

Deepa Dubal, CIO

deepa.dubal@sunydutchess.edu

(845) 431-8946

Data Access

This section describes the conditions under which Dutchess Community College will release confidential information.

- Dutchess Community College Employees – Any employee, including students, who have a need to access confidential information must sign non-disclosure agreements at the time of employment.
- Dutchess Community College employees who have a need to access confidential information are permitted access through system access protocols established and maintained by Dutchess Community College's Information Technology system administrators. Supervisors must indicate that the employee needs access to confidential information in the performance of his or her assigned duties and responsibilities. Supervisors will ensure that the appropriate safeguards are instituted to protect confidential information, and that the employee has received appropriate training.

- Employees may not access confidential information for personal purposes (for example, research for a dissertation). Employees must maintain the confidentiality of all protected data. Data shall be destroyed in accordance with Dutchess Community College's record retention policy.
- Public – Dutchess Community College may disclose, without consent, information in anonymized, aggregate form that is not easily linkable to an individual. Public access is limited to anonymized, aggregate level reports. Suppression rules set forth in this policy are adhered to for all public reporting.
- Research – Dutchess Community College may disclose confidential, Personally Identifiable Information to authorized individuals and/or organizations for research and analysis purposes to improve instruction: develop, validate, or administer predictive tests. Such disclosures also may be made to authorized representatives conducting required audits or program evaluations. The requesting entity or individual must sign and have an approved Memorandum of Understanding. Disclosures shall be authorized by law, regulations, or contract. Authorization must be evaluated periodically (agreement due date) to ensure access to the data is still required. Use of data is only for purposes as defined in the agreement.

Training Needs

All Dutchess Community College employees shall be made aware of the Data Access and Security Policy changes and will receive subsequent information through newsletter articles, e-mail messages, and/or training classes.

Record of Access

In compliance with protected data guidelines, Dutchess Community College shall maintain a record indicating the name of any individual or organization external to the campus that

requests and is allowed access to records containing Personally Identifiable Information. The record of access shall indicate the interest such a person or organization has in obtaining the information as well as the date the requested data was disclosed.

Destruction of Data

Any entity receiving data contemplated by this policy must destroy such data when it is no longer needed for the purpose specified in the request for disclosure. The manner of destruction shall protect the confidentiality of the information and must be done at the conclusion of the intended purpose. Refer to DCC's Data Disposal Policy for guidance on securely disposing data.

Penalties for Violation of Policy

Enforcement penalties for violation of data privacy security, unauthorized disclosure, or re-disclosure may include loss or denial of access to confidential information, revocation of network access privileges, and any other penalties as prescribed by federal or state law.



Data User Agreement

Agreement must be signed by the employee.

Last Updated: August 2024

I have the responsibility to protect the confidentiality and integrity of all Dutchess Community College data to which I have access. I acknowledge my responsibility to protect all such information, in whatever form, from improper disclosure or use.

I acknowledge that I have read the Dutchess Community College Data Access Privacy and Security Policy and agree to abide by its terms.

I agree that the purpose of my access to Dutchess Community College data is for internal or external user support, institutional operation, institutional, state, and federal reporting, policy analysis, and decision-making.

I agree that user IDs and passwords used to access Dutchess Community College systems are issued on an individual basis. I am solely responsible for all information obtained through system access using my unique identification. At no time will I allow use of my user ID or password by any other person. The Campus reserves the right to revoke user credentials at any time if a violation is detected.

I acknowledge that I have been informed that deliberately revealing personally identifiable information will result in a loss or denial of access to confidential information, revocation of network access privileges, and any other penalties as prescribed by federal or state law.

Employee Signature

Date

Printed Name

_____ offers the following resolution and moves its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews the College's policies on a regular basis, and

WHEREAS, to comply with GLBA regulations, a Records Retention policy has been written, and

WHEREAS, the College's Professional Staff organization (PSO), Professional Service Alliance (PSA) and the Student Government Association (SGA) has reviewed said policy to ensure it meets Board Policy development requirements, and

WHEREAS, the Policy Committee finds said policy to be appropriate to the needs of the College, now, therefore, be it

RESOLVED, that, based upon the recommendations of the Board Policy Committee, and review by the Board of Trustees, the attached Records & Retention Schedule policy, which shall be made part of the official minutes of this meeting, is hereby approved, and be it

FURTHER RESOLVED, that this policy shall be effective immediately, and be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

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Seconded by _____



Records and Retention Schedule

Last Updated: January 2024

Purpose

This policy is intended to ensure that records are retained for as long as necessary for administrative, legal and fiscal purposes, that state and federal record retention requirements and guidelines are met (including without limitation applicable provisions of the New York State Archives and Records Administration Records Retention and Disposition Schedule CO-2), and that record series with enduring historical and other research value are identified and permanently retained.

Scope

This policy applies to all DCC employees, students, and non-employees (contractors, partners, etc.) with access to DCC systems.

This policy applies to all information/data (e.g. paper, electronic, etc.) owned, operated, and maintained by DCC for all internal and external partners, contractors, vendors, volunteers, alumni/retirees/emeritus.



Records and Retention Schedule

Last Updated: January 2024

Policy

The Records Retention and Disposition Schedule CO-2, issued pursuant to Article 57-A of the New York State Arts and Cultural Affairs Law and containing legal minimum retention periods for local government records, shall be used by all Dutchess Community College staff in legally disposing of community college records listed therein. The community college records described in the Records Retention and Disposition Schedule CO-2 (attached) shall be disposed of only after they have met the minimum retention period prescribed therein and only if they do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond the established time periods.

Reason for Policy

This policy is intended to ensure that records are retained for as long as necessary for administrative, legal and fiscal purposes, that state and federal record retention requirements and guidelines are met (including without limitation applicable provisions of the New York State Archives and Records Administration Records Retention and Disposition Schedule CO-2), and that record series with enduring historical and other research value are identified and permanently retained.



Records and Retention Schedule

Last Updated: January 2024

Applicability

This policy applies to all departments of the College that maintain any of the types of records as set forth in the procedures. This policy should be reviewed by all College personnel having custody of, or responsibility for, the types of records as described below.

Definitions

FERPA: Federal Family Educational Rights and Privacy Act, as amended

SARA: New York State Archives and Records Administration

Procedures

The types of records listed below will be retained by the College in accordance with the corresponding timeframe provided for each. Except where indicated to the contrary, retention periods run from the date of completion of the record. The retention periods listed pertain to the information contained in records, regardless of physical form or characteristic (paper, microfilm, computer disk or tape, or other medium).

In addition, some records may be needed to defend the College, Dutchess County and/or their respective trustees, officers, employees and/or agents in legal proceedings. Records that are being used in such proceedings must be retained for the entire duration of the proceedings even if their designated retention period has otherwise expired.

If the retention period has expired by the time the legal proceedings end, the record must be retained for at least one additional year.

If the retention period has **not** expired, the record must be retained for the remainder of the retention period, but not less than one year after the legal



Records and Retention Schedule

Last Updated: January 2024

proceedings end. When the applicable record retention period set forth below has expired, any records which contain individually identifiable student information must be shredded before disposal in accordance with the College's Policy on Compliance with the Family Educational Rights and Privacy Act (The "Buckley Amendment"). This includes, but is not limited to, examinations or assignments containing student names, class lists, and grading sheets.

Records Collected and Maintained	Retention Period and Medium	Cleanout and Disposal Date
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Instruction and Learning		
Accreditation records such as Middle States documents, self-study reports, determinations and significant correspondence	Permanent – Paper/electronic	
Routine correspondence and transmittal records, records, drafts and fiscal records	6 years after accreditation approval – Paper/electronic	
Curriculum records, course content, course history	Permanent – Paper/electronic	
Internal curriculum requests	7 years for approved, 1 year denied – Paper/electronic	
Curriculum planning records	Retain as needed – Paper/electronic	
Academic Program proposals including registration of new	Permanent for successful proposals; Zero for failed proposals	



Records and Retention Schedule

Last Updated: January 2024

programs and requests for approval of changes from SUNY	Paper/electronic	
Course information including catalogs	Permanent – Paper/electronic	
Official copy of any literature or other material made available to the public	Permanent	
Detailed course descriptive information	7 years – Paper/electronic	
Drafts and tentative course schedule	1 year – Paper/electronic	
Research files	Varies from 1 year to permanent	
Course listings	0 after superseded	
Class Schedule	6 years – Paper/electronic	
Course Syllabi	0 after superseded or retain representative samples	
Instructor records, grades, test scores, etc.	2 years – Paper/electronic	
List of students matriculated program	0 years after superseded – Paper/electronic	
Evaluations of course instructor	3 years – Paper/electronic	



Records and Retention Schedule

Last Updated: January 2024

<p>Grade appeals</p> <p>Faculty Personnel records – Master summary record</p> <p>Personnel files</p>	<p>6 years after resolved – Paper/electronic</p> <p>Permanent – Paper/electronic/SIS</p> <p>Permanent – Paper/electronic</p>	
Alumni		
<p>Alumni Contact records including but not limited to name, address, occupation, degree attained, marital status and summary records of financial contributions</p> <p>Alumni Directory or other master summary record of alumni and all other degree recipients, such as published alumni catalog, providing names of alumni, years of graduation, and other information such as degrees granted and place of residence</p> <p>Donor and prospective donor information records containing information on individuals, organizations, foundations or corporations</p>	<p>0 after superseded or obsolete</p> <p>Permanent</p> <p>0 after no longer needed</p>	



Records and Retention Schedule

Last Updated: January 2024

Athletics		
Player recruitment/scouting file concerning recruitment of student athletes for college sports programs, including but not limited to scouting reports, lists of prospects, recruitment proposals, and correspondence	3 years after graduation or date of last attendance	
For student athletes who do not enter college	0 after no longer needed	
Athletic Scholarship file including but not limited to applications, recommendations, authorization of awards, financial statements, accounting data, and correspondence	6 years	
Athletic Program records including health information	6 years	
Videotapes/Recordings records used for scouting and training	0 after no longer needed	
Substance or alcohol abused testing records	Positive: 6 years after last entry Negative: 3 years	
Counseling Services		
Student counseling records, including but not limited to request for assistance relating to emotional, psychological, personal, social, academic, or placement and career planning	6 years	



Records and Retention Schedule

Last Updated: January 2024

concerns, and also covering tutoring and mentoring services provided for and received by students		
List of student's appointments	0 after obsolete	
Statistical compilation of reports or students served	0 after no longer needed	
Career placement records including but not limited to records of on-campus visits and interviews, job fairs, employer information sessions, and job searches, but not including individual student counseling records	0 after no longer needed	
Accommodative Services/Disabled Students		
Student File including but not limited to information on disability, correspondence with student's sponsoring agency, orders for special equipment, and notes of contacts with counselors	6 years after graduation or date of last attendance	
Staff development materials relating to instructor orientation to disabled students and general disabilities	0 after obsolete	
Financial Aid/SFS		
Student financial aid records including but not limited to Free	6 years	



Records and Retention Schedule

Last Updated: January 2024

<p>Application for Federal Student Aid (FAFSA) reports, applications for assistance, financial aid disbursement records, copies of income tax forms, financial aid transcripts from other schools, award and declination notices, verifications for non-taxable income and other tax-related records, instructor requests for work-study student, student work-study job descriptions, copies of work-study time records to verify hours with student schedule, and veteran's service information</p> <p>Financial aid reports (state, federal, and other) covering multiple students, including but not limited to Tuition Assistance Program (TAP) reports</p> <p>Students individual account record covering credit, non-</p>	<p>6 years NOTE: Appraise these records for continuing administrative or historical value prior to disposition. Records with historical value should be retained permanently. Reports containing information showing trends in student financial aid over time may be valuable for planning and other decision-making as well as research purposes</p>	
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Records and Retention Schedule

Last Updated: January 2024

credit, or continuing education courses, housing, food, laboratory and equipment use, and other fees, charges and expenses, and also including tuition waivers	6 years after last entry	
Fiscal reports submitted to or received from the State University of New York (SUNY) including operating report (budget) and annual report (year-end)	6 years	
Proof of residence records	6 years	
Housing		
Residency occupancy records including but not limited to room and board contracts and room assignment, and records pertaining to damage of dormitory equipment and furnishings	6 years after expiration of contract or room assignment	
Admissions (including but not limited to application, entrance examinations and reports, letters of recommendation, transcripts from secondary schools and other colleges and universities, acceptance letters,		



Records and Retention Schedule

Last Updated: January 2024

<p>advanced placement records, evaluations, and supporting documentation)</p> <p>For applicants who accepted and attend</p> <p>For applicants who are accepted and do not attend, and applicants who are not accepted</p>	<p>6 years after graduation or date of last attendance</p> <p>2 years</p>	
Student Academic Records		
<p>Students permanent academic record (transcript)</p> <p>Change of grade documents, withdrawal authorizations, graduation certification, Social Security certification, student roster and attendance verification records such as class roster, or final grade listing and student schedule</p> <p>Other student records including but not limited to academic action authorizations (dismissals and/or notification of problems); employment placement records; records of internships served; records of</p>	<p>Permanent</p> <p>6 years</p> <p>6 years after graduation or date of last attendance of student(s) involved</p>	



Records and Retention Schedule

Last Updated: January 2024

<p>selection for and participation in remedial assistance, second language, academic honors, or other special academic programs; and assessment of life/work experience information for academic credits</p>		
<p>Change in Social Security number record, application for veteran's benefits and enrollment certification and related records</p>	3 years	
<p>Application for graduation, change of course (drop/add) records, credit/no credit (audit) approval, name and/or sex change authorization, pass/fail request, registration form, and request by student for transcript or other record</p>	1 year	
<p>Unclaimed diplomas</p>	1 year (can be kept longer)	
<p>Non-Credit and continuing education records Individual attendee records, including but not limited to residence verification, program participation application,</p>	6 years	



Records and Retention Schedule

Last Updated: January 2024

<p>summary of participant achievements and attendance, record of courses taken including grades and test results, but excluding test papers and answer sheets</p> <p>Test papers and answer sheets</p>	6 months	
<p>Student information system (SIS) containing electronic information on academics, financial matters, and other aspects of student life, regardless of whether or not similar information is contained in series covered by other items found in this Schedule</p>	6 years NOTE: This information may be valuable for long-term planning and evaluation purposes by college administrators, and for instances where students reenter the college later in life. In addition, it may be useful in historical or other research. Creation of a "history file" in the information system may be a useful way to maintain this more important information. Contact the State Archives for additional advice	
<p>Miscellaneous</p> <p>Scholarship Records Individual scholarship file including but not limited to applications, list of eligible candidates, list of competition</p>	6 years	



Records and Retention Schedule

Last Updated: January 2024

winners and alternates, recommendations, authorization of awards, financial statements, accounting data, reports, and correspondence		
List of scholarships awarded to students	Permanent	
Record of gifts and prized (other than scholarships) awarded to students	3 years	
Student degree audit	6 years	
Student disciplinary records including but not limited to suspension notice, suspension hearing record, probationary condition adherence record, expulsion records, correspondence, fine assessment, and related records	6 years after the end of the academic year	
Student grievance records including but not limited to grievance, investigative records, hearing proceedings, decision rendered, student appeal, records of arbitration	6 years after grievance resolved	



Records and Retention Schedule

Last Updated: January 2024

<p>procedure, final decision and correspondence</p> <p>Recruitment records other than recruitment of individual student athletes, including but not limited to plans and strategies, lists of potential students, records of socio-ethnic composition of student body, records of college planning workshops and visits by parents and prospective students, and relevant statistics</p>	<p>3 years</p>	
<p>FERPA: Records of compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA) and related legislation concerning access to student records</p> <p>Request for hearing on content of student education records, decision of hearing, and student statement on content of disputed record</p> <p>Record of requests for access to and disclosures of personally identifiable information from the student education records,</p>	<p>Retain for the same period the disputed records are maintained</p> <p>Retain for the same period the requested records are maintained</p>	



Records and Retention Schedule

Last Updated: January 2024

<p>as required by FERPA regulations</p> <p>Request for nondisclosure of directory information or non-participation in surveys on or activities in designated areas</p> <p>Consent for record disclosure</p> <p>Directory Information Policy Statement</p> <p>Annual or other notice of rights under FERPA or related legislation concerning access to student records or participation in surveys on or activities in designated areas</p>	<p>1 year after request is terminated or is no longer valid or 1 year after the concerned records are no longer maintained</p> <p>1 year after consent is terminated or 1 year after the concerned records are no longer maintained</p> <p>Permanent</p> <p>3 years after issued or superseded or obsolete</p>	
<p>Community Relations/Marketing/Graphics</p> <p>Photo file</p>	<p>Permanent</p>	



Records and Retention Schedule

Last Updated: January 2024

Publication Originals	2 years- electronic	
Course catalog database	Permanent- Electronic	
Marketing Contracts	5 years- paper and electronic	
Submissions to various publications	Permanent – paper or electronic	
Press Releases	Permanent – electronic	
Select forms in use at DCC (forms library)	Permanent - electronic	
Business Office		
Year End Payroll	55 years	
Invoices	6 years- Paper or Electronic	
Requisitions	Permanent: Maintained in SIS (Banner)	
Promissory Note/Residence Affirmation Combo form	10 years-Paper or Electronic	
Perkins Loan file	Permanent-Electronic	
NSL Promissory Note	Permanent-Electronic	
Health Office		



Records and Retention Schedule

Last Updated: January 2024

Immunization records	7 years after the student last attended	
Lot Number Records which indicate names of recipients of injections from Lot (Flu, MMR)	30 years Paper or electronic	
Physical Exam Records	7 years after graduation or last date of attendance	
Miscellaneous Forms	All forms are scanned into our Document Management System (Application Xtender) Currently maintained without disposal	
Add/Drop		
Admissions Applications		
Audit Permission Form		
Basic Demographic Data Form		
Prior Learning Assessment		
Credit by Proficiency		
Cross Registration Applications		
Change of Curriculum forms		
Fresh Start Applications		
Graduation Applications		
Independent Study Contract		
No release of Directory Information		
College transcripts from prior institutions or DD214, CLEP, AP		
Registration forms		
FERPA forms		



Records and Retention Schedule

Last Updated: January 2024

Student signed release for enrollment verification		
Transcript requests	Via Parchment	
Unofficial and Official High School Transcript, Diploma, GED		
Waiver of Curriculum		
College email		

Enforcement

Failure to comply with the policy may result in suspension of access to information assets and information systems or both and may also result in disciplinary action, up to and including termination and criminal prosecution.

Related Policies and References

- [IT Security and Risk Management Policy](#)
- [Data Access Privacy and Security Policy](#)
- NIST SP 800-53: Security controls for information systems.
- NIST SP 800-171: Protecting sensitive data (CUI).
- NIST Special Publication 1800-39A: Implementing Data Classification Practices
- NIST Glossary: <https://csrc.nist.gov/>

RESOLUTION NO. 2025-20

Board of Trustees, Dutchess Community College
February 25, 2025

_____ offers the following resolution and moves its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews the College's policies on a regular basis, and

WHEREAS, to comply with GLBA regulations, a Disposal of Customer Data policy has been written, and

WHEREAS, the College's Professional Staff organization (PSO), Professional Service Alliance (PSA) and the Student Government Association (SGA) has reviewed said policy to ensure it meets Board Policy development requirements, and

WHEREAS, the Policy Committee finds said policy to be appropriate to the needs of the College, now, therefore, be it

RESOLVED, that, based upon the recommendations the Board Policy Committee, and review by the Board of Trustees, the attached Disposal of Customer Data policy, which shall be made part of the official minutes of this meeting, is hereby approved, and be it

FURTHER RESOLVED, that this policy shall be effective immediately, and be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

* * * * *

Seconded by _____



Disposal of Customer Data Policy

Last Updated: November 2024

Purpose

The purpose of this Policy is to establish clear standards for the secure disposal and permanent removal of customer data from all digital and physical information systems owned or managed by Dutchess Community College.

Details

- The College must ensure that users and custodians of information are aware of its sensitivity and the basic requirements for proper disposal or destruction of data.
- All forms of data must be disposed or destroyed only by authorized and trained personnel, whether in-house or contracted leveraging standards set in this Policy.
- All 3rd party or external data destruction vendors must have an agreement contractually that defines the data to be securely handled until the data reaches its destination and is destroyed.

Scope

This policy applies to all departments at Dutchess Community College that facilitates any sensitive information stored in either a physical or digital manner.

This policy applies to all campus physical technology including, but not limited to, networking, electronic devices, administrative computing, and telecommunications systems; affiliated entities, cloud-based systems, and hosted services of the campus wherein sensitive data is stored. In addition, all physical materials such as forms, reports, or applications must also be handled in a secure manner until the time of destruction.

Enforcement

Failure to comply with the policy may result in suspension of access to information assets and information systems or both and may also result in disciplinary action, up to and including termination and criminal prosecution.

Standards

- Data standards depict three different classifications for data sanitization.
- All data traveling through 3rd party vendors must have a deliverable on the protections in place until the point of data purge or physical destruction.
- All campus employees working with or handling any form of physical or digital data are made aware of the media sanitization and secure disposal processes available on campus to establish proper accountability for all data.

- Maintenance providers under contract are considered under the College’s control, however, warranty and conditions where data is not to be returned must follow the appropriate sanitization methods as they are leaving the College’s control.

Sanitization Method	Appropriate Use	Description
Clear	If the media will be reused and will not be leaving the entity’s control.	Protects confidentiality of information against an attack by replacing written data with random data. Clearing must not allow information to be retrieved by data, disk or file recovery utilities.
Purge	If the media will be reused and leaving the entity’s control.	Protects confidentiality of information against an attack through either degaussing or Secure Erase.
Physical Destruction	If the media will not be reused at all.	Intent is to completely destroy the media.

Procedures and Expectations

- The college must maintain documented procedures for all systems and assets involved in customer data disposal.
- These procedures should outline the appropriate methods for securely disposing of customer data, whether physical or digital, in alignment with this Policy.
- Additionally, data retention policies and procedures must reference this Policy to ensure that all disposal actions meet the College’s standards for secure and compliant data handling.
- The College must ensure that equipment operators are properly trained and competent to perform sanitization functions of data equipment or data sanitization tools.
- The College must have procedures to ensure sanitization tools are operating effectively.

Related Documents

- [NIST 800-88, Rev. 1, Guidelines for Media Sanitization](#)

_____ offers the following resolution and moves its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews the College's policies on a regular basis, and

WHEREAS, to comply with GLBA regulations, a Data Classification policy has been written, and

WHEREAS, the College's Professional Staff organization (PSO), Professional Service Alliance (PSA) and the Student Government Association (SGA) has reviewed said policy to ensure it meets Board development requirements, and

WHEREAS, the Policy Committee finds said policy to be appropriate to the needs of the College, now, therefore, be it

RESOLVED, that, based upon the recommendations of the Board Policy Committee, and review by the Board of Trustees, the attached Data Classification policy, which shall be made part of the official minutes of this meeting, is hereby approved, and be it

FURTHER RESOLVED, that this policy shall be effective immediately, and be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

* * * * *

Seconded by _____



Data Classification Policy

Last Updated: December 2024

Purpose

The intent of the SUNY Dutchess Community College ("DCC") Data Classification Policy is to help determine the baseline security controls for the protection of data.

This policy describes the data classification levels, the risks associated with disclosure, and the roles/responsibilities of the DCC's stakeholders. This policy establishes the prioritization of confidential and personal information and identifies the most significant risks to DCC's systems. This supports DCC's ability to accomplish its assigned mission, protect its assets, fulfill its legal responsibilities, maintain day-to-day functions, and protect both DCC's and individual's information.

Scope

This policy applies to all DCC employees, students, and non-employees (contractors, partners, etc.) with access to DCC systems.

This policy applies to all information/data (e.g. paper, electronic, etc.) owned, operated, and maintained by DCC for all internal and external partners, contractors, vendors, volunteers, alumni/retirees/emeritus.

Data Classification Levels

DCC's IT Security and Risk Management Policy establishes a standard for safeguarding and securing the DCC's computers, computerized systems and data, computer networks and technical infrastructure as well as federal, state, local laws, and SUNY policies and procedures.



Data Classification Policy

Last Updated: December 2024

DCC's information is classified into three categories:

- **Public Information**
- **Sensitive Information**
- **Confidential Information**

Category 1 - Public Information is available or distributed to the public regularly or by special request. It can include names, titles, degrees and majors of graduating students, and information in DCC's catalog.

Category 2 - Sensitive Information whose destruction or unauthorized disclosure would not necessarily result in any business, financial or legal loss, but which involves issues of personal privacy. Some sensitive information may be available campus-wide but will not be available to outside parties or to the public. Sensitive information includes, but is not limited to:

Category 3 - Confidential Information requires a high level of protection. Confidential information includes information whose loss, improper use, or disclosure could adversely affect the ability of DCC to accomplish its mission. It also includes records about individuals requiring protection under the Family Educational Rights and Privacy Act of 1974 (FERPA) and information not releasable under the Freedom of Information Act. Access to confidential information is restricted and is available only to individuals who require that information to perform their duties.

Confidential information cannot be released to unauthorized partners, should not



Data Classification Policy

Last Updated: December 2024

be discussed with others, except while performing authorized duties.

Each data category requires a different level of protection. Data maintained in college administrative systems should be assumed to be confidential or sensitive unless otherwise specified. All information MUST have an information owner who will be responsible for assigning the initial information classification and make all decisions regarding updating the information, access privileges of users, and daily decisions regarding information management.

Data Handling

DCC’s information (e.g. written, electronic or verbal) shall be classified as **Public, Sensitive, or Confidential**.

Class	Definition	Example	Cybersecurity Control
Public	Public data poses no risk to the DCC, if it is made available. Dissemination of this data does not require approval from the information owner. Public data can be viewed or copied without restriction	<ul style="list-style-type: none"> DCC’s public policies Press releases Communications materials after release Public job postings 	<ul style="list-style-type: none"> User can use on personal or DCC devices Password authentication, multi-factor authentication, endpoint encryption, data - level encryption in transit/rest, data loss prevention, continuous monitoring, may happen but not required. Does not have to be stored in a locked container. Must be explicitly labeled "Public" in DCC’s information classifications.

Data Classification Policy

Last Updated: December 2024

			<p>Documents must have a watermark of "Public." Previous information may be grandfathered.</p> <ul style="list-style-type: none"> In-house copying acceptable; shredding not required.
Sensitive	<p>Sensitive data is data whose destruction or unauthorized disclosure would not necessarily result in any business, financial or legal loss, but which involves issues of personal privacy. Some sensitive information may be available campus-wide but will not be available to outside parties or to the public.</p>	<ul style="list-style-type: none"> Directory information - email address, major field, dates of attendance, degree Date and place of birth Honors and awards received Employment Home address (non-Title IX) Home/mobile phone number 	<ul style="list-style-type: none"> DCC issued endpoints, mobile devices, databases and/or applications. Password authentication, multi-factor authentication, endpoint encryption, data-level encryption in transit/rest, data loss prevention, continuous monitoring, etc. Store in a locked container Must be explicitly labeled "Sensitive" in DCC's information classifications. Documents must have a watermark of "Sensitive." Previous information may be grandfathered. In-house copying acceptable; shred waste. Some privileged accounts have hard tokens which prevent remote compromise.
Confidential	Confidential information	<ul style="list-style-type: none"> Social security 	<ul style="list-style-type: none"> DCC issued endpoints,



Data Classification Policy

Last Updated: December 2024

	<p>requires a high level of protection. This includes information whose loss, improper use, or disclosure could adversely affect the ability of DCC to accomplish its mission. It also includes records about individuals requiring protection under the Family Educational Rights and Privacy Act of 1974 (FERPA) and information not releasable under the Freedom of Information Act. Access to confidential information is restricted and is available only to individuals who require that information to perform their college functions.</p>	<p>number</p> <ul style="list-style-type: none">• Grades• Financial aid• Parent's financial status• Accounts receivable transactions• Address (Title IX)	<p>mobile devices, databases and/or applications.</p> <ul style="list-style-type: none">• Password authentication, multi-factor authentication, endpoint encryption, data - level encryption in transit/rest, data loss prevention, continuous monitoring, etc.• Store in a locked container• Must be explicitly labeled "Confidential" in DCC's information classifications. Documents must have a watermark of "Confidential." Previous information may be grandfathered.• In-house copying acceptable; shred waste.• Some privileged accounts have hard tokens which prevent remote compromise.
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Data Classification Policy

Last Updated: December 2024

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Disclosure Risk

Disclosure risk is determined by the level of impact associated with its disclosure (low, moderate, high). DCC follows the Federal government's FIPS 199 guidelines in determining risk.

Data Classification Policy

Last Updated: December 2024

Potential Impact	Definitions
Low	<p>The potential impact is low if—The loss of confidentiality, integrity, or availability could be expected to have a limited adverse effect on organizational operations, organizational assets, or individuals.⁷</p> <p>A limited adverse effect means that, for example, the loss of confidentiality, integrity, or availability might: (i) cause a degradation in mission capability to an extent and duration that the organization is able to perform its primary functions, but the effectiveness of the functions is noticeably reduced; (ii) result in minor damage to organizational assets; (iii) result in minor financial loss; or (iv) result in minor harm to individuals.</p>
Moderate	<p>The potential impact is moderate if—The loss of confidentiality, integrity, or availability could be expected to have a serious adverse effect on organizational operations, organizational assets, or individuals.</p> <p>A serious adverse effect means that, for example, the loss of confidentiality, integrity, or availability might: (i) cause a significant degradation in mission capability to an extent and duration that the organization is able to perform its primary functions, but the effectiveness of the functions is significantly reduced; (ii) result in significant damage to organizational assets; (iii) result in significant financial loss; or (iv) result in significant harm to individuals that does not involve loss of life or serious life threatening injuries.</p>
High	<p>The potential impact is high if—The loss of confidentiality, integrity, or availability could be expected to have a severe or catastrophic adverse effect on organizational operations, organizational assets, or individuals.</p> <p>A severe or catastrophic adverse effect means that, for example, the loss of confidentiality, integrity, or availability might: (i) cause a severe degradation in or loss of mission capability to an extent and duration that the organization is not able to perform one or more of its primary functions; (ii) result in major damage to organizational assets; (iii) result in major financial loss; or (iv) result in severe or catastrophic harm to individuals involving loss of life or serious life threatening injuries.</p>

Note: If more than one level of classification could apply to the information when aggregated, the highest level (most critical) will be selected.



Data Classification Policy

Last Updated: December 2024

Enforcement

Failure to comply with the policy may result in suspension of access to information assets and information systems or both and may also result in disciplinary action, up to and including termination and criminal prosecution.

Related Policies and References

- [IT Security and Risk Management Policy](#)
- [Data Access Privacy and Security Policy](#)
- NIST SP 800-53: Security controls for information systems.
- NIST SP 800-171: Protecting sensitive data (CUI).
- NIST Special Publication 1800-39A: Implementing Data Classification Practices
- NIST Glossary: <https://csrc.nist.gov/>

RESOLUTION NO. 2025-22

Board of Trustees, Dutchess Community College
February 25, 2025

_____ offers the following resolution and moves its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews Board and College administrative policies on a regular basis, and

WHEREAS, based upon this review and input from the members of the Board of Trustees, the Policy Committee has determined that the policy on Sex Discrimination and Sexual Harassment (Title IX) must revert back to the 2020 rule now, therefore, be it

RESOLVED, that, based upon the recommendation of the Policy Committee and review by the Board of Trustees, the revised policy on Sex Discrimination and Sexual Harassment (Title IX), which is attached and shall be made part of the official minutes of this meeting, is hereby approved, and be it

FURTHER RESOLVED, that this policy shall be effective immediately, and, be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

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Seconded by _____

Dutchess Community College

Policy on Sex Discrimination and Sexual Harassment (Title IX)

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I. Purpose

As a recipient of federal funding, Dutchess Community College (~~DCC or College~~) is subject to the requirements of Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations, part 106 of title 34 of the Code of Federal Regulations. In accordance with Title IX and its own institutional values, ~~DCC the College~~ is committed to providing an educational environment free from discrimination based on sex.

~~DCC is committed to maintaining a safe and inclusive educational environment free from discrimination on the basis of sex, including sexual harassment and sexual misconduct. In compliance with Title IX and its implementing regulations, the College has established the following policies and procedures to address and prevent sexual harassment, provide a fair grievance process, and ensure appropriate remedies and supportive measures for affected individuals.~~

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~~This policy sets forth the College's notice of nondiscrimination under Title IX and the procedures to be followed by the College in responding to reports of sex discrimination in its programs and activities, as well as the rights and options available to sexual violence victims/survivors.~~

It is ~~the the College~~ College's intent to have this ~~P~~policy and its procedures, at all times, conform to the requirements of Title IX and be current with the applicable regulations adopted by the U.S. Department of Education.

~~DCC~~ Dutchess Community College is also committed to the principle of equal opportunity in education and employment, and further prohibits unlawful discrimination based on other protected characteristics (including race, color, national origin, religion, creed, age, and disability), in accordance with all applicable federal, state and local antidiscrimination laws. Information about the College's prohibition on other forms of discrimination and the applicable complaint procedures can be found in the Policy on Racial and Other Forms of Discrimination.

II. ~~Notification Statement of~~ **Nondiscrimination Policy Under Title IX on the Basis of Sex**

~~DCC~~ Dutchess Community College is committed to the principle of equal opportunity in education and employment, and does not discriminate on the basis of sex in its education program or in any activity that it operates and prohibits sex discrimination in its education programs and activities, including in admission and employment, and -does

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~~The College will~~ not tolerate ~~any form of~~ sexual harassment, including sexual assault, sexual violence, and sexual misconduct, on its campus or in any of its programs or activities.

III. Scope of Policy

All students, faculty, and staff of DCC are required to comply with this nondiscrimination policy, and the Policy and its procedures apply to all conduct that occurs in the course of DCC's education programs and activities, and at locations, events, or other circumstances in the United States where DCC exercises substantial control.

IV. Inquiries about Title IX or the College's Compliance with Title IX

Title IX Coordinator

~~The Dutchess Community~~ College has a Title IX Coordinator to oversee and coordinate its compliance with its responsibilities ~~under Title IX and Title IX's implementing regulations (34 CFR part 106), and to conduct or oversee the investigation of claims of violations of the College's policy on sex discrimination and sexual harassment.~~

~~Reports concerning sex discrimination or sexual harassment, or~~ inquiries regarding the application of Title IX and 34 CFR part 106, may be ~~made~~ directed to the Title IX Coordinator:

Felicia Ellzy-Smith ~~{Name}~~
Title IX Coordinator
Bowne Hall, Room 220
Dutchess Community College
53 Pendell Road, Poughkeepsie, NY 12601

Phone: 845-431-8906673
Email: TitleIX@sunydutchess.edu ~~{email}~~

U.S. Department of Education Office for Civil Rights

Inquiries or complaints regarding the application of Title IX and related federal regulations to the College may also be directed to the U.S. Department of Education's Office for Civil Rights:

New York Office

Office for Civil Rights
U.S. Department of Education
26 Federal Plaza, Suite 31-100
New York, NY 10278-9991
Phone: Tel (646-)428-3800
Email: OCR.NewYork@ed.gov.

National Headquarters

Office for Civil Rights
U.S. Department of Education

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400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline: 800-421-3481 TDD 877-521-2172
Email: OCR@ed.gov Web: <http://www.ed.gov/ocr>

IV.V. Reporting Conduct That May Constitute Sex Discrimination or Sexual Harassment

Individuals (including students, employees, and visitors) who believe they have experienced sex discrimination or sexual harassment on the College's campus, or in any of its programs or activities, regardless of when the discrimination or harassment occurred, are encouraged to make a report to the Title IX Coordinator. If, for some reason, the Title IX Coordinator is unavailable, or the individual cannot or does not wish to make a report to the Title IX Coordinator, reports may also be received by the Safety and Security Office, which will then share the report with the Title IX Coordinator.

- Reports to the Title Coordinator can be made in person, via email, or by phone.
 - Bowne Hall, Room 220
 - Email: TitleIX@sunydutchess.edu
 - Phone: 845-431-8906
- Reports to the Title IX Coordinator can be made **at any time**, including outside normal business hours.
- Reports may also be made anonymously through the **Bias Incident Reporting Form**.

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~~Reports may be made either orally or in writing, in accordance with the Discrimination Grievance Procedures set forth in the Professional Staff Handbook.~~

All employees of Dutchess Community College (~~other than "confidential employees", discussed below~~) who become aware of conduct that reasonably may constitute sex discrimination or sexual harassment are required to promptly notify the Title IX Coordinator. In addition, when an employee receives information from another individual concerning conduct that reasonably may constitute sex discrimination or sexual harassment, the employee is required to provide that individual with the above contact information for the Title IX Coordinator and information how to make a complaint about sex discrimination or sexual harassment.

~~All employees shall receive training of their obligations under this policy, and also be provided either a copy of this full policy or a summary document prepared by the Title IX Coordinator.~~

~~Students who observe or otherwise become aware of an incident of sexual harassment or sexual violence are required to report the incident to the Title IX Coordinator or to the Safety and Security Office.~~

~~A student who knowingly fails to report an incident of sexual harassment or sexual violence will be in violation of the Code of Conduct and may be subject to discipline.~~

~~However, an employee or student who has personally been subjected to conduct constituting sex discrimination, sexual harassment, or sexual violence is not required to notify the Title IX Coordinator or otherwise report it.~~

~~“Confidential employees” are those employees whose communications are privileged or confidential, such as psychologists and other clinicians. Confidential employees who are made aware of conduct that reasonably may constitute sex discrimination, sexual harassment, or sexual violence through a privileged or confidential communication are not required to notify the Title IX Coordinator of the conduct. However, the confidential employee is required to: (1) inform the reporting individual of the employee’s confidential status and that the employee will not report the conduct constituting sex discrimination, sexual harassment, or sexual violence to the Title IX Coordinator; (2) provide the reporting individual with contact information for the Title IX Coordinator and information how to make a complaint; and (3) advise the reporting individual that the Title IX Coordinator may be able to offer and coordinate supportive measures, as well as initiate an informal resolution process or an investigation.~~

All confidential employees shall receive training of their obligations under this policy.

VI. Responsibilities of the Title IX Coordinator and Title IX Team

DCC has established a Title IX Team that is responsible for implementing this Policy and addressing reports and/or formal complaints of sex discrimination and/or sexual harassment.

- Title IX Coordinator

The Title IX Coordinator oversees the College’s compliance with Title IX and processing reports/complaints alleging sex discrimination or sexual harassment.

When the Title IX Coordinator is notified of conduct that reasonably may constitute sex discrimination or sexual harassment (including sexual violence) under Title IX, the Title IX Coordinator will act promptly and effectively to end the sex discrimination, prevent its recurrence, and remedy its effects.

When the Title IX Coordinator receives a formal complaint of sex discrimination and/or sexual harassment, the Title IX Coordinator will initiate an investigation and submit the formal complaint for adjudication through this Policy’s grievance procedures.

- Deputy Title IX Coordinators

The College may appoint Deputy Title IX Coordinators who are responsible for assisting the Title IX Coordinator in managing cases commenced under this Policy.

- Investigators

The College may appoint trained investigators to conduct (and/or assist in the conduct) investigations of formal complaints received under this Policy.

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VII. Availability of Supportive Measures

Upon receiving a report of sex discrimination and/or sexual harassment, the Title IX Coordinator will offer supportive measures to all affected parties.

Supportive measures may include:

- Counseling services.
- No-contact orders.
- Adjustments to academic schedules.
- Campus escort services.
- Housing modifications.
- Leaves of absence.
- Any other measures reasonably intended to restore or preserve equal access to educational programs or activities, to protect the safety of students or other individuals, and to deter sexual harassment, without unreasonably burdening any other party.

~~Upon receiving notice of conduct that may reasonably constitute sex discrimination or sexual harassment under Title IX, the Title IX Coordinator shall (1) offer the person alleged to have experienced sex discrimination or sexual harassment appropriate and reasonably available supportive measures, such as counseling, extensions of academic deadlines, or access to medical treatment, to restore or preserve that person's ability to access the College's programs and activities; and (2) initiate the Title IX Discrimination Grievance Procedures described in the Professional Staff Handbook.~~

VIII. Definitions of Sexual Harassment, Sexual Violence, and Affirmative Consent

Sexual Harassment

For purposes of this Policy, the definition of "sexual harassment" means harassment on the basis of sex that is prohibited by Title IX, as defined in 34 CFR § 106. This includes the following:-

Quid pro quo harassment: A College employee conditioning the receipt of educational benefits on an individual's participation in unwelcome sexual conduct.

Hostile Environment Harassment: Unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to DCC's education programs or activities. Sexual harassment includes quid pro quo harassment, in which: (1) provision of an aid, benefit, or service in any College program or activity is explicitly or impliedly conditioned on a person's participation in unwelcome sexual conduct; (2) submission to sexual conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic status; (3) submission to or rejection of such sexual conduct is used as a basis for employment or academic decisions affecting such individual.

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~~Whether a hostile environment has been created is a fact specific inquiry that includes consideration of the following: (i) the degree to which the conduct affected the complainant's ability to access the recipient's education program or activity; (ii) the type, frequency, and duration of the conduct; (iii) the parties' ages, roles within the recipient's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct; (iv) the location of the conduct and the context in which the conduct occurred.~~

~~**Sexual Assault, Dating Violence, and Stalking** as defined by the Clery Act and the Violence Against Women Act (VAWA).~~

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~~Additionally, sexual harassment for purposes of this policy includes the creation of a hostile environment, which is defined as:~~

~~Unwelcome sex based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it interferes with an individual's work or academic performance; limits or denies an individual's ability to participate in or benefit from the College's academic program or any other program or activity; or creates an intimidating, hostile, or offensive environment for working, learning, or living on campus.~~

~~Whether a hostile environment has been created is a fact specific inquiry that includes consideration of the following: (i) the degree to which the conduct affected the complainant's ability to access the recipient's education program or activity; (ii) the type, frequency, and duration of the conduct; (iii) the parties' ages, roles within the recipient's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct; (iv) the location of the conduct and the context in which the conduct occurred.~~

Sexual harassment can occur between any individuals associated with the College, e.g., an employee and a supervisor; coworkers; faculty members; a faculty, staff member, or student and a customer, vendor, or contractor; students; or a student and a faculty member.

Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following objective criteria: (i) the degree to which the conduct affected the complainant's ability to access the recipient's education program or activity; (ii) the type, frequency, and duration of the conduct; (iii) the parties' ages, roles within the recipient's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct; (iv) the location of the conduct and the context in which the conduct occurred.

Examples of Sexual Harassment:

Sexual Misconduct:

Such behavior includes unwelcome sexual advances; requests for sexual favors; and other direct verbal or physical conduct of a sexual nature. Sexual misconduct includes pervasive or severe behaviors such as 'sexting', sexually laced humor, displays of sexually offensive materials, and other inappropriate sexually based actions.

Sexual Assault and Sexual Violence:

Sexual assault is a severe form of sexual harassment. Such behavior includes, but is not limited to, forcible penetration with a part of one's body or object, touching, pinching, patting, or pressing up against someone, exposing the genitalia, sexual based stalking or bullying, peeping, or the invasion of one's sexual privacy. Sexual assault is also defined as non-forcible sexual activity with a person who is physically or mentally incapacitated. Incapacity is defined as one in a state where he or she is unable to grant an affirmative consent (as defined herein) to sexual activity. Incapacity may occur in a person who is: under the influence of alcohol or drugs, suffering from a physical or mental illness, and or experiencing emotional trauma.

Sexual violence, as that term is used in this ~~Policy and in prior U.S. Department of Education's Office for Civil Rights guidance~~, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving an affirmative consent. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by other students, college employees, or third parties. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX.

Every member of the College community is entitled to a work and learning environment free from the devastating effects of sexual harassment. No person or group of individuals shall engage in sexual behavior toward any individual against one's will and without one's affirmative consent. Dutchess Community College expressly prohibits the sexually aggressive conduct noted above and employees and students found to have engaged in it will be subject to severe disciplinary action, including termination, suspension, or academic dismissal. In addition, perpetrators of sexual violence or harassment may also be subject to criminal charges and prosecution under local and state laws.

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Definition of Affirmative Consent

Affirmative consent is a clear, unambiguous, knowing, informed, and voluntary agreement between all participants to engage in sexual activity. Consent is active, not passive. Silence or lack of resistance cannot be interpreted as consent. Seeking and having consent accepted is the responsibility of the person(s) initiating each specific sexual act regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent to any sexual act or prior consensual sexual activity between or with any party does not constitute consent to any other sexual act. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression. Consent may be initially given but withdrawn at any time. When consent is withdrawn or cannot be given, sexual activity must stop. Consent cannot be given when a person is incapacitated. Incapacitation occurs when an individual lacks the ability to fully, knowingly choose to participate in sexual activity. Incapacitation includes impairment due to drugs or alcohol (whether such use is voluntary or involuntary), the lack of consciousness or being asleep, being involuntarily restrained, if any of the parties are under the

age of 17, or if an individual otherwise cannot consent. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.

IX. Grievance Procedure for Formal Complaints of Sexual Harassment

The following procedure shall be used to submit and resolve complaints alleging sexual harassment under this Policy. In this procedure, any act required of the Title IX Coordinator may be carried out by a Deputy Title IX Coordinator.

1. Filing of Formal Complaint

Students, employees, or other individuals who are participating or attempting to participate (e.g., an applicant for admission) in a DCC education program or activity may file a formal complaint of alleged sexual harassment with the Title IX Coordinator. The complaint may be filed in person, by mail, or by email.

A formal complaint must be signed by the complainant or by the Title IX Coordinator.

Upon receipt of a formal complaint, the following grievance procedure shall be used to provide for the prompt and equitable resolution of the complaint. Under this procedure, it is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

2. Notice to Respondent

The Title IX Coordinator will provide written notice of the complaint to the known party(s) alleged to have engaged in the alleged sexual harassment, also referred to as the “respondent.” The notice must include sufficient information to permit the respondent to reasonably understand and respond to the allegations. The notice should identify the identities of the persons involved in the incident or incidents; the specific conduct alleged to constitute sex discrimination under Title IX; dates and locations of the incident or incidents.

The written notice must also include (1) a copy of this Policy and grievance procedure; (2) a statement that retaliation is prohibited; and (3) a statement that the respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

When the College is in session, the written notice of allegations must be provided within three (3) business days.

3. Risk Analysis and Emergency Removal

Upon receipt of a formal complaint of sexual harassment, the Title IX Coordinator will conduct an individualized safety and risk analysis, which may include interviews of the complainant, respondent, or any other person believed to have relevant information, and make a determination whether a respondent poses an immediate threat to the physical health or safety of any student or other person.

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If the Title IX Coordinator determines that the respondent's continuing presence on campus poses an immediate threat to physical health or safety, the Title IX Coordinator shall immediately notify the Assistant Dean of Student Engagement and Development shall impose an Emergency Suspension upon written notice in accordance with the procedural requirements set forth in the Student Code of Conduct.

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Following removal, the respondent shall have the right to seek review of the Emergency Suspension as set forth in the Student Code of Conduct.

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Where the person to be removed is an employee, the Director of Human Resources shall place the employee on paid administrative leave and provide the employee with written notice of the reasons for the placement on paid administrative leave.

4. Supportive Measures

The Title IX Coordinator will offer a complainant and a respondent the same opportunity for supportive measures described above.

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5. Investigation

The Title IX Coordinator or an Investigator will investigate the incident or incidents alleged in the formal complaint, by conducting interviews and gathering relevant evidence, and will produce an investigation report.

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The complainant and respondent(s) will have an opportunity to review the investigation report, will have equal access to the evidence, and will be provided an opportunity to submit written responses.

When the College is in session, the investigation should normally be completed within ten (10) business days after receipt of the formal complaint. If the Investigator determines that the investigation cannot be completed within this time period, the parties will be advised and provided a date by which the investigation will be completed.

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6. Hearing

Upon the completion of the investigation of the incident(s) alleged in the formal complaint, the formal complaint and the investigation report shall be referred to a hearing before a tripartite panel.

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Tripartite Panel Selection. The tripartite panel shall be drawn from a pre-selected pool, with one panel member chosen by the complainant, one panel member chosen by the respondent, and a third chosen by these panel members. The panel members shall choose a chair from among themselves. Selection of the panel members must be completed within 7 calendar days.

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In the event that the procedural requirements governing the selection of the tripartite panel are not completed within 7 calendar days after notification, the chairperson of the campus affirmative action committee shall complete the selection process.

Panel Review/Hearing. The chair of the tripartite panel shall set a date and time for a live hearing to be held at least 10 calendar days after the completion of the investigation report. The parties shall each receive written notice of the date, time, location, participants, and purpose of all proceedings before the tripartite panel.

At the hearing, each party will be accompanied by an advisor of the party's choice, who may be an attorney. If a party does not have an advisor, the College will provide one.

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At the commencement of the hearing, the tripartite panel shall review the investigation report and evidence gathered as part of the investigation, as well as any written responses of the parties.

Each party will have an equal opportunity at the hearing to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

Each party's advisor shall be permitted to ask the other party and any witnesses relevant questions and follow-up questions. Cross-examination shall be conducted directly, orally, and in real time by the party's advisor, and not by the party personally.

All questions asked of a party or witness must be relevant, with relevancy determined by the chair of the tripartite panel.

The complainant and respondent have the right to request alternative arrangements if either does not want to be in the same room as the other party. These alternative arrangements must be consistent with the rights of the accused, and must enable both parties and the panel to see and hear each other and any witness during any hearing.

The proceedings of the tripartite panel shall be recorded, either by stenographer or by audio or audiovisual recording. The recording shall be made available at no cost to the complainant and the respondent.

Written Determination: Within 15 calendar days from the conclusion of the hearing, the chair of the tripartite panel shall submit a written determination, on a form to be provided by the Title IX Coordinator, to the parties, the President and the Title IX Coordinator. The written determination shall include (i) a description of the alleged sex-based harassment; (ii) identification of the procedural steps taken to evaluate the allegations; (iii) the tripartite panel's evaluation of the relevant evidence, including, where necessary, its resolution of questions of credibility; and (iv) its findings and recommendations, including any referral for disciplinary action. The burden of proof in cases of discrimination is preponderance of the evidence.

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If the tripartite panel determines that the complaint was substantiated, it may refer the respondent for disciplinary action, as follows:

- i. For students, the tripartite panel may determine that sufficient information exists to refer the matter to the student conduct judiciary, or other appropriate disciplinary review, and appropriate action under the appropriate student conduct code. For

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examples of sanctions, please see the relevant section of the applicable student code of conduct.

- ii. For employees (including student employees) not in a collective bargaining unit, the referral will be to the President, who may take such administrative action as he/she deems appropriate under his/her authority as the chief administrative officer of the college, including but not limited to, termination, demotion, reassignment, suspension, reprimand, or training.
- iii. For employees in collective bargaining units, the referral will be to the President who may determine that sufficient information exists to refer the matter to his/her designee for investigation and disciplinary action, or other action as may be appropriate under the applicable collective bargaining agreement or civil service law. The disciplinary process and potential outcomes are described in the applicable collective bargaining agreements or the Dutchess County Civil Service Rules and Regulations.

At the time the written determination is issued, the complainant and the respondent shall be notified of their right to appeal the determination of the tripartite panel to the President by submitting a written request for appeal, explaining the grounds for appeal, within 10 calendar days, and notified that if no appeal is taken the determination of the tripartite panel will be final.

If the President is the respondent, the written determination may be appealed to the Board of Trustees.

Appeals. Either party may appeal from the determination of the tripartite panel on the following bases:

- Procedural irregularity that affected the outcome;
- New evidence that was not reasonably available at the time of the determination that could affect the outcome;
- The existence of a conflict of interest on the part of the Title IX Coordinator, Investigator, or the tripartite panel members that affected the outcome.

Within 10 calendar days of receipt of an appeal, the President, or the Board of Trustees if the respondent is the President, shall issue a written decision on the appeal to the complainant and respondent, and the Title IX Coordinator.

The decision of the President (or Board of Trustees) shall be final.

If the tripartite panel finds the complaint was substantiated, the Title IX Coordinator shall also make a separate determination whether any additional, non-disciplinary action is appropriate to prevent future acts of sexual harassment.

Notice of outcome. No later than 7 calendar days following issuance of the statement by the President or the Board, as the case may be, the Title IX Coordinator shall issue a letter to the

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complainant and to the respondent(s) advising them that the matter, for purposes of this grievance procedure, is closed.

Time limitations. The time limitations set forth above may be extended by mutual agreement of the complainant and respondent with the approval of the panel. The panel will also have the discretion to reasonably extend the deadlines by up to 3 weeks if an investigation is deemed complex. Such extension shall be confirmed in writing to the parties.

External Agencies. At any point in the grievance procedure, the complainant may elect to file a complaint with one or more state and federal agencies. The Title IX Coordinator will provide general information on state and federal guidelines and laws, as well as names and addresses of various enforcement agencies.

X. Prevention and Mandatory Training

In order to prevent discrimination based on sex and sexual harassment, DCC will implement mandatory training for all faculty, staff, and students on the provisions of this Policy, the definition of sexual harassment, the concept of affirmative consent, and obligations to report incidents that may involve sex discrimination or sexual harassment. The training will be overseen by the Title IX Coordinator.

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VII. Sexual Violence Victim/Survivor Bill of Rights

The State University of New York and Dutchess Community College are committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in College/University wide and campus programs, activities, and employment. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad:

The right to:

- Have disclosures of sexual violence treated seriously.
- Make a decision about whether or not to disclose a crime or incident and participate in the conduct or criminal justice process free from outside pressures from college officials.
- Be treated with dignity and to receive from college officials courteous, fair, and respectful health care and counseling services.
- Be free from any suggestion that the victim/survivor is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such a crime.
- Describe the incident to as few individuals as practicable and not to be required to unnecessarily repeat a description of the incident.

- ~~Be free from retaliation by the College, the accused, and/or their friends, family and acquaintances.~~
- ~~Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or conduct process of the College.~~

Options in Brief

Victims/survivors have many options that can be pursued simultaneously, including one or more of the following:

- ~~Receive resources, such as counseling and medical attention;~~
- ~~Confidentially or anonymously disclose a crime or violation;~~
- ~~Make a report to a person or an employee with the authority to address complaints, including:

 - * ~~the Title IX Coordinator~~
 - * ~~a Student Conduct employee~~
 - * ~~a Human Resources employee~~
 - * ~~College Security~~
 - * ~~Local Law Enforcement~~
 - * ~~Family Court or Civil Court~~~~

~~Copies of this Bill of Rights shall be distributed annually to students, made available on the college's website, and posted in each campus residence hall, dining hall, and student union or campus center and shall include links or information to access the Sexual Violence Response Policy and the Options for Confidentially Disclosing Sexual Violence.~~

VIII. — Sexual Violence Response Policy

~~In accordance with the Victim/Survivor Bill of Rights, victims/survivors shall have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below:~~

Reporting:

~~**VII.** — To report *confidentially* of an incident to one of the following college officials, who by law may maintain confidentiality, and can assist in obtaining services:~~

- ~~Anonymously via an internet or telephone anonymous reporting system: SHARE @ DCC www.sunydutchess.edu/share-at-dec~~
- ~~The DCC Counseling Office 845-431-8040~~
- ~~The DCC Health Office 845-431-8075~~

~~**VIII.** — To disclose *confidentially* of an incident and obtain services from:~~

- ~~New York State, New York City or county hotlines: <http://www.opdv.ny.gov/help/dvhotlines.html>.~~

- ~~Additional disclosure and assistance options are catalogued by the Office for the Prevention of Domestic Violence and presented in several languages: <http://www.opdv.ny.gov/help/index.html> (or by calling 1-800-942-6906);~~
- ~~SurvJustice: <http://survjustice.org/our-services/civil-rights-complaints/>;~~
- ~~Legal Momentum: <https://www.legalmomentum.org/>;~~
- ~~NYSCASA: <http://nyscasa.org/responding/>;~~
- ~~NYSCADV: <http://www.nyscadv.org/>;~~
- ~~Pandora's Project: <http://www.pandys.org/lgbtsurvivors.html>;~~
- ~~GLBTQ Domestic Violence Project: <http://www.glbtqdv.org/>;~~
- ~~RAINN: <https://www.rainn.org/get-help/>;~~
- ~~Safe Horizons: <http://www.safehorizon.org/>;~~

~~*Note that these hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the College. Victims/survivors are encouraged to additionally contact a campus confidential or private resource so that the campus can take appropriate action in these cases.*~~

~~**IX.** To report the incident to one of the following college officials who can offer privacy and can assist in obtaining resources (note that an official who can offer privacy may still be required by law and college policy to inform one or more college officials about the incident, including but not limited to the Title IX Coordinator):~~

- ~~Title IX Coordinator — 845-431-8673~~
- ~~College Security — 845-431-8070 or on campus in an emergency — 4911~~
- ~~Office of Student Services — 845-431-8974~~

~~**X.** To file a criminal complaint with Campus Security, local law enforcement and/or, in accordance with NY State Law 129-B, with the New York State Police:~~

- ~~Dutchess Community College Security office,
845-431-8070 or on campus emergency line 4911
Student Services Building—SSB 1st floor
53 Pendell Road
Poughkeepsie, NY 12601~~
- ~~Town of Poughkeepsie Police Department
19 Tucker Drive, Poughkeepsie, NY 12603
845-485-3666~~
- ~~City of Poughkeepsie Police Department
62 Civic Center Plaza, Poughkeepsie, NY 12601
845-451-4000~~
- ~~Village of Wappingers Falls Police Department
2628 South Avenue~~

Wappingers Falls, New York 12590
Phone: 845-297-1011

- New York State Police
Campus Assault Victims Unit
Region: Troop K
Number: 844-845-7269 (toll free)
Office Number: 845-223-7120
Contact: Senior Investigator, NYSP
Campus Sexual Assault Victims Unit
Cell Phone: (845) 527-8503

- ~~XI. To file a report of sexual assault, domestic violence, dating violence, and/or stalking, and/or talk to the Title IX Coordinator for information and assistance. Reports will be investigated in accordance with College policy.~~
- ~~XII. When the accused is an employee, a victim/survivor may also report the incident to the Office of Human Resources or may request that one of the above referenced confidential or private employees assist in reporting to Human Resources. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements.~~
- ~~XIII. When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the victim/survivor, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and college policy.~~

~~[Name]
Director of Human Resources Management and Title IX Coordinator
Bowne Hall, Room 220
Dutchess Community College
53 Pendell Road, Poughkeepsie, NY 12601
845-431-8673 email: esther.couret@sunydutchess.edu~~

- ~~XIV. To File an External or Criminal Complaint Against a College Employee or Student:
Victims of sexual assault or misconduct have the right to file an external or criminal complaint before, during, or after the College's investigation of sexual assault or misconduct. Criminal complaints may be reported to local authorities such as Town of Poughkeepsie or Wappingers Falls Police Departments. External administrative complaints may be filed with the Office for Civil Rights email at ocr@ed.gov or online at <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.~~

~~One may voluntarily withdraw his/her complaint or involvement from the College process at any time, in accordance with the Discrimination Grievance Procedures.~~

Resources:

To obtain effective intervention services:

- Office of Counseling and Career Services (845-431-8040) which is located in the Student Services Building, 3rd Floor at no charge.
- DCC Health Office (845-431-8075) which is located in the Student Services Building, 1st Floor at no charge.
- Sexual contact can transmit Sexually Transmitted Infections (STI) and may result in pregnancy. Testing for STIs and emergency contraception is available at no or minimal cost at the following:
 - Planned Parenthood
 - Dutchess County Health Department
 - Local area Pharmacies (for emergency contraception)
- Within 96 hours of an assault, you can get a Sexual Assault Forensic Examination (commonly referred to as a rape kit) at a hospital. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases, insurance may be billed for services. You are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services.
- The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information may be found here: http://www.ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf, or by calling 1-800-247-8035. Options are explained here: <http://www.ovs.ny.gov/helpforerimevictims.html>.

Protection and Accommodations:

- When the accused is a student, to have the College issue a “No Contact Order” in accordance with Title IX policies, meaning that continuing to contact the protected individual is a violation of college policy subject to additional conduct charges; if the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person.
- To have assistance from College Security or other college officials in obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.
- To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a college official who can explain the order and answer questions about it, including information from the Order about the accused’s responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).
- To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
- To have assistance from College Security to call on and assist local law enforcement in effecting an arrest for violating such an order.

- ~~When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to interim suspension/emergency removal procedures pending the outcome of a grievance procedure and/or conduct process.~~
- ~~When the accused is not a member of the college community, to have assistance from College Security or other college officials in obtaining a persona non grata letter, subject to legal requirements and college policy.~~
- ~~To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. While victims/survivors may request accommodations through any of the offices referenced in this policy, the following office can serve as a point to assist with these measures:~~

The Office of the Dean of Student Services and Enrollment Management
SSB, Room 304
Dutchess Community College
53 Pendell Road, Poughkeepsie, NY 12601
845-431-8974

Student Conduct Process

~~Conduct proceedings are governed by the procedures set forth in the DCC Rights and Responsibilities Handbook as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.~~

~~When reporting an incident all individuals have the right and can expect that throughout the conduct proceedings, the accused and the victim/survivor will have:~~

- ~~The right to have incidents of harassment or discrimination taken seriously by DCC;~~
- ~~The same opportunity to have access to an advisor of their choice. Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct;~~
- ~~The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, and other issues related to sexual assault, domestic violence, dating violence, and stalking.~~
- ~~The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process and is not conducted by individuals with a conflict of interest.~~
- ~~The right to receive written or electronic notice of any meeting or hearing they are required to or are eligible to attend.~~
- ~~The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.~~

- ~~The right to review available evidence in the case file.~~
- ~~The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.~~
- ~~The right to exclude prior sexual history or past mental health history from admittance in the college disciplinary stage that determines responsibility. Past sexual violence findings may be admissible in the disciplinary stage that determines sanction.~~
- ~~The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.~~
- ~~The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.~~
- ~~The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the sanction(s).~~
- ~~The right to know the sanction(s) that may be imposed on the accused based upon the outcome of the conduct proceeding and the reason for the actual sanction imposed. *For students found responsible for sexual assault, the available sanctions are suspension with additional requirements and expulsion/dismissal.*~~
- ~~The right to choose whether to disclose or discuss the outcome of a conduct hearing.~~

**For information, contact the Coordinator of Student Judicial Processes:
The Office of the Dean of Student Services and Enrollment Management
SSB, Room 304
Dutchess Community College
53 Pendell Road, Poughkeepsie, NY 12601
845-431-8974**

IX. — Statement of Alcohol and/or Drug Use Amnesty in Sexual Violence Cases

The health and safety of every student at the State University of New York and its State operated and community colleges is of utmost importance. Dutchess Community College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time a sexual violence incident occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. DCC strongly encourages students to report incidents of sexual violence to campus officials. A bystander reporting in good faith or a victim/survivor reporting sexual violence to DCC officials or law enforcement will not be subject to campus conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the sexual violence.

X. — Options for Confidentially Disclosing Sexual Violence

The State University of New York and Dutchess Community College want victims to get the information and support one's needs regardless of whether he/she would like to move forward with a report of sexual violence to campus officials or to police. One may want to talk with someone about something observed or experienced, even if one is not sure that the behavior constitutes sexual violence. A conversation where questions can be answered is far superior to keeping something to oneself. Confidentiality varies, and this document is aimed at helping to understand how confidentiality applies to different resources that may be available.

Privileged and Confidential Resources

- Individuals who are *confidential* resources will not report crimes to law enforcement or college officials without your permission, except for extreme circumstances, such as a health and/or safety emergency. At DCC this includes:
 - DCC Counseling Services: Contact 845-431-8040
 - DCC physicians, licensed medical professionals or supervised interns when they are engaged in a physician/patient relationship: Contact the DCC Health Office 845-431-8075.
 - Off-campus options to disclose sexual violence *confidentially* (note that these outside options do not provide any information to the campus).
 - Off-campus counselors and advocates. Crisis services offices will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agency.
 - Off-campus healthcare providers

Note that medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found here: http://www.ovs.ny.gov/files/ovs_rights_of_ev_booklet.pdf, or by calling 1-800-247-8035. Options are explained here: <http://www.ovs.ny.gov/helpforcrimevictims.html>.

Note that even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to oneself or others and the mandatory reporting of child abuse.

Non-Professional Counselors and Advocates

Non-professional counselors and other advocates such as faculty, managers, and advisors can also assist without sharing information that could identify him/her. At DCC these individuals will report the nature, date, time, and general location of an incident to DCC's Title IX Coordinator, but will consult with the reporter to ensure no personally identifying details are shared without your consent. **These individuals are not considered confidential resources as discussed above.**

Privacy versus Confidentiality:

Even DCC offices and employees who cannot guarantee *confidentiality* will maintain *privacy* to the greatest extent possible. The information one provides to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible under the law for tracking patterns and spotting

systemic issues. DCC will limit the disclosure as much as possible, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

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

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

DCC will assist with academic, housing, transportation, employment, and other reasonable and available accommodations regardless of one's reporting choices. While victims/survivors may request accommodations through several college offices, the following office can serve as a primary point of contact to assist with these measures.

The Office of the Dean of Student Services and Enrollment Management
SSB, Room 304
Dutchess Community College
53 Pendell Road, Poughkeepsie, NY 12601
845-431-8974

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

The College may seek consent prior to conducting an investigation. One may decline to consent to an investigation, and that determination will be honored unless the DCC's failure to act may result in harm to you or other members of the College community. Honoring a request may limit our ability to meaningfully investigate and pursue conduct action against an accused individual. If we determine that an investigation is required, DCC will notify the reporter and take immediate actions as necessary to protect and assist him/her.

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

- Whether the accused has a history of violent behavior or is a repeat offender;
- Whether the incident represents escalation, such as a situation that previously involved sustained stalking;
- Whether there is the increased risk that the accused will commit additional acts of violence;
- Whether the accused used a weapon or force;
- Whether the victim/survivor is a minor;
- Whether the College possesses other means to obtain evidence such as security footage;

• Whether the report reveals a pattern of perpetration at a given location or by a particular group.

Public Awareness/Advocacy Events: If one discloses a situation through a public awareness event such as “Take Back the Night,” candlelight vigils, or protests, DCC is not obligated to begin an investigation. DCC may use the information you provide to inform the need for additional education and prevention efforts.

Anonymous Disclosure:

Share @ DCC—An online mechanism via the College’s website is available to collect reports of sexual harassment and sexual assault. This web-based form is anonymous and confidential and will be sent to select College officials including the Title IX Coordinator, Director of Student Conduct, and the Director of Security and Safety. Completing this form does NOT constitute a police report or an official student conduct report. Additionally, survivors or witnesses who may not initially be inclined to report an incident of sexual harassment or assault to the police or to DCC have the right to change their mind at any time.

Anonymous reports are used for the following:

- Gathering and recording information regarding the incidence of sexual harassment and assault on and around our campus;
- Tracking incidents of sexual assault on campus; Certain information on this form may be used on the annual report submitted to the Department of Education in compliance with the Clery Act.
- Informing the community about the campus climate.

External resources for anonymous disclosure

New York State Hotline for Sexual Assault and Domestic Violence: 1-800-942-6906

The Hotline is for crisis intervention, resources and referrals and is not a reporting mechanism.

Institutional Crime Reporting

Reports of certain crimes occurring in certain geographic locations will be included in the DCC Clery Act Annual Security Report in an anonymized manner that neither identifies the specifics of the crime or the identity of the victim/survivor. DCC is obligated to issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to students and employees (subject to exceptions when potentially compromising law enforcement efforts and when the warning itself could potentially identify the victim/survivor). A victim/survivor will never be identified in a timely warning.

The Family Educational Rights and Privacy Act allows institutions to share information with parents or guardians when (1) there is a health or safety emergency, or (2) when the student is a dependent on either parents’ or guardian’s prior year federal income tax return. Generally, DCC will not share information about a report of sexual harassment or sexual violence with parents or guardians without the permission of the victim/survivor.

XI. — Retaliation

~~Retaliation against anyone who, in good faith, reports or participates in an investigation of an act of sexual harassment of any type is strictly prohibited. Anyone responsible for retaliation, including the accused party or someone affiliated with the accused party, will be subject to disciplinary action by the College.~~

XII.XI. Student Onboarding and Ongoing Education Guide

Dutchess Community College complies with the SUNY system –wide policy on the training and awareness obligations of its students. To that end, DCC will continue to educate all new and current students using a variety of best practices aimed at educating the entire college community in a way that decreases violence and maintaining a culture where sexual assault and acts of violence are not tolerated.

The State University of New York and its State-operated and community colleges believe that sexual violence prevention training and education cannot be accomplished via a single day or a single method of training. All new first-year and transfer students will, during the course of their onboarding to a SUNY State-operated or community college, receive training on the following topics, using a method and manner appropriate to the institutional culture of each campus:

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

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The onboarding process is not limited to a single day of orientation, but recognizes that students enroll at different times at different SUNY campuses and gives campuses the flexibility to best educate students at a time and manner that can most effectively bring these points to light. SUNY will conduct these trainings for all new students, whether first-year or transfer, undergraduate, graduate, or professional. Each campus shall use multiple methods to educate students about sexual violence prevention.

Each SUNY institution will also share information on sexual violence prevention with parents of enrolling students. Students at SUNY State-operated and community college campuses shall receive general and specialized training in sexual violence prevention. Each institution will conduct a campaign, compliant with the requirements of the Violence Against Women Act, to educate the student population.

Further, institutions will, as appropriate, provide or expand specific training to include groups such as international students, students that are also employees of the campus, leaders and officers of registered/recognized student organizations, online and distance education students.

Institutions will also provide specific training to members of groups identified as likely to engage in high-risk behavior. Beginning in the 2015-2016 academic year, SUNY State-operated and community colleges will require that student leaders and officers of registered/recognized student organizations and those seeking recognition complete training on sexual violence prevention as part of the approval process and require student-athletes to complete training prior to participating in intercollegiate athletics.

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

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

Each institution must engage in an occasional assessment of their programming under this policy to determine effectiveness. The institution may either assess its own programming or conduct a review of other campus programming and published studies to adapt its programming to ensure effectiveness and relevance to students.

XII.XII. Campus Climate Assessment Policy

Dutchess Community College complies with the SUNY system-wide policy on the assessments that afford institutions the opportunity to better understand their campus and to make informed decisions when it comes to providing a safe educational environment.

Beginning in the 2015-2016 academic year, each State University of New York State-operated and community college will conduct a uniform climate survey that analyzes prevalence and attitudes regarding sexual harassment, including sexual violence, and other related crimes.

The survey will address at least the following:

Student and employee knowledge about:

- The Title IX Coordinator's role;
- Campus policies and procedures addressing sexual assault;
- How and where to report sexual violence as a victim/survivor or witness;
- The availability of resources on and off campus, such as counseling, health, academic assistance;
- The prevalence of victimization and perpetration of sexual assault, domestic violence, dating violence, and stalking on and off campus during a set time period (for example, the last two years);
- Bystander attitudes and behavior;
- Whether victims/survivors reported to the College/University and/or police, and reasons why they did or did not report.

Beginning in the spring semester of 2015, the Chancellor or designee will convene a group of scholars and practitioners to review methods of assessing campus climate, specific questions asked in past surveys, relevant data on responses and response rates, issues and problems encountered in survey implementation, and lessons learned from past surveys. The Chancellor or designee will gather this data and seek to develop a standardized survey, with the advice of relevant members of the SUNY community and knowledgeable outside entities, that uses established measurement tools, to be implemented every two years by all SUNY State-operated and community colleges beginning in the 2015-2016 academic year.

This section of the policy may be changed by the DCC Board of Trustees in the event that either the SUNY Chancellor or designee or federal and/or State legislation require a different process or duplicate efforts to assess campus climate via survey.

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XIII. Prohibition On Retaliation

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DCC strictly prohibits retaliation against individuals who report Title IX violations or participate in an investigation. Retaliation complaints will be investigated separately and may result in disciplinary action.

XIV. Recordkeeping

DCC will maintain records generated under this Policy for at least seven years, including records concerning:

- Investigations and outcomes.
- Supportive measures provided.
- Training materials.
- Written determinations and appeals.

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Dutchess Community College

Policy on Sex Discrimination and Sexual Harassment (Title IX)

I. Purpose

As a recipient of federal funding, Dutchess Community College (DCC or College) is subject to the requirements of Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations, part 106 of title 34 of the Code of Federal Regulations. In accordance with Title IX and its own institutional values, DCC is committed to providing an educational environment free from discrimination based on sex.

DCC is committed to maintaining a safe and inclusive educational environment free from discrimination on the basis of sex, including sexual harassment and sexual misconduct. In compliance with Title IX and its implementing regulations, the College has established the following policies and procedures to address and prevent sexual harassment, provide a fair grievance process, and ensure appropriate remedies and supportive measures for affected individuals.

It is the College's intent to have this Policy and its procedures, at all times, conform to the requirements of Title IX and be current with the applicable regulations adopted by the U.S. Department of Education.

DCC is also committed to the principle of equal opportunity in education and employment, and further prohibits unlawful discrimination based on other protected characteristics (including race, color, national origin, religion, creed, age, and disability), in accordance with all applicable federal, state and local antidiscrimination laws. Information about the College's prohibition on other forms of discrimination and the applicable complaint procedures can be found in the Policy on Racial and Other Forms of Discrimination.

II. Notification of Nondiscrimination Policy Under Title IX

DCC does not discriminate on the basis of sex in its education program or in any activity that it operates, including in admission and employment, and does not tolerate sexual harassment, including sexual assault, sexual violence, and sexual misconduct, on its campus or in any of its programs or activities.

III. Scope of Policy

All students, faculty, and staff of DCC are required to comply with this nondiscrimination policy, and the Policy and its procedures apply to all conduct that occurs in the course of DCC's education programs and activities, and at locations, events, or other circumstances in the United States where DCC exercises substantial control.

IV. Inquiries about Title IX or the College's Compliance with Title IX

Title IX Coordinator

The College has a Title IX Coordinator to oversee and coordinate its compliance with its responsibilities.

Inquiries regarding the application of Title IX and 34 CFR part 106, may be made to the Title IX Coordinator:

**Felicia Ellzy-Smith
Title IX Coordinator
Bowne Hall, Room 220
Dutchess Community College
53 Pendell Road, Poughkeepsie, NY 12601**

**Phone: 845-431-8906
Email: TitleIX@sunydutchess.edu**

U.S. Department of Education Office for Civil Rights

Inquiries or complaints regarding the application of Title IX and related federal regulations to the College may also be directed to the U.S. Department of Education's Office for Civil Rights:

New York Office

**Office for Civil Rights
U.S. Department of Education
26 Federal Plaza, Suite 31-100
New York, NY 10278-9991
Phone: 646-428-3800
Email: OCR.NewYork@ed.gov.**

National Headquarters

**Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline: 800-421-3481 TDD 877-521-2172
Email: OCR@ed.gov Web: <http://www.ed.gov/ocr>**

V. Reporting Conduct That May Constitute Sex Discrimination or Sexual Harassment

Individuals (including students, employees, and visitors) who believe they have experienced sex discrimination or sexual harassment on the College's campus, or in any of its programs or activities, regardless of when the discrimination or harassment occurred, are encouraged to make a report to the Title IX Coordinator. If, for some reason, the Title IX Coordinator is unavailable,

or the individual cannot or does not wish to make a report to the Title IX Coordinator, reports may also be received by the Safety and Security Office, which will then share the report with the Title IX Coordinator.

- Reports to the Title Coordinator can be made in person, via email, or by phone.
 - Bowne Hall, Room 220
 - Email: TitleIX@sunydutchess.edu
 - Phone: 845-431-8906
- Reports to the Title IX Coordinator can be made **at any time**, including outside normal business hours.
- Reports may also be made anonymously through the **Bias Incident Reporting Form**.

All employees of Dutchess Community College who become aware of conduct that reasonably may constitute sex discrimination or sexual harassment are required to promptly notify the Title IX Coordinator. In addition, when an employee receives information from another individual concerning conduct that reasonably may constitute sex discrimination or sexual harassment, the employee is required to provide that individual with the above contact information for the Title IX Coordinator and information how to make a complaint about sex discrimination or sexual harassment.

VI. Responsibilities of the Title IX Coordinator and Title IX Team

DCC has established a Title IX Team that is responsible for implementing this Policy and addressing reports and/or formal complaints of sex discrimination and/or sexual harassment.

- Title IX Coordinator

The Title IX Coordinator oversees the College's compliance with Title IX and processing reports/complaints alleging sex discrimination or sexual harassment.

When the Title IX Coordinator is notified of conduct that reasonably may constitute sex discrimination or sexual harassment (including sexual violence) under Title IX, the Title IX Coordinator will act promptly and effectively to end the sex discrimination, prevent its recurrence, and remedy its effects.

When the Title IX Coordinator receives a formal complaint of sex discrimination and/or sexual harassment, the Title IX Coordinator will initiate an investigation and submit the formal complaint for adjudication through this Policy's grievance procedures.

- Deputy Title IX Coordinators

The College may appoint Deputy Title IX Coordinators who are responsible for assisting the Title IX Coordinator in managing cases commenced under this Policy.

- Investigators

The College may appoint trained investigators to conduct (and/or assist in the conduct) investigations of formal complaints received under this Policy.

VII. Availability of Supportive Measures

Upon receiving a report of sex discrimination and/or sexual harassment, the Title IX Coordinator will offer supportive measures to all affected parties.

Supportive measures may include:

- Counseling services.
- No-contact orders.
- Adjustments to academic schedules.
- Campus escort services.
- Housing modifications.
- Leaves of absence.
- Any other measures reasonably intended to restore or preserve equal access to educational programs or activities, to protect the safety of students or other individuals, and to deter sexual harassment, without unreasonably burdening any other party.

VIII. Definitions of Sexual Harassment, Sexual Violence, and Affirmative Consent

Sexual Harassment

For purposes of this Policy, the definition of “sexual harassment” means harassment on the basis of sex that is prohibited by Title IX, as defined in 34 CFR § 106. This includes the following:

***Quid pro quo* harassment:** A College employee conditioning the receipt of educational benefits on an individual’s participation in unwelcome sexual conduct.

Hostile Environment Harassment: Unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to DCC’s education programs or activities.

Sexual Assault, Dating Violence, and Stalking as defined by the Clery Act and the Violence Against Women Act (VAWA).

Sexual harassment can occur between any individuals associated with the College, e.g., an employee and a supervisor; coworkers; faculty members; a faculty, staff member, or student and a customer, vendor, or contractor; students; or a student and a faculty member.

Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following objective criteria: (i) the degree to which the conduct affected the complainant’s ability to access the recipient’s education program or activity; (ii) the type, frequency, and duration of the conduct; (iii) the parties’ ages, roles within the recipient’s education program or activity, previous interactions, and other factors about each party that may be relevant

to evaluating the effects of the conduct; (iv) the location of the conduct and the context in which the conduct occurred.

Examples of Sexual Harassment:

Sexual Misconduct: Such behavior includes unwelcome sexual advances; requests for sexual favors; and other direct verbal or physical conduct of a sexual nature. Sexual misconduct includes pervasive or severe behaviors such as ‘sexting’, sexually laced humor, displays of sexually offensive materials, and other inappropriate sexually based actions.

Sexual Assault and Sexual Violence: Sexual assault is a severe form of sexual harassment. Such behavior includes, but is not limited to, forcible penetration with a part of one’s body or object, touching, pinching, patting, or pressing up against someone, exposing the genitalia, sexual based stalking or bullying, peeping, or the invasion of one’s sexual privacy. Sexual assault is also defined as non-forcible sexual activity with a person who is physically or mentally incapacitated. Incapacity is defined as one in a state where he or she is unable to grant an affirmative consent (as defined herein) to sexual activity. Incapacity may occur in a person who is: under the influence of alcohol or drugs, suffering from a physical or mental illness, and or experiencing emotional trauma.

Sexual violence, as that term is used in this Policy refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving an affirmative consent. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by other students, college employees, or third parties. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX.

Every member of the College community is entitled to a work and learning environment free from the devastating effects of sexual harassment. No person or group of individuals shall engage in sexual behavior toward any individual against one’s will and without one’s affirmative consent. Dutchess Community College expressly prohibits the sexually aggressive conduct noted above and employees and students found to have engaged in it will be subject to severe disciplinary action, including termination, suspension, or academic dismissal. In addition, perpetrators of sexual violence or harassment may also be subject to criminal charges and prosecution under local and state laws.

Definition of Affirmative Consent

Affirmative consent is a clear, unambiguous, knowing, informed, and voluntary agreement between all participants to engage in sexual activity. Consent is active, not passive. Silence or lack of resistance cannot be interpreted as consent. Seeking and having consent accepted is the responsibility of the person(s) initiating each specific sexual act regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent to any sexual act or prior consensual sexual activity between or with any party does not constitute consent to any other sexual act. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression. Consent may be initially given but withdrawn at any time. When consent is withdrawn or cannot be given, sexual activity must stop. Consent

cannot be given when a person is incapacitated. Incapacitation occurs when an individual lacks the ability to fully, knowingly choose to participate in sexual activity. Incapacitation includes impairment due to drugs or alcohol (whether such use is voluntary or involuntary), the lack of consciousness or being asleep, being involuntarily restrained, if any of the parties are under the age of 17, or if an individual otherwise cannot consent. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.

IX. Grievance Procedure for Formal Complaints of Sexual Harassment

The following procedure shall be used to submit and resolve complaints alleging sexual harassment under this Policy. In this procedure, any act required of the Title IX Coordinator may be carried out by a Deputy Title IX Coordinator.

1. Filing of Formal Complaint

Students, employees, or other individuals who are participating or attempting to participate (e.g., an applicant for admission) in a DCC education program or activity may file a formal complaint of alleged sexual harassment with the Title IX Coordinator. The complaint may be filed in person, by mail, or by email.

A formal complaint must be signed by the complainant or by the Title IX Coordinator.

Upon receipt of a formal complaint, the following grievance procedure shall be used to provide for the prompt and equitable resolution of the complaint. Under this procedure, it is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

2. Notice to Respondent

The Title IX Coordinator will provide written notice of the complaint to the known party(s) alleged to have engaged in the alleged sexual harassment, also referred to as the “respondent.” The notice must include sufficient information to permit the respondent to reasonably understand and respond to the allegations. The notice should identify the identities of the persons involved in the incident or incidents; the specific conduct alleged to constitute sex discrimination under Title IX; dates and locations of the incident or incidents.

The written notice must also include (1) a copy of this Policy and grievance procedure; (2) a statement that retaliation is prohibited; and (3) a statement that the respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

When the College is in session, the written notice of allegations must be provided within three (3) business days.

3. Risk Analysis and Emergency Removal

Upon receipt of a formal complaint of sexual harassment, the Title IX Coordinator will conduct

an individualized safety and risk analysis, which may include interviews of the complainant, respondent, or any other person believed to have relevant information, and make a determination whether a respondent poses an immediate threat to the physical health or safety of any student or other person.

If the Title IX Coordinator determines that the respondent's continuing presence on campus poses an immediate threat to physical health or safety, the Title IX Coordinator shall immediately notify the Assistant Dean of Student Engagement and Development shall impose an Emergency Suspension upon written notice in accordance with the procedural requirements set forth in the Student Code of Conduct.

Following removal, the respondent shall have the right to seek review of the Emergency Suspension as set forth in the Student Code of Conduct.

Where the person to be removed is an employee, the Director of Human Resources shall place the employee on paid administrative leave and provide the employee with written notice of the reasons for the placement on paid administrative leave.

4. Supportive Measures

The Title IX Coordinator will offer a complainant and a respondent the same opportunity for supportive measures described above.

5. Investigation

The Title IX Coordinator or an Investigator will investigate the incident or incidents alleged in the formal complaint, by conducting interviews and gathering relevant evidence, and will produce an investigation report.

The complainant and respondent(s) will have an opportunity to review the investigation report, will have equal access to the evidence, and will be provided an opportunity to submit written responses.

When the College is in session, the investigation should normally be completed within ten (10) business days after receipt of the formal complaint. If the Investigator determines that the investigation cannot be completed within this time period, the parties will be advised and provided a date by which the investigation will be completed.

6. Hearing

Upon the completion of the investigation of the incident(s) alleged in the formal complaint, the formal complaint and the investigation report shall be referred to a hearing before a tripartite panel.

Tripartite Panel Selection. The tripartite panel shall be drawn from a pre-selected pool, with one panel member chosen by the complainant, one panel member chosen by the respondent, and a third chosen by these panel members. The panel members shall choose a chair from among themselves. Selection of the panel members must be completed within 7 calendar days.

In the event that the procedural requirements governing the selection of the tripartite panel are not completed within 7 calendar days after notification, the chairperson of the campus affirmative action committee shall complete the selection process.

Panel Review/Hearing. The chair of the tripartite panel shall set a date and time for a live hearing to be held at least 10 calendar days after the completion of the investigation report. The parties shall each receive written notice of the date, time, location, participants, and purpose of all proceedings before the tripartite panel.

At the hearing, each party will be accompanied by an advisor of the party's choice, who may be an attorney. If a party does not have an advisor, the College will provide one.

At the commencement of the hearing, the tripartite panel shall review the investigation report and evidence gathered as part of the investigation, as well as any written responses of the parties.

Each party will have an equal opportunity at the hearing to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

Each party's advisor shall be permitted to ask the other party and any witnesses relevant questions and follow-up questions. Cross-examination shall be conducted directly, orally, and in real time by the party's advisor, and not by the party personally.

All questions asked of a party or witness must be relevant, with relevancy determined by the chair of the tripartite panel.

The complainant and respondent have the right to request alternative arrangements if either does not want to be in the same room as the other party. These alternative arrangements must be consistent with the rights of the accused, and must enable both parties and the panel to see and hear each other and any witness during any hearing.

The proceedings of the tripartite panel shall be recorded, either by stenographer or by audio or audiovisual recording. The recording shall be made available at no cost to the complainant and the respondent.

Written Determination: Within 15 calendar days from the conclusion of the hearing, the chair of the tripartite panel shall submit a written determination, on a form to be provided by the Title IX Coordinator, to the parties, the President and the Title IX Coordinator. The written determination shall include (i) a description of the alleged sex-based harassment; (ii) identification of the procedural steps taken to evaluate the allegations; (iii) the tripartite panel's evaluation of the relevant evidence, including, where necessary, its resolution of questions of credibility; and (iv) its findings and recommendations, including any referral for disciplinary action. The burden of proof in cases of discrimination is preponderance of the evidence.

If the tripartite panel determines that the complaint was substantiated, it may refer the respondent for disciplinary action, as follows:

- i. For students, the tripartite panel may determine that sufficient information exists to refer the matter to the student conduct judiciary, or other appropriate disciplinary review, and appropriate action under the appropriate student conduct code. For examples of sanctions, please see the relevant section of the applicable student code of conduct.
- ii. For employees (including student employees) not in a collective bargaining unit, the referral will be to the President, who may take such administrative action as he/she deems appropriate under his/her authority as the chief administrative officer of the college, including but not limited to, termination, demotion, reassignment, suspension, reprimand, or training.
- iii. For employees in collective bargaining units, the referral will be to the President who may determine that sufficient information exists to refer the matter to his/her designee for investigation and disciplinary action, or other action as may be appropriate under the applicable collective bargaining agreement or civil service law. The disciplinary process and potential outcomes are described in the applicable collective bargaining agreements or the Dutchess County Civil Service Rules and Regulations.

At the time the written determination is issued, the complainant and the respondent shall be notified of their right to appeal the determination of the tripartite panel to the President by submitting a written request for appeal, explaining the grounds for appeal, within 10 calendar days, and notified that if no appeal is taken the determination of the tripartite panel will be final.

If the President is the respondent, the written determination may be appealed to the Board of Trustees.

Appeals. Either party may appeal from the determination of the tripartite panel on the following bases:

- Procedural irregularity that affected the outcome;
- New evidence that was not reasonably available at the time of the determination that could affect the outcome;
- The existence of a conflict of interest on the part of the Title IX Coordinator, Investigator, or the tripartite panel members that affected the outcome.

Within 10 calendar days of receipt of an appeal, the President, or the Board of Trustees if the respondent is the President, shall issue a written decision on the appeal to the complainant and respondent, and the Title IX Coordinator.

The decision of the President (or Board of Trustees) shall be final.

If the tripartite panel finds the complaint was substantiated, the Title IX Coordinator shall also make a separate determination whether any additional, non-disciplinary action is appropriate to prevent future acts of sexual harassment.

Notice of outcome. No later than 7 calendar days following issuance of the statement by the President or the Board, as the case may be, the Title IX Coordinator shall issue a letter to the complainant and to the respondent(s) advising them that the matter, for purposes of this grievance procedure, is closed.

Time limitations. The time limitations set forth above may be extended by mutual agreement of the complainant and respondent with the approval of the panel. The panel will also have the discretion to reasonably extend the deadlines by up to 3 weeks if an investigation is deemed complex. Such extension shall be confirmed in writing to the parties.

External Agencies. At any point in the grievance procedure, the complainant may elect to file a complaint with one or more state and federal agencies. The Title IX Coordinator will provide general information on state and federal guidelines and laws, as well as names and addresses of various enforcement agencies.

X. Prevention and Mandatory Training

In order to prevent discrimination based on sex and sexual harassment, DCC will implement mandatory training for all faculty, staff, and students on the provisions of this Policy, the definition of sexual harassment, the concept of affirmative consent, and obligations to report incidents that may involve sex discrimination or sexual harassment. The training will be overseen by the Title IX Coordinator.

XI. Student Onboarding and Ongoing Education Guide

Dutchess Community College complies with the SUNY system –wide policy on the training and awareness obligations of its students. To that end, DCC will continue to educate all new and current students using a variety of best practices aimed at educating the entire college community in a way that decreases violence and maintaining a culture where sexual assault and acts of violence are not tolerated.

The State University of New York and its State-operated and community colleges believe that sexual violence prevention training and education cannot be accomplished via a single day or a single method of training. All new first-year and transfer students will, during the course of their onboarding to a SUNY State-operated or community college, receive training on the following topics, using a method and manner appropriate to the institutional culture of each campus:

- The institution prohibits sexual harassment, including sexual violence, other violence or threats of violence, and will offer resources to any victims/survivors of such violence while taking administrative and conduct action regarding any accused individual within the jurisdiction of the institution.
- Relevant definitions including, but not limited to, the definitions of sexual violence and consent.
- Policies apply equally to all students regardless of sexual orientation, gender identity, or gender expression.
- The role of the Title IX Coordinator, University Police/Campus Security, and other

relevant offices that address sexual violence prevention and response.

- Awareness of violence, its impact on victims/survivors and their friends and family, and its long-term impact.
- The Victim/Survivor Bill of Rights and Sexual Violence Response Policy, including:
 - How to report sexual violence and other crimes confidentially, and/or to college officials, campus law enforcement and security, and local law enforcement.
 - How to obtain services and support.
- Bystander Intervention and the importance of taking action, when one can safely do so, to prevent violence.
- The protections of the Policy for Alcohol and/or Drug Use Amnesty in Sexual Violence Cases.
- Risk assessment and reduction including, but not limited to, steps that potential victims/survivors and potential assailants and bystanders to violence can take to lower the incidence of sexual violence.
- Consequences and sanctions for individuals who commit these crimes.

The onboarding process is not limited to a single day of orientation, but recognizes that students enroll at different times at different SUNY campuses and gives campuses the flexibility to best educate students at a time and manner that can most effectively bring these points to light. SUNY will conduct these trainings for all new students, whether first-year or transfer, undergraduate, graduate, or professional. Each campus shall use multiple methods to educate students about sexual violence prevention.

Each SUNY institution will also share information on sexual violence prevention with parents of enrolling students. Students at SUNY State-operated and community college campuses shall receive general and specialized training in sexual violence prevention. Each institution will conduct a campaign, compliant with the requirements of the Violence Against Women Act, to educate the student population.

Further, institutions will, as appropriate, provide or expand specific training to include groups such as international students, students that are also employees of the campus, leaders and officers of registered/recognized student organizations, online and distance education students.

Institutions will also provide specific training to members of groups identified as likely to engage in high-risk behavior. Beginning in the 2015-2016 academic year, SUNY State-operated and community colleges will require that student leaders and officers of registered/recognized student organizations and those seeking recognition complete training on sexual violence prevention as part of the approval process and require student-athletes to complete training prior to participating in intercollegiate athletics.

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

- President's welcome messaging;
- Peer theater and peer educational programs;
- Online training;

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

Each institution must engage in an occasional assessment of their programming under this policy to determine effectiveness. The institution may either assess its own programming or conduct a review of other campus programming and published studies to adapt its programming to ensure effectiveness and relevance to students.

XII. Campus Climate Assessment Policy

Dutchess Community College complies with the SUNY system-wide policy on the assessments that afford institutions the opportunity to better understand their campus and to make informed decisions when it comes to providing a safe educational environment.

Beginning in the 2015-2016 academic year, each State University of New York State-operated and community college will conduct a uniform climate survey that analyzes prevalence and attitudes regarding sexual harassment, including sexual violence, and other related crimes.

The survey will address at least the following:

Student and employee knowledge about:

- The Title IX Coordinator's role;
- Campus policies and procedures addressing sexual assault;
- How and where to report sexual violence as a victim/survivor or witness;
- The availability of resources on and off campus, such as counseling, health, academic assistance;
- The prevalence of victimization and perpetration of sexual assault, domestic violence, dating violence, and stalking on and off campus during a set time period (for example, the last two years);
- Bystander attitudes and behavior;
- Whether victims/survivors reported to the College/University and/or police, and reasons

why they did or did not report.

Beginning in the spring semester of 2015, the Chancellor or designee will convene a group of scholars and practitioners to review methods of assessing campus climate, specific questions asked in past surveys, relevant data on responses and response rates, issues and problems encountered in survey implementation, and lessons learned from past surveys. The Chancellor or designee will gather this data and seek to develop a standardized survey, with the advice of relevant members of the SUNY community and knowledgeable outside entities, that uses established measurement tools, to be implemented every two years by all SUNY State-operated and community colleges beginning in the 2015-2016 academic year.

This section of the policy may be changed by the DCC Board of Trustees in the event that either the SUNY Chancellor or designee or federal and/or State legislation require a different process or duplicate efforts to assess campus climate via survey.

XIII. Prohibition On Retaliation

DCC strictly prohibits retaliation against individuals who report Title IX violations or participate in an investigation. Retaliation complaints will be investigated separately and may result in disciplinary action.

XIV. Recordkeeping

DCC will maintain records generated under this Policy for at least seven years, including records concerning:

- Investigations and outcomes.
- Supportive measures provided.
- Training materials.
- Written determinations and appeals.

_____ offers the following resolution and moves its adoption:

WHEREAS, the Board of Trustees of Dutchess Community College is committed to ensuring that all policies governing the conduct of students, faculty, and staff are clearly defined, consistently applied, and compliant with applicable laws and agreements, and

WHEREAS, the Board recognizes the importance of ensuring that policies impacting the safety, wellbeing, and professional conduct of all members of the institution's community are enforced fairly and uniformly, and

WHEREAS, it is necessary to update institutional policies to include language that clarifies the consequences of policy violations for employees, and

WHEREAS, the Board has completed a comprehensive review of all institutional policies that impact students, faculty, and staff,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby approves the addition of the following statements to all institutional policies that respectively impact employees (only), students (only), or both employees and students:

"Violation of this policy by an employee may result in disciplinary action consistent with applicable laws and/or collective bargaining agreements."

"Violation of this policy by a student may result in disciplinary action consistent with applicable laws and/or the DCC Student Code of Conduct."

"Violation of this policy by an employee may result in disciplinary action consistent with applicable laws and/or collective bargaining agreements; violation of this policy by a student may result in disciplinary action consistent with applicable laws and/or the DCC Student Code of Conduct."

BE IT FURTHER RESOLVED that the attached spreadsheet shall be made part of the official minutes of this meeting, and be it

FURTHER RESOLVED, that this policy update be effective immediately.

* * * * *

Seconded by _____

Board Policies

Category	Name of Policy	Section in Policy Manual	Last Time Reviewed	Year Last Reviewed	Groups which Policy Applies
Human Resources	Reimbursement Policy for Job Applicants	3.5.16	March 22, 2022	2022	None
Administrative	Board Orientation Policy	3.2.1	February 23, 2021	2021	None
Administrative	Board Policy Development	3.2.2	May 28, 2024	2024	None
Administrative	Remote Meetings Under Extraordinary Circumstances	3.2.22	October 24, 2023	2023	None
Presidential Evaluation					
Procedure	Presidential Evaluation Procedure	4	September 27, 2016	2016	None
Finance	Annual Operating Fund Balance Management	3.4.1	September 24, 2024	2024	None
Finance	Investment Policy	3.4.2	May 31, 2022	2022	None
Human Resources	Promotion and Tenure	3.5.15	1996	1996	Employees
Administrative	Conflict of Interest Policy	3.2.5	February 22, 2022	2022	Employees
Administrative	Indemnification (Public Officers Law - Section 18) Policy	3.2.12	February 22, 2022	2022	Employees
Administrative	Workforce Violence Prevention Policy Statement	3.2.19	July 25, 2023	2023	Employees
Administrative	Retiree Emails	3.2.20	March 26, 2019	2019	Employees
Human Resources	Consensual/Amorous Relationships in the Workplace	3.5.4	February 27, 2024	2024	Employees
Human Resources	Granting of Emeritis Status	3.5.7	October 24, 1995	1995	None
Human Resources	Mandated Employee Training	3.5.8	May 23 ,2023	2023	Employees
Human Resources	Mandatory Reporting and Prevention of Child Sexual Abuse	3.5.9	August 22, 2023	2023	Employees
Human Resources	Military Leaves of Absence	3.5.10	December 14, 2021	2021	Employees
Human Resources	Nepotism Policy	3.5.11	December 14, 2021	2021	Employees
Human Resources	Part-time Administrative Appointments	3.5.12	September 24, 2002	2002	Employees
Facilities	Inspection of Off-Campus Buildings	3.3.3	April 27, 2021	2021	Employees
Administrative	Travel Policy	3.2.16	September 19, 2023	2023	Employees
Administrative	Campus Code of Conduct	3.2.3	February 22, 2022	2022	Employees/Students
Administrative	Emergency Management Policy	3.2.6	April 25, 2023	2023	Employees/Students
Administrative	Firearms and Weapons Policy	3.2.7	October 24, 2023	2023	Employees/Students
Administrative	Identity Theft Protection ("Red Flag") Policy	3.2.9	May 3, 2022	2022	Employees/Students
Administrative	Information Resources - General Use Policy	3.2.10	July 14, 2020	2020	Employees/Students
Administrative	President's Advisory Council	3.2.11	January 26, 2021	2021	Employees/Students
Administrative	Social Media Policy	3.2.13	August 22, 2023	2023	Employees/Students
Administrative	Smoking Policy	3.2.14	January 28, 2020	2020	Employees/Students
Administrative	Sustainability Policy	3.2.15	October 24, 2023	2023	Employees/Students

Category	Name of Policy	Section in Policy Manual	Last Time Reviewed	Year Last Reviewed	Groups which Policy Applies
Administrative	Electronic and Information Technology (EIT) Accessibility Policy	3.2.21	May 25, 2021	2021	Employees/Students
Facilities	Alcohol Policy	3.3.1	February 22, 2022	2022	Employees/Students
Facilities	Personal Use of College Property	3.3.4	May 25, 2021	2021	Employees/Students
Facilities	General Use of College Facilities	3.3.5	May 3, 2022	2022	Employees/Students
Facilities	Designated Limited Public Forum for Use of Facilities for Free Speech	3.3.6	September 24, 2024	2024	Employees/Students
Facilities	Library Collection Development	3.3.7	April 25, 2023	2023	Employees/Students
Finance	Procurement Policy	3.4.3	April 25, 2023	2023	Employees/Students
Human Resources	Accommodative Services	3.5.1	July 25, 2023	2023	Employees/Students
Human Resources	Anti-Bullying Policy	3.5.2	August 22, 2023	2023	Employees/Students
Human Resources	Drug-free Workplace Policy	3.5.5	May 3, 2022	2022	Employees/Students
Human Resources	Equal Opportunity Policy: Access, Employment, and Fair Treatment	3.5.6	May 23, 2023	2023	Employees/Students
Human Resources	Code of Ethics	3.5.3	January 26, 2021	2021	Employees/Students
Administrative	College-related Employee Organizations	3.2.4	April 27, 2010	2010	Employees/Students
Facilities	Disposal of Surplus Equipment	3.3.2	September 19, 2023	2023	Employees/Students
Human Resources	Sex Discrimination and Sexual Harassment (Title IX)	3.5.17	July 23, 2024	2024	Employees/Students
Administrative	Whistleblower Policy	3.2.18	February 27, 2024	2024	Employees/Students
Student Affairs	Anti-Hazing Policy	3.6.1	May 3, 2022	2022	Employees/Students
Administrative	Credit Cards	3.2.8	May 3, 2022	2022	Employees
Human Resources	Professional Staff Appointments	3.5.13	May 3, 2022	2022	Employees
Human Resources	Promotion Policy and Procedures for Administrative Staff	3.5.14	September 24, 1991	1991	Employees
Human Resources	Granting Stipends for Management/Confidential Employees	3.5.18	September 19, 2023	2023	Employees
Human Resources	Temporary, Full-time, Non-teaching Appointments	3.5.19	October 28, 1980	1980	Employees
Academics	Academic Integrity Policy	3.1.1	July 23, 2023	2023	Students
Academics	Admissions Policy - Age Requirement and Academic and Safety Concerns for Students Who are Minors	3.1.2	July 23, 2023	2023	Students
Academics	Certificate Programs and Micro-Credentials	3.1.3	August 10, 2021	2021	Students
Academics	Granting of Degrees Posthumously	3.1.4	April 25, 2023	2023	None
Finance	Tuition and College Fee Refund Policy	3.4.4	May 31, 2022	2022	Students
Student Affairs	College-sponsored Student Travel	3.6.2	October 24, 2023	2023	Students
Student Affairs	Involuntary Leave of Absence Policy for Students	3.6.3	September 24, 2024	2024	Students
Student Affairs	Policy on Athletics	3.6.4	May 3, 2022	2022	Students
Administrative	Slogan, Mission, Vision, Values, The WIG and The Why	3.2.17	March 28, 2023	2023	None

_____ offers the following resolution and moves its adoption:

WHEREAS, the Sports Field Improvements Capital Project was approved by the Board of Trustees of the State University of New York, the Board of Trustees of Dutchess Community College and the Dutchess County Legislature, and

WHEREAS, Request for Proposals for Design Services for Sports Field Improvements were requested on RFP-DCC-03-2025, and

WHEREAS, there were six (6) proposals received as shown on the tabulation sheet attached to this resolution, and

WHEREAS, the College has reviewed each proposal, and interviewed the top three firms that met the project specifications, and

WHEREAS, the proposal received from CHA Consulting, Inc. best meets the required specifications, and

WHEREAS, the funds are available in the Capital Project for the Sports Field Improvements, now, therefore, be it

RESOLVED, that the contract for Design Services for the Sports Field Improvements, be awarded to CHA Consulting, Inc., Albany NY in an amount not to exceed One Hundred Eighty-Nine Thousand Six Hundred Ten Dollars and 00/100 (\$189,610.00).

* * * * *

Seconded by _____

DUTCHESS COMMUNITY COLLEGE
 POUGHKEEPSIE, NY
 RFP-DCC-03-2025

RFP-DCC-03-2025 Design Services for Sports Field Improvements				RFP-DCC-03-2025 Design Services for Sports Field Improvements			
OPENING: December 4, 2024 @ 3:00pm				OPENING: December 4, 2024 @ 3:00pm			
	VENDOR	VENDOR	VENDOR	VENDOR	VENDOR	VENDOR	VENDOR
	CHA Consulting Albany, NY	C&S Companies Syracuse, NY	KG& D Architects Mt. Kisco, NY	Appel Osborne Syracuse, NY	H2M Architects Suffern, NY	Peter Gisolfi Associates Hastings-on-Hudson, NY	
Design Services for Sports Field Improvements Total Lump Sum not -to-exceed	\$189,610.00	\$160,890.00	\$164,500.00	\$88,000.00	\$283,500.00	\$150,000.00	
ITEMIZED BREAKDOWN							
Schematic Design Phase	\$34,740.00	\$53,158.00	\$21,165.00	\$13,200.00	\$100,870.00	\$30,000.00	
Design Development Phase	\$56,505.00	\$27,396.00	\$28,900.00	\$17,600.00	\$30,270.00	\$20,000.00	
Construction Document Phase	\$54,580.00	\$13,550.00	\$43,350.00	\$26,400.00	\$43,070.00	\$38,000.00	
Bidding Phase	\$5,730.00	\$13,378.00	\$7,225.00	\$4,400.00	\$5,050.00	\$3,000.00	
Construction Support	\$38,055.00	\$53,408.00	\$43,350.00	\$26,400.00	\$104,240.00	\$59,000.00	

OPENED BY: _____
 COMMENTS: _____

RECORDED BY: _____

_____ offers the following resolution and moves its adoption:

WHEREAS, the Window Treatments in Drumlin Hall have exhausted their useful life, and

WHEREAS, Bid RFB-DCC-12-2025, was duly advertised and requested to Furnish and Install Window Treatments in Drumlin Hall, and

WHEREAS, bids were received as a result of the solicitation and were publicly opened and read aloud at 2:00 pm, on December 17, 2024, and

WHEREAS, vendors provided bid prices as shown on the tabulation sheet attached to this resolution, and

WHEREAS, the funds are available in C08205 23/24 FF&E and Technology Upgrades Capital Project, now, therefore, be it

RESOLVED, that the bid received to Furnish and Install Mecho 5X Window Treatments in Drumlin Hall, Base Bid, Materials and Installation, in accordance with the specifications, be awarded to Commercial Draperies, Mamaroneck, NY in the amount of \$12,595.00.

* * * * *


Seconded by _____

**DUTCHESS COMMUNITY COLLEGE
POUGHKEEPSIE, NY**

**RFB-DCC-12-2025 Furnish and Install Window Treatments
BID OPENING December 17, 2024 @ 2:00PM**

	Vendor	Vendor	Vendor	Vendor	Vendor
	Maruti Construction Jersey City, NJ	Mancon, LLC Yorktown Hghts, NY	Commercial Draperies Mamaroneck, NY		
Base Bid Materials and Installation of Mecho 5X Shades	\$ 32,000.00	\$ 28,000.00	\$ 12,595.00		
Option 1: Alternate Brand of Window Shades		\$ 23,000.00	\$ 11,695.00		
		Draper NEXD	Proper Flexshades		

BID OPENED BY" T...

BID RECORDED BY 

_____ offers the following resolution and moves its adoption:

WHEREAS, the Request for Proposals for Design Services for Bowne Hall Third Floor Renovations were requested on RFP-DCC-08-2025, and

WHEREAS, there were five (5) proposals received as shown on the tabulation sheet attached to this resolution, and

WHEREAS, the College has reviewed each proposal, and

WHEREAS, the proposal received from Lothrop Associates Architects D.P.C. best meets the required specifications, and


WHEREAS, the funds are available in the college operating budget, now, therefore, be it

RESOLVED, that the contract for Design Services for Bowne Hall Third Floor Renovation, be awarded to Lothrop Associates Architects D.P.C. in an amount not to exceed Sixty-Six Thousand Dollars and 00/100 (\$66,000.00).

* * * * *

Seconded by _____


RFP-DCC-08-2025 Design Services for Bowne Hall Third Floor Renovation				
OPENING: January 10, 2025 @ 2:00pm				
	VENDOR	VENDOR	VENDOR	VENDOR
	Civic Architecture Workshop PLLC Brooklyn NY	DCAK-MSA NYack, NY	C+S Companies Syracuse, NY	Lothrop Associates Architects PC White plains NY
Proposed Lump Sum	\$88,750	\$59,785	\$67,700	\$66,000
ITEMIZED BREAKDOWN				
Schematic Design Phase	\$33,000	\$20,230	\$15,800	\$10,000
Design Developmet Phase	\$26,990	\$11,090	\$8,100	\$13,500
Construction Document Phase	\$17,875	\$13,685	\$16,200	\$28,000
Bidding Phase	\$2,200	\$4,480	\$2,700	\$2,500
Construction Support	\$8,685	\$10,300	\$24,700	\$12,000

OPENED BY: 
 COMMENTS: _____

Recorded By: 

DUTCHESS COMMUNITY COLLEGE
 POUGHKEEPSIE, NY
 RFP-DCC-08-2025

RFP-DCC-08-2025 Design Services for Bowne Hall Third Floor Renovation				
OPENING: January 10, 2025 @ 2:00pm				
	VENDOR	VENDOR	VENDOR	VENDOR
	Circular Brooklyn NY			
Proposed Lump Sum	\$117,000			
ITEMIZED BREAKDOWN				
Schematic Design Phase	\$19,400			
Design Developmet Phase	\$28,200			
Construction Document Phase	\$43,400			
Bidding Phase	\$2,500			
Construction Support	\$23,500			

OPENED BY: 
 COMMENTS: _____

Recorded By:  _____

_____ offers the following resolution and moves its adoption:

WHEREAS, Dutchess Community College is committed to fulfilling its mission of providing accessible, high-quality education and opportunities for student success; and

WHEREAS, strategic investments are necessary to enhance the academic programs, facilities, infrastructure, and overall student experience at Dutchess Community College; and

WHEREAS, the College's administration has identified specific areas of need where strategic investments will yield significant long-term benefits for the institution and its students; and

WHEREAS, the College has accumulated sufficient funds in its fund balance to support these investments without jeopardizing the College's financial stability; and

WHEREAS, a plan has been recommended to allocate \$7,100,000 from the College's fund balance for these strategic investments, which include but are not limited to academic program development, technology enhancements, and campus infrastructure improvements;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Dutchess Community College hereby approves the plan to use of \$7,100,000 from the College's fund balance for strategic investments as outlined by the administration; and

BE IT FURTHER RESOLVED that the President of Dutchess Community College or their designee is hereby authorized and directed to take all necessary actions to implement these investments in accordance with this resolution.

* * * * *

Seconded by _____

Dutchess Community College

Board of Trustees

Proposal and Recommendations for Strategic Investment of Unrestricted Operating Fund Balance

Executive Summary

This memorandum outlines the justification for allocating unrestricted fund balance, including proceeds from the recent institutional asset sale, toward strategic investments that align with our institutional growth objectives and strategic plan. This proposed overall funding strategy encompasses immediate investments in people, programs, partnerships, and physical assets.

The justification for the use of fund balance totaling \$7,100,000 for strategic investments is based on Board Resolution #2025-01, including but not limited to the allocation of proceeds from the recent sale of college-owned frequencies to T-Mobile for \$4.0MM. These institutional assets will be used to fund strategies that align with and advance objectives of DCC's strategic plan, particularly the growth lens. These investments are integral to achieving our wildly important goal of increasing student enrollment to 5,000 by 2028. Proceeds from the sale to T-Mobile, categorized as unrestricted operating revenue, are added to the College's fund balance, thereby providing the necessary financial resources for the initiatives that follow, and after securing Board mandated reserves of 15% of annual operating costs.

Background—The frequencies were acquired by the Dutchess Community College (DCC) from IBM who used them for educational/training purposes and assisted DCC in acquiring ownership when IBM had no further use for the frequencies. On February 22, 2006, DCC entered into a 30-year lease agreement with Sprint (now T-Mobile) to lease Educational Broadband Service (EBS) channels under the call signs WLX207 and WHR978 (2 channels under each call sign). The lease was for an initial 10 years with a total of two (2) renewal terms for 10 years each. On April 17, 2012 the addition of 2 more channels for each call sign was added to the lease agreement and the rates were adjusted accordingly. DCC is currently in year 18 of the 30-year lease, valued at \$10,000 per annum.

In February 2024, T-Mobile expressed interest and offered to purchase the two (2) call signs from the College for \$1,800,000. DCC countered with an offer of \$4,000,000, which T-Mobile accepted and provided a purchase agreement. The purchase agreement was reviewed by legal counsel retained by DCC and with expertise in FCC matters, whose suggested changes were submitted to T-Mobile for acceptance. The closing of this sale happened on December 20, 2024.

Risk Mitigation—After review and vetting by the College's legal counsel, auditors, the Dutchess County Comptroller, and the Office of SUNY's Chief Financial Officer, it has been confirmed that the proceeds from the asset sale, classify as unrestricted operating revenue and brings the College's annual operating fund balance to approximately \$25,508,940. This presents a strategic opportunity to make targeted investments that directly support the College's enrollment growth objective while ensuring long-term financial sustainability, technology infrastructure upgrades, maintenance and security, and competitive advantage. The proposed investments have been vetted with relevant stakeholders, including:

- DCC's legal counsel
- SUNY CFO's office
- Auditors and financial advisors to the DCC and the DCC Association
- Dutchess County Comptroller

**Dutchess Community College
Board of Trustees**

**Proposal and Recommendations for Strategic Investment of Unrestricted
Operating Fund Balance**

Investment Strategy and Rationale

The proposed use of operating fund balance as of December 31, 2024 addresses seven strategic areas for investments:

1) Information Technology Infrastructure (\$5,100,000)

Modern, reliable technology infrastructure is essential for delivering competitive educational experiences and operational efficiency. The proposed IT investments include:

- a. Upgrade Core Service Infrastructure (\$2,000,000) -- enhances system reliability, security, and performance to support growing technological demands of modern higher education delivery. An investment in upgrading our core service infrastructure is essential for improving system reliability and operational efficiency. A modernized infrastructure will enhance our ability to support both academic programs and administrative functions, ultimately leading to a more streamlined experience for students and staff. (\$75,000 needed immediately to extend licenses). – Summer 2025 initiation – Winter 2025
- b. Employee Laptop and Virtual Desktops (\$1,000,000) -- provides flexible, accessible computing resources to support diverse learning modalities and student needs. Reducing our virtual desktop footprint to common areas such as labs, library, etc. Deployment of laptops will offer staff greater flexible, security and reduced maintenance. This model is particularly relevant in the current educational landscape, where remote working and learning are increasingly prevalent. By enhancing accessibility, we can better serve a diverse array of students, including those who may prefer online or hybrid learning options. (Five-year refresh cycle) – Summer 2025 deployment begins – Fall 2025
- c. Upgrade and Standardize Classroom Technology (\$1,000,000) – to create 150 consistent, high-quality learning spaces to improve student experience and faculty effectiveness with a goal of expanding to all learning spaces over three years. Modernizing and standardizing classroom technology is imperative for creating an engaging and effective learning environment. Equipping classrooms with the latest technology will foster interactivity and enhance the learning experience, meeting the expectations of today’s students. This investment is likely to improve the teaching experience for faculty, student satisfaction, and boost our competitive edge in attracting and enrolling new students. – To be done in conjunction with campus redevelopment projects
- d. Software Services (\$215,522)—
 - i. Team Dynamix—replacement for IT Helpdesk ticketing System, already budgeted. We will procure conversational AI Bot next year. When SUNY-wide agreement is executed we will have little more savings on the licensing cost. Due to our timeline we will have to go ahead with this ASAP as our contract with ZenDesk has expired. Licensing Cost - \$20,000; Implementation - \$10,000 (One-time cost). Platform and AI Bot \$20,000 not budgeted – Phase 1 is done and project is ongoing
 - ii. Constituo—IPaaS product to help with Slate and Banner integration. This product will create multiple efficiencies and eliminate duplication of records, which delays the enrollment process and creates extra work for staff. It will be extremely beneficial to various offices such as Admissions, Registrar, Financial Aid, and IT. Currently 20+ SUNY campuses use this product. Licensing Cost - 8,415; Implementation - \$10,000 (One-time cost). – Expected completion April 2025

**Proposal and Recommendations for Strategic Investment of Unrestricted
Operating Fund Balance**

- iii. QuickLaunch—this Identity and Access Management Service will simplify complicated processes and improve the management of user accounts, especially during staff and students on-boarding and off-boarding. This product will modernize our new employee onboarding process and password reset processes along with providing Adaptive Multi-Factor Authentication (MFA). Most importantly, the product will offer MFA on the VPN client, which we will be necessary when we deploy user laptops for employees. Licensing cost - \$35,421.32/year and \$177,106.60/5 years up front – no 7% annual increase. – Phase one to be executed during Summer 2025 and ongoing
- e. Upgrade Phone System (\$400,000)—The college's current phone system has reached a critical juncture that necessitates immediate replacement. Having exceeded its operational lifespan, the system no longer receives vendor support, security updates, or maintenance, exposing the institution to significant communication risks and potential failures. This obsolescence not only threatens the reliability of our daily operations but also impacts our ability to maintain emergency communications and comply with safety protocols. Without vendor support, any system failures could result in extended downtime, as replacement parts are increasingly scarce and technical expertise for the legacy system is limited. Furthermore, the aging infrastructure cannot support modern communication features that have become standard in educational institutions, such as unified messaging, mobile integration, and emergency broadcast capabilities. By upgrading to a current-generation phone system, we can ensure consistent, reliable communication while gaining access to advanced features that will enhance collaboration among faculty, staff, and students. A new VoIP (voice over internet protocol) system will:
 - i. Provide cloud-based PBX (private branch exchange) solution that requires only an internet connection to function.
 - ii. Improve scalability, mobility, cost-efficiency, and advanced features.
 - iii. Offer reduced hardware costs, enhanced collaboration tools, improved call analytics, and streamlined management—features that are all critical.
 - iv. Enable users to make and receive calls from the device and environment of their choosing—not tethered to a desk phone.

SUNY Digital Transformation Project (DTP) funding is available to cover all hardware, possibly one year of licenses and implementation cost. We are investigating two solutions and expect to make a final decision in January 2025. Either system is estimated to cost \$70,000 annually, with a one-time implementation cost of \$35,000. We have approximately \$400,000 budgeted for this upgrade. – Expected implementation – Summer 2025

- f. Upgrade Server Infrastructure (\$828,785)—server infrastructure is in a serious need of upgrade as we have about 12 to 15 years old servers that have reached end of life. We are unable to receive firmware and software upgrades, which make our environment vulnerable to security threats. The current environment is unreliable and can fail at any time. A new DELL APEX solution will provide us with a usage-based, flexible consumption solution and allow us to easily migrate to cloud or SaaS-based solution. Initial cost to upgrade the main campus server infrastructure for 36 months subscription is \$651,220 and for Fishkill it is \$

**Proposal and Recommendations for Strategic Investment of Unrestricted
Operating Fund Balance**

\$177,565. – To be initiated in March 2025 and completed early summer 2025. Must add replacement of three UPSs at \$150k total

- g. Off-Site Storage and DRaaS (Disaster Recovery as a Solution) solution (\$50,000/year)—from a disaster recovery and business continuity standpoint our current set up is poor. At present our data backup reside only in our data center, which is not an acceptable practice. In a disaster, we stand to lose all of our data as they are house in the same location with the main system. We need an offsite cloud-based solution where our data is replicated nightly. This will ensure data is safe and is recoverable in case of an unforeseen incident. DRaaS will ensure that our server environment is replicated in the cloud with nightly data backups that can be restored in case a disaster happens in our current data center. This business continuity measure is a crucial defense against ransomware attacks or other disasters. – Expected completion in March 2025

2) *Residence Hall Investment (\$2,000,000)*

This strategic investment will yield multiple benefits:

- a. Improve Debt Service Coverage Ratio (DSCR)--allocating funds to improve the residence hall will decrease the financial burden associated with debt service coverage. This reduction will enable the institution to reallocate resources towards other strategic initiatives, thereby enhancing overall operational efficiency. This investment will increase the DSCR to be compliant with the bond covenant, which is 1.25.
- b. Support Refinancing--strengthening the financial performance of our residence hall will position us favorably for refinancing opportunities. Improved financial metrics can lead to lower interest rates and more favorable loan terms, ultimately decreasing our long-term financial obligations.
- c. Stabilize Finances--this robust investment in the residence hall will ensure its financial stability. This stability is vital for maintaining operational integrity, providing a high-quality living environment for students, and supporting increased occupancy. A well-managed residence hall begins with its fiscal stability and directly contributes to student satisfaction and retention.
- d. Grow Enrollment Among Residential Students--enhancing the residence facility will make our institution more attractive to prospective students, particularly those seeking on-campus living options. As we strive to meet our enrollment target of 5,000 by fall 2028, the quality and appeal of our residential offerings will play a crucial role in recruitment and retention efforts, especially among out of area and international students, as well as more vulnerable and housing insecure populations.

3) *College Marketing and Communications (\$100,000)*

A dedicated investment in college marketing and communications is essential for elevating our visibility within the increasingly competitive higher education landscape. By implementing and sustaining a robust marketing strategy, we can effectively communicate our institution's strengths, attract more prospective students, and strengthen our brand presence. This initiative is vital for driving enrollment growth and establishing a compelling narrative around our educational offerings and economic impact. Estimated cost not to exceed \$100,000 earmarked from SUNY revitalization grant funding.

**Proposal and Recommendations for Strategic Investment of Unrestricted
Operating Fund Balance**

4) *Employee Learning and Professional Development (\$266,500/year)*

Investing in professional development of staff is critical to enhancing the quality of education and support services we provide. By offering training and growth opportunities, we can improve employee performance, satisfaction, and retention. A well-trained workforce is integral to fueling innovations and fostering a positive student experience, which is essential for both student retention and attracting new enrollees. Budgeted for FY 2025 at \$200,000, plus \$66,478 from DCC Foundation.

5) *Financial Instruments Investment (\$5,000,000)*

We propose a strategic allocation of funds into short-term certificates of deposit (CDs) and *T Bills* to generate sustainable revenue streams. This financial strategy will serve several purposes:

- a. Offsetting Loss Revenue from the Sale of Frequencies--the revenue generated from these investments will help mitigate financial shortfalls resulting from the sale of institutional assets to T-Mobile, ensuring ongoing operational stability. (\$141,000 annually)
- b. Supporting Annual Technology Replacement Costs--the interest earnings from these financial instruments will provide a consistent funding source for annual technology replacement costs. Maintaining up-to-date technology is crucial for delivering high-quality student and faculty educational experiences and administrative efficiency.
- c. Establishing a Sustainable Funding Source for Professional Development--creating pooled funds from revenue generated by financial products will establish an additional funding source for ongoing professional development and employee learning initiatives. This approach ensures that our employees have continuous access to training and resources necessary for their success and maintaining the college's competitive edge. (\$200,000 annually)

To summarize the College is in a financial position to invest a portion of its liquid assets into a series of short- and longer-term instruments (CD's or T-bills) to generate additional interest revenue on top of the interest we earn as a result of our current banking relationship. This would not impact fund balance.

Operational Impact

The proposed investment strategy creates both immediate and long-term benefits. It will balance DCC's immediate needs with long-term sustainability through diversified allocation of fund balance. The unrestricted nature of these funds provides flexibility while maintaining compliance with all relevant accounting principles, policies, and regulations.

1) *Immediate Impact*

- a) Upgraded technological infrastructure, maintenance, and security
- b) Improved financial stability of residential facilities by increasing debt service coverage ratio
- c) Augmented revenue stream through interest earnings
- d) Enhanced strategies that support enrollment growth—the college's wildly important goal

2) *Long-term Sustainability*

- a) Generated interest income from financial instruments/products
- b) Established dedicated funding streams for ongoing operational needs (e.g. replacement costs, marketing, etc.)
- c) Created sustainable funding mechanism for professional development
- d) Reduced reliance on annual operating budget for technology replacement

Dutchess Community College

Board of Trustees

Proposal and Recommendations for Strategic Investment of Unrestricted Operating Fund Balance

- e) Strengthen the financial position of the DCC Association and capacity for refinancing residence hall bonds
- 3) *Alignment with Institutional Strategic Objectives (Plan)*
- a) These investments support our strategic growth initiatives by:
 - i) Modernizing our technology infrastructure to meet security compliance and evolving student, faculty and staff expectations/needs
 - ii) Enhancing our residential campus experience
 - iii) Creating capacity for enrollment growth
 - iv) Improving institutional financial stability
 - v) Supporting long-term institutional sustainability
 - vi) Establishing sustainable funding for professional development
 - vii) Creating additional funding streams for technology replacement
- 4) *Financial Management Strategy - Short-term Investment Instruments*
- a. Strategic selection of CDs and municipal bonds to optimize returns
 - b. Tiered maturity dates to ensure regular availability of funds
 - c. Conservative investment approach to preserve capital
 - d. Need for Board policy to guide investment strategy
- 5) *Supplemental Revenue Generation and Allocation*
- a) Dedicated stream of funds to assist with technology replacement
 - b) Sustainable funding for professional development
 - c) Supplemental support for marketing the college and its programs
 - d) Offset lost revenue due to sale of frequencies

Conclusion

The intentional deployment of these proceeds represents a comprehensive approach to institutional investment, balancing immediate infrastructure needs with long-term financial sustainability. This strategy supports our enrollment growth objective while establishing sustainable funding mechanisms for critical operational needs.

The strategic investment in our residence hall, funded by the proceeds from the asset sale, is a necessary step to support our institutional growth objectives. By reducing debt service coverage, facilitating refinancing, stabilizing financial operations, and enhancing our appeal to prospective students, we will effectively position ourselves for success in meeting our enrollment goals.

The proposed investments in information technology, supported by the College's existing fund balance, align with our institutional goals and are crucial for supporting our ambitious enrollment targets. By upgrading core IT service infrastructure, upgrading our virtual desktop environment and telephony, and modernizing classroom technology, we will enhance our operational capabilities and security, and improve the overall student, faculty, and staff connectivity experience at DCC. This strategic approach will significantly contribute to achieving our goal of increasing student enrollment to 5,000 by fall 2028.

Additionally, the investments in financial instruments to generate new income, marketing to promote greater awareness and access to DCC and its programs, and professional development to ensure faculty and staff

**Dutchess Community College
Board of Trustees**

**Proposal and Recommendations for Strategic Investment of Unrestricted
Operating Fund Balance**

have the tools to innovate are all crucial strategic investments and demonstrations of the College's commitment to GROWTH—of people, programs, partnerships, and physical assets.

Recommendation

Based on the strategic alignment, financial benefits, and thorough vetting process, we recommend proceeding with this multi-pronged investment strategy. This balanced approach addresses immediate infrastructure needs while establishing sustainable funding mechanisms for ongoing operational requirements.

1) Implementation Plan--

- a) Board Resolution to Adopt Strategic Investment Plan for Use of Fund Balance
- b) Immediate Investments:
 - i) Technology infrastructure upgrades
 - ii) Residence hall improvements
 - iii) Marketing and communications strategy
 - iv) Employee learning and professional development
 - v) Financial instruments/products:
 - (a) Revise and adopt Board investment policy
 - (b) Establish investment schedule
 - (c) Create annual distribution framework for generated revenue
- c) Monitoring and Reporting:
 - i) Quarterly review of investment performance
 - ii) Annual assessment of revenue allocation effectiveness
 - iii) Regular reporting on overall strategic objective achievements

I recommend that the Board of Trustees consider and approve these investments to leverage our current fiscal health and further strengthen Dutchess Community College's position for future sustainable growth. Thank you for your attention to this important matter.

_____ offered the following resolution and moved its adoption:

WHEREAS, a review of the College's organizational structure, planned realignment, related professional titles, and job descriptions was conducted, and

WHEREAS, based upon this review, it has been determined that new titles need to be created to align with assigned job responsibilities and support succession planning, and

WHEREAS, Section 35 of the Civil Service Law requires that title determination of positions in the professional service be made by the Board of Trustees, now, therefore, be it

RESOLVED, that, based upon the recommendation of the President of the College, approval is hereby given to create the following titles in the professional service:

- a) Associate Director of ACT/Transfer Pathways and Partnerships
- b) Coordinator of Student Conduct and Community Standards
- c) Deputy Chief of Campus Safety and Security
- d) Executive Director of Marketing and Communications

* * * * *

Seconded by _____

Dutchess Community College

Job Description: Associate Director of ACT for Transfer Pathways & Strategic Partnership

Job Title:	Associate Director of ACT for Transfer Pathways and Strategic Partnerships		
Department/Group:	ACT/ESS		
Location:	Student Services Building	Travel Required:	Locally- As needed
Level/Salary Range:	\$80,129 to \$90,303	Position Type:	Full-time, DUE

Job Description

THE POSITION:

Reporting to the Director of the ACT Center and the Vice President for Enrollment and Student Success, the Associate Director for Transfer Pathways and Strategic Partnerships serves as the college's primary facilitator of transfer pathway, articulation and intra-campus transfer processes for the College's student body. The Program Director also works closely with the Director of the Academic, Career and Transfer Center to make sure that Academic Coaches are prepared for transfer advising.

ROLE AND RESPONSIBILITIES:

- Seeks to increase enrollment outcomes through initiating, investigating, crafting and managing institution-to-institution relationships that could incentivize students to attend DCC as a steppingstone to the 4-year school.
- Strengthens existing and creates new institutional pathways to increase retention and engage new student enrollment.
- Serves as a liaison with partner colleges, universities, industry organizations as well as key internal stakeholders to ensure that institutional goals are met.
- Meets regularly with partner college staff while managing the relationship with those institutions.
- Serves as DCC's representative on industry organizations including CICU and NYSTAA.
- Regularly reports on progress and outcomes to the Vice President of Enrollment and Student Success.
- Coordinates the articulation process between DCC and all partner four-year schools.
- Manages the college's transfer events, including the fall transfer fair, the spring transfer fair, and specialty nursing fairs.
- Drafts schedules for implementation of long-range plans and proposals. Monitors project progress, drafting and distributing periodic progress reports for leadership and stakeholders.
- Maintains an articulation tracker that is institutionally shared with key stakeholders to track progress of articulation negotiations, major pathways and institution-to-institution opportunities as they emerge.
- Maintains and publicizes a listing of visiting colleges.
- Works closely across institutional teams, communicates/reports on/trains stakeholders on new initiatives throughout the institution.
- Creates transfer and articulation event specific informational materials to inform and engage students.
- Reviews, researches, and suggests updates to Student Success policies to maintain consistency and efficiency increasing student success and retention, completion, and enrollment.

Dutchess Community College

Job Description: Associate Director of ACT for Transfer Pathways & Strategic Partnership

- Counsels students on transfer and career development issues.
- Provides ongoing training and information to ensure that all Academic Coaches are knowledgeable about transfer.
- Works with Associate Dean of Instruction and Learning on transfer course equivalencies and relevant transfer information for Articulation Agreements.
- Initiates discussions with department heads and program chairpersons to develop transfer articulation agreements.
- Provides workshops to students on transfer information.
- Interprets transfer information to counselors regarding four-year college and university policies, procedures and transferable credits.
- Disseminates transfer information to faculty and staff.
- Completes assignments as requested by the Vice President of Student Enrollment and Student Success, with confidentiality and confidence.
- Organizes, leads, and helps execute institutional projects that may fall outside the scope of regular duties and are requested by the Vice President of Student Enrollment and Student Success.

REQUIREMENTS:

- Master's degree in a relevant field
- Five years of experience in higher education
- Works independently
- Excellent written and oral communication skills.
- Supportive team member
- Strong project management experience
- Ability to work evenings and weekends as needed

Dutchess Community College
Job Description: Coordinator of Student Judicial Programs

Job Title:	Coordinator of Student Conduct and Community Standards		
Department/Group:	Office of Student Advocacy & Accountability		
Location:	Student Services Building	Travel Required:	Locally- As needed
Level/Salary Range:	\$63,764 to \$73,239	Position Type:	Full-time, DUE

Job Description

THE POSITION:

Under the direction and supervision of the Assistant Dean of Student Engagement and Development, the Coordinator works to coordinate and oversee the administrative and routine functional operations of Student Conduct. Utilizing a rights and responsibilities approach, and with the ultimate goal of student support, retention and success, the incumbent assists students and staff in understanding and navigating the student conduct process

ROLE AND RESPONSIBILITIES:

- Monitors and Maintain confidential database for conduct incidents, hearings, and sanctions.
- Provides support and assistance to the Student Conduct Hearing Board
- Facilitates Weekly Conduct Review with Academic Housing, Campus Safety and Security and any other relevant stakeholders are needed.
- Schedules hearings, prepares transcripts and recordings of meetings and hearings;
- Communicates with students and relevant staff regarding hearings and sanctions:
- Facilitates communication among relevant campus offices regarding behavioral and prevention issues
- Communicates and provides guidance to a wide spectrum of stakeholders seeking guidance
- Serves as a conduct designee in the capacity of facilitating resolution of alleged violations of the Code of Conduct as deemed appropriate by the Assistant Dean of Student Engagement and Development.
- Edits and modifies the Student Code of Conduct as directed
- Updates records from meetings, hearings, and incident investigations.
- Refers students to counseling and/or appropriate workshops as a result of infractions. Follow up with students on adherence to sanctions, counseling, and workshops.
- Notifies Faculty regarding suspensions, dismissals, and appeals.
- Prepares departmental reports as directed
- Maintains and prepares correspondence for confidential information such as conduct letters and informal resolution agreements
- Participates in department, division, and institutional assessment activities as required.
- Other responsibilities as assigned.

REQUIREMENTS:

- Bachelor's Degree
- Understanding of the student conduct process.

Dutchess Community College

Job Description: Coordinator of Student Judicial Programs

- High degree of personal/professional integrity, respect for privacy and confidentiality, a sense of ethics, and a commitment to student development, educating students and the role of the community college.
- A demonstrated commitment to due process, fairness and student development.
- Ability to relate effectively and respectfully with students, parents/guardians, the DCC College Community and the public.
- Excellent communication skills, strong organizational skills, and experience working with student staff.
- Experience working with a diverse and multicultural population.
- Excellent written abilities. Must be able to independently compose letters, memos, reports and other written communication materials for a variety of audiences.
- Working knowledge of Federal, State, and local laws pertaining to students such as Clery Act, VAWA, Title IX, and FERPA as well as other Department of Education rules and regulations and SUNY guidelines and procedures.
- Knowledge of Title IX laws, investigation procedures, and OCR policies.
- Demonstrated technical literacy including database management skills and proficiency with various software programs, including but not limited to, Microsoft Office, Maxient and eRezLife.
-

Preferred:

- Master's degree preferred.
- A minimum of 4 years of work experience in a higher education environment Experience working in Student Services, Student Affairs, Student Conduct, or Residence Life is particularly desirable.

Dutchess Community College
Job Description: Deputy Chief of Campus Safety and Security

Job Title:	Deputy Chief of Campus Safety and Security		
Department/Group:	Campus Safety and Security		
Location:		Travel Required:	Locally- As needed
Level/Salary Range:	\$72,000 – 88,000 <i>commensurate with education</i>	Position Type:	Full-time, Management Confidential

Job Description

THE POSITION:

Under the direction of the Chief of Campus Safety and Security, the Deputy Chief of Campus Safety and Security will assist in the development and implementation of a comprehensive program in public safety that serves and protects students, employees and visitors by providing a safe and secure environment. The successful candidate assists in creating policy and procedures in accordance with a community policing model that aligns with the mission and vision of the College and that of the Office of Safety and Security Department. This position works in collaboration with the Chief of Campus Safety and Security, campus leaders and community law enforcement partners to ensure policy application to higher education principles with a focus on a holistic approach to public safety, student success, wellness, and respect for diversity.

The Deputy Chief of Campus Safety and Security works closely with the Chief of Campus Safety and Security, DCC students, faculty, staff, administration and the local police and law enforcement community to direct and administer the overall public safety program and initiatives across all of the DCC arenas. The Deputy assists leadership, the management and direct oversight to the College's entire security force, and is responsible for threat management, emergency management, campus investigations, dispatch and parking services.

The successful candidate must be committed to providing excellent customer service. Dedication to campus interaction and participation, community engagement, employee involvement and development, and incontestable personal ethics are essential.

ROLE AND RESPONSIBILITIES:

- Supports the Chief of Campus Safety and Security with the development, implementation and management of the campus safety and law enforcement programs, including compliance with NYS and Federal requirements, such as mass communications, timely warning, critical incident planning, and initial and continued training for campus security officers;
- Supports the Chief of Campus Safety and Security with developing and implementing a crime prevention program to assure the safety and security of personnel and property on all College facilities;
- Supervises, trains and evaluates campus security officers including organizing, prioritizing and scheduling work assignments;
- Prepares monthly law enforcement staff shift schedules and staffs shifts as needed to support scheduled activities and/or to cover staff absences;
- Responsible for the department's Body Worn Camera policy in compliance with law and/or established best practices in the downloading and retention footage;
- Investigates criminal complaints and unusual occurrences and prepares appropriate reports. Assures enforcement of traffic, parking and other regulations on campus;
- Supports with Title IX, CLERY, VAWA, and FERPA compliance, reporting, and preparing the annual security report with the SUNY Chancellor's Office. Assist with CLERY related notifications;

Dutchess Community College
Job Description: Deputy Chief of Campus Safety and Security

- Responds to all emergencies; and assists with training safety and security personnel to respond to emergencies;
- Communicates to the appropriate College constituents regarding criminal or safety incidents that have occurred;
- Responsible for the proper operation of and maintenance of the department's emergency, security, and radio communication systems and fleet of vehicles;
- Serves as Acting Chief of Campus Safety and Security of Campus Safety and Security in the absence of the Chief of Campus Safety and Security;
- Assures efficient use of material resources by assessment of department needs, and management of the department within the budgetary constraints imposed by the College;
- Assures effective use of human resources by recommending hiring, disciplinary, and other administrative actions together with the training, motivating, evaluating, and counselling of assigned personnel. Conducts all personnel matters in accordance with federal, state and local laws, regulations, and collective bargaining agreements;
- Serves on various College committees and performs other job-related tasks as assigned.
- Performs other duties as assigned.

REQUIREMENTS:

- Bachelor's degree in Criminal Justice, or a relevant field
- Ten years of experience as a sworn member of a local, state, federal or military law enforcement agency. Minimum of five years of supervision and management experience developing and administering public safety programs.
- Must possess a New York State Driver's License at time of appointment and during employment.
- Must communicate effectively, both verbally and in writing, to individuals and groups; must relate to a diverse population;
- Must relate professionally to all members of the campus community, senior management and members of the Board of Trustees;
- Capable of operating computers and preparing written reports and materials,
- Ability to physically perform the duties of the position; must travel locally;
- Excellent leadership ability in supervising departmental functions in multiple locations.
- Required to undergo and successfully complete a Background Investigation that includes a Psychological Assessment and Polygraph.

PREFERRED QUALIFICATIONS

- Prior experience as a campus safety officer working in a college, school or university environment in a supervisory or management position.

Dutchess Community College
Job Description: Executive Director of Marketing & Communications

Job Title:	Executive Director of Marketing & Communications		
Department/Group:	Institutional Effectiveness		
Location:		Travel Required:	Locally- As needed
Level/Salary Range:	\$ <i>commensurate with education</i>	Position Type:	Full-time, Management Confidential

Job Description

THE POSITION:

The Executive Director of Marketing and College Communications is a highly motivated, creative, and experienced individual who oversees the flow of communication and information between the College and its internal and external stakeholders. Reporting to the Chief of Staff & Vice President for Institutional Effectiveness, the Executive Director combines marketing and public relations skills to build and enhance the regional, statewide, and national presence and reputation of Dutchess Community College. Additionally, the Executive Director will sensitively manage quality control of campaigns, internal messaging, communication, and information distribution to ensure effective communication and consistency in branding, and to promote a culture of pride and inclusivity among members of the campus community.

The incumbent is responsible for developing and implementing the College's overall marketing and communications strategy, including web development and a comprehensive social media marketing plan, in collaboration with the office of Enrollment & Student Success and in alignment with the College's overall strategic enrollment plan. The Director also facilitates communication of DCC's brand in positive, authentic ways that will attract the broad cross section of audiences the College seeks to engage. They'll utilize different forms of media to include digital campaigns, press releases, print material, social media, audio, and video, etc.

ROLE AND RESPONSIBILITIES:

The Executive Director of Marketing & College Communications has responsibilities and oversight related to team leadership/office management; marketing and media; and public relations and communications, to include both internal and external audiences.

General Responsibilities

- The Executive Director is expected to lead and manage a creative team of full and part-time staff as well as on-call consultants, contributing directly to work in areas of personal expertise while appropriately supporting and managing the work of the office to meet or exceed institutional goals around communication, public relations, branding, and marketing.
- Have a keen sense around innovation, holistic MarCom efforts, and hands on leadership.
- Responsible for the department budget, including oversight for processing invoices, etc.
- Develops short- and long-term plans and budgets for the marketing and communications program and its activities, monitors progress, assures adherence and evaluates performance.
- Provides regular updates on progress in all areas of responsibility to direct supervisor, the Cabinet, and the Executive Leadership Team.

Media & Marketing Responsibilities

- • Ensures content creation and design of various digital and print materials. Oversees and

Dutchess Community College

Job Description: Executive Director of Marketing & Communications

contributes to the writing of engaging content for various digital and print platforms and supervises the design, coordination, printing, and distribution of college publications, including the Annual Report, catalog, credit- and credit-free publications, view book, brochures, fliers, postcards, appropriate student and residence hall materials, and other media.

- Maps out a comprehensive marketing plan for the College that is driven by market research collection, analysis, and interpretation of market data to inform planning, strategy and goal setting and includes analysis of key metrics to adjust strategies as needed.
- Leads the effort on a multi-year campaign to update branding of the institution.
- Provides strategic leadership for the design, creation and management of promotions and social ad campaigns, being sure to integrate with the College's overall marketing campaign plan and channels.
- Expands the College's social media presence into new social media platforms, and increases presence on existing platforms, developing social media marketing plans for academic and workforce development programs and initiatives.
- Monitors effective benchmarks (Best Practices) for measuring the impact of all media campaigns and analyzes, reviews, and reports on effectiveness of campaigns in an effort to improve results; translates raw data into recommendations and plans for revising social media, content marketing, SEO and social advertising campaigns.
- Collaborates closely with the office of Enrollment and Student Success on the Strategic Enrollment Management Plan.
- Initiates the design and implementation of specific media strategies to identify and recruit both traditional and non-traditional students and to develop the College's brand awareness and online reputation among different populations.
- Inspires and manages the work to create, curate, and distribute relevant, original, high-quality content for all channels and ads (images, video, written and audio/podcast).
- Manages the creation and implementation of an online review funnel for building online reviews and reputation, and ensures that online reviews are monitored and responded to in a timely and appropriate manner.

Communications & Public Relations Responsibilities

- Coordinates the public relations and institutional communication functions of the College, including but not limited to activities, events, and projects associated with the President's Office, the Board of Trustees, the Dutchess Community College Foundation, the State University of New York, the State of New York, Dutchess County, institutional partners, College stakeholders, and external audiences.
- Supports excellent internal and external communications that demonstrate sensitivity to audience and climate for the college president and executive leadership team. This may take the form of speeches, remarks, presentations, written communications, event design, coaching, etc.
- Serves as official College spokesperson, as designated by the president, and as liaison to the media and the College community, including oversight of crisis communication for both major incidents and for minor disruptions (e.g., weather-related closings).
- Maintains 24/7 availability by telephone or email should emergency or other matters with potential media implications occur. Creates back up plan when OOO.
- Ensures that we are advocating for the College in social media spaces, engaging in dialogues and answering questions where appropriate.
- Proactively manages the creation and distribution of media releases and announcements about college programs, events, activities, honors, accomplishments, and graduation, including the Dutchess Community College Foundation.

Dutchess Community College

Job Description: Executive Director of Marketing & Communications

- Supports the design and implementation of effective and nuanced communication plans around college initiatives of strategic importance.

Other Responsibilities

- Serve as a member of the President's Cabinet;
- Serve as a member of the President's Executive Leadership Team;
- Serve as a member of the Academic Staff Council;
- Serve as liaison for marketing and communications with SUNY
- Participate in department, division, and institutional assessment activities as required;
- Assume other responsibilities as assigned.

REQUIREMENTS:

- Master's degree in marketing or a related field
- At least ten years' experience working in marketing/public affairs;
- Experience in developing and implementing effective marketing and communication strategies as supported by a demonstrable ROI.
- Supervisory experience.

PREFERRED QUALIFICATIONS

- Experience in Higher Education
- 5+ years supervisory experience in a marketing/communications setting
- Proven track record of successful customer-centered campaigns

RESOLUTION NO. 2025-29

Board of Trustees, Dutchess Community College
February 25, 2025

_____ offers the following resolution and moves its
adoption:

BE IT RESOLVED, that the Board of Trustees authorizes the execution of the
accompanying joint defense agreement with the County of Dutchess in connection with
a lawsuit pending against the College and the County of Dutchess, entitled Worth
Construction Co., Inc. v. County of Dutchess et al.

* * * * *

Seconded by _____

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS

----- X

WORTH CONSTRUCTION COMPANY, INC.,

Plaintiff,

- against -

COUNTY OF DUTCHESS and DUTCHESS
COMMUNITY COLLEGE,

Defendants.

----- X

COUNTY OF DUTCHESS,

Third-Party Plaintiff,

- against -

ARCH INSURANCE COMPANY,

Third-Party Defendant.

-----X

CORNERSTONE BUILDING BRANDS, INC. D/B/A
A&S BUILDING SYSTEMS, NCI GROUP, INC.
D/B/A NCI BUILDING SYSTEMS, AND HI-TECH
STEEL, INC.,

Additional Defendants.

-----X

WHEREAS, the COUNTY OF DUTCHESS (“County”) is the local sponsor of
DUTCHESS COMMUNITY COLLEGE (“College”) under Article 126 of the Education Law; and

WHEREAS, the County and the College are signatories to a contract with Worth
Construction Company, Inc. (“Worth”) concerning the construction of the Dutchess Community
College Airport Education Building, which is owned by the County and used for educational
purposes by the College; and

**JOINT DEFENSE
AGREEMENT**

Index No. 2022-54065

WHEREAS, the County and the College have been named as defendants in the above-captioned contract action commenced by Worth (the “Action”); and

WHEREAS, the County and the College have substantially similar interests in the Action; and

WHEREAS, the County and the College may, with the purpose of assisting in any common defense or any investigation of allegations against them, engage in communications or elect to disclose or transmit to each other otherwise privileged, confidential or proprietary communications, information or documents; mental impressions; investigative information; memoranda; interview reports; expert reports; and other privileged, confidential, proprietary or otherwise protected communications, information, or documents (collectively referred to as “Privileged Information”); and

WHEREAS, the County and College desire that such Privileged Information shall remain privileged and confidential or otherwise protected from disclosure; and

WHEREAS, the County and the College agree that the execution of this Joint Defense Agreement (“Agreement”) is made in good faith for the purpose of promoting cooperation between them, and of limiting administrative and legal costs;

NOW THEREFORE, in consideration of the mutual promises, covenants, representations listed below, the County and College, by and through the undersigned attorneys, hereby agree as follows:

1. All communications and other Privileged Information between the County and the College, their attorneys, representatives, and agents, in furtherance of their defense to claims asserted in the Action, shall remain protected by the attorney-client privilege, the attorney work-product privilege, and/or joint defense privilege to the fullest extent permitted by the law. Each

party to this Agreement (hereinafter “Party”) who receives Privileged Information from the other Party shall take all reasonable steps necessary to protect such communications and information from disclosure to third parties not subject to this Agreement.

2. Privileged Information which is disclosed by one Party to the other Party to promote the joint defense efforts contemplated by this Agreement shall be kept confidential by the receiving Party. Further, such Privileged Information may be used only for purposes of defending against the claims asserted in the Action and shall not be used in any other proceeding, now or in the future, including any proceeding arising from a claim made by one Party against the other Party, and may not be disseminated to anyone beyond those representatives and agents, including consultants and expert witnesses, who need to know the information for purposes of defending against the claims asserted in the Action.

3. Participation in a joint defense as contemplated by this Agreement shall not be considered to constitute representation by counsel for one Party of the other Party, nor shall such participation be grounds to disqualify counsel from representing any Party now or in the future.

4. Each Party will cooperate in providing information to the other Party to the extent that the Party from whom information is requested deems such sharing of information to be helpful in establishing the joint defense of the Parties.

5. Either Party may withdraw from participation in this Agreement upon written notice to the other Party. If a Party withdraws from this Agreement under this paragraph, the Parties will remain obligated to preserve the confidentiality of all Privileged Information received from and/or disclosed to the withdrawing Party pursuant to this Agreement.

6. Each signatory to this Agreement hereto represents, warrants and agrees that the signatory has the full right and authority to enter into this Agreement, and has the full right and

authority to execute this Agreement and to fully bind the represented Party to the terms and obligations of this Agreement.

7. Notwithstanding anything in this Agreement to the contrary, this Agreement shall not extend to (1) any information available from public records or from other sources in accordance with law, (2) any information which is in the public domain or subsequent thereto enters the public domain otherwise than through disclosure by a Party, and (3) any information which is capable of being independently developed by or on behalf of a Party without reference to the information received pursuant to this Agreement.

8. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document only upon execution of this Agreement, in faxed counterparts or otherwise, by both Parties.

Dated: _____, 2025

THOMAS, DROHAN, WAXMAN,
PETIGROW & MAYLE, LLP
Attorneys for Dutchess
Community College
By:

Steven L. Banks, Esq.
2517 Route 52
Hopewell Junction, New York 12533
(845) 592-7000

Dated: _____, 2025

SOKOLOFF STERN LLP
Attorneys for County of Dutchess
By:

Annemarie Jones, Esq.
179 Westbury Avenue
Carle Place, New York 11514
(516) 334-4500

RESOLUTION NO. 2025-30

Board of Trustees, Dutchess Community College
February 25, 2025

_____ offers the following resolution and moves its adoption:

BE IT RESOLVED that the Board of Trustees authorizes the execution of the accompanying mediation agreement with The Pappalardo Law Group PLLC for the purpose of conducting mediation in connection with a lawsuit pending against the College and others, entitled Worth Construction Co., Inc. v. County of Dutchess et al., and to pay The Pappalardo Law Group PLLC a total fee for mediation services up to \$5,000.00.

* * * * *

Seconded by _____

THE PAPPALARDO LAW GROUP PLLC

ATTORNEYS AT LAW
200 EAST POST ROAD
WHITE PLAINS, NEW YORK 10601
TEL. (914) 761-9400 | FAX (914) 761-0747
WWW.PAPPALARDOESQ.COM

JOHN A. PAPPALARDO*

JUDITH E. MURPHY
SAMANTHA A. RESCIGNO

*Admitted to NY, MA & NJ
**Admitted to NY & CT

OF COUNSEL

WILLIAM L. CARBONARI
CHRISTOPHER L. MANGOLD**
ERIK KRISTENSEN

145 EAGLE ROCK AVENUE
ROSELAND, NEW JERSEY 07068

JOHN.P@PAPPALARDOESQ.COM
REPLY TO WHITE PLAINS OFFICE

MEDIATION AGREEMENT

We have voluntarily retained John A. Pappalardo (hereinafter the “Mediator”) to conduct a construction mediation with us. We have not waived our right to consult with and/or retain our own attorneys concerning this or any other matter. John A. Pappalardo also in no way requests that we waive this right. We further understand that each of us is free to consult with and/or retain our own independent attorney at any point in the mediation process. If we do not do this at any particular time, it is by our own choice. John A. Pappalardo has made it clear to us that he expects each of us to consult with independent attorneys before signing any Agreement or Stipulation of Settlement, and we agree to do so.

John A. Pappalardo, the mediator, and the parties further agree with one another as follows:

A. Mediation is a voluntary procedure. We are undertaking it to reach a settlement of a dispute between us, the parties. This voluntary procedure depends on the development of trust from increasing openness and risk taking. As a result, everyone involved in mediation, and the mediation process itself, needs the protection offered by complete confidentiality.

B. We agree that all communications between the parties and the mediator about the dispute come within the rules of evidence, which exclude from court or arbitration, any disclosures made with a view towards settlement.

C. The parties agree that they will not call John A. Pappalardo or any consultant brought in by John A. Pappalardo as a witness in any court or arbitration to testify regarding any aspect of the mediation. The parties shall not require the production in court or arbitration of any records or documents made by John A. Pappalardo or any consultant brought in by John A. Pappalardo.

D. We agree to pay the Mediator an initial retainer of \$20,000.00, against which the hourly fees outlined below will be applied. The retainer shall be remitted and returned with a fully executed copy of this Agreement. The costs of mediation (including the initial retainer and any and all additional costs thereafter) will be borne one sixth (1/6th) by Worth Construction Company, Inc., one sixth (1/6th) by County of Dutchess, one sixth (1/6th) by Dutchess Community College, one sixth (1/6th) by Arch Insurance Company, one sixth (1/6th) by Cornerstone Building Brands, Inc. d/b/a A&S

Building Systems and NCI Group Inc. d/b/a NCI Building Systems, and one sixth (1/6th) by Hi-Tech Steel Inc. John A. Pappalardo's fee is \$500.00 per hour, or prorated parts of an hour. Associate's fees will be billed at \$425.00 to \$450.00 per hour; Paralegal, Legal Assistant, and Law Clerk's rate will be billed at \$150.00 per hour. Requested fees will be paid upon presentation of an invoice. Interest will be charged at 9% per annum on any outstanding balance not paid after 30 days. This fee is for: mediation sessions; telephone contacts with us or other professionals concerning our mediation; or researching; preparing and drafting written materials. In addition to the hourly charges set forth above, there may also be the expenditure of disbursements, such as travel expenses, messenger, express mail, and similar expenses. We will be obligated to pay these expenses as well, and all costs will be borne equally by the parties.

E. In the event we do not pay bills for services, we agree that the Mediator has the right to withdraw as mediator. If fees are not paid and the Mediator is put in a position where he has to pursue us to collect fees, we will be responsible for attorney and collection fees, as well as all costs associated with the Mediator's collection efforts. We will be responsible for the processing fee if our fees are paid by credit card. In paying by credit card, we agree no dispute will be raised with or adjudicated by the credit card company, that charges are non-refundable and cannot be reversed by the credit card company, and that any dispute over fees paid by credit card should be settled between the lawyer and the client governed by the rules of professional conduct, the State bar disciplinary committee, or the courts. If there is any dispute regarding fees or disbursements, such disputes will be resolved by an arbitrator pursuant to the Commercial Rules of the American Arbitration Association in Westchester.

F. We understand that consultants may be required to handle specialized tasks. The charges of those consultants will be separate and in addition to fees charged by John A. Pappalardo. These separate fees will be discussed with us beforehand and billed directly to us by these professionals.

This agreement is contractual and cannot be changed or waived without the written consent of John A. Pappalardo and the parties.

Dated: January 7, 2025

CONSENTED AND AGREED TO BY THE PARTIES AND MEDIATOR:

Worth Construction Company, Inc.
By:

County of Dutchess
By:

Dutchess Community College
By:

Cornerstone Building Brands Inc.
d/b/a A&S Building Systems
By:

**NCI Group Inc. d/b/a NCI Building
Systems Inc.
By:**

**Hi-Tech Steel Inc
By:**

**Arch Insurance Company
By:**

John A. Pappalardo, Esq.