

BIAS CRIME PREVENTION

Hate Crimes and the Law

It is an Orange County Community College Safety and Security mandate to protect all members of the college community by preventing and prosecuting bias or hate crimes that occur within the campus's jurisdiction.

Hate crimes, also called bias crimes or bias-related crimes, are criminal activities motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their race, religion, ethnicity, gender, sexual orientation, or disability. Hate/bias crimes have received renewed attention in recent years, particularly since the passage of the federal Hate/Bias Crime Reporting Act of 1990 and the New York State Hate Crimes Act of 2000 (Penal Law Article 485). Copies of the New York law are available from Director of Safety and Security, 341-4932.

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

In addition to preventing and prosecuting hate/bias crimes, the SUNY Orange Department of Safety and Security also assists in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and defined by the college as acts of bigotry, harassment, or intimidation directed at a member or group within the SUNY Orange community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status, may be addressed through the State University's Discrimination Complaint Procedure or the campus conduct code. Bias incidents can be reported to Department of Safety and Security as well as to Human Resources Department.

If you are a victim of, or witness to, a hate/bias crime on campus, report it to the Department of Safety and Security by calling 341-4710 or 341-4932, or in an emergency, by using a Blue Light or other campus emergency telephone, dialing the emergency reporting number 77, or stopping by the Safety and Security Office located on the first floor of Orange Hall. The Department of Safety and Security will investigate and follow the appropriate adjudication procedures.

Victims of bias crime or bias incidents can avail themselves of counseling and support services from the campus as follows: after notifying the Department of Safety and Security (341- 4932 or 341-4710), they will be escorted to the Advising, Assessment & Counseling Center (Shepard Student Center, 3rd Floor, 341- 4070), or Health Services (Shepard Student Center, 2nd Floor, 341-4870).

For general information on SUNY/Orange safety and security procedures, call 341-4932 or 4710.

More information about bias-related incidents and bias crimes, including up-to-date statistics on bias crimes is available from the Director of Safety and Security, 341- 4932 or 341-4710. All inquiries will be handled in a strictly confidential manner.

Crime Statistics Availability (CLERY Statement)

A copy of the Orange County Community College (SUNY Orange) campus crime statistics as reported annually to the U.S. Department of Education will be provided upon request by the campus Director of Safety & Security John Aherne (telephone number: 845-341-4932). Information can also be obtained from the U.S. Department of Education website at: <http://ope.ed.gov/security/>

Sexual Harassment

Orange County Community College is committed to all provisions of Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and other human rights and equal opportunity laws. These laws include prohibition of discrimination in employment and educational programs and services on the basis of sex.

Recent guidelines for Title VII of the Civil Rights Act focus upon sexual harassment as an unlawful practice. Recent interpretations of Title IX of the Education Amendments similarly delineate sexual harassment as discriminatory and unlawful.

Sexual harassment takes many forms, from constant joking to physical assault. It may involve threats that you will fail in class or that you will lose your job. It may make your study, work, or living environment uncomfortable through continued sexual comments, suggestions or pressures. It may include:

- derogatory or dehumanizing gender reference;
- subtle or overt pressure for sexual activity;
- physical contacts.

Sexual harassment is defined by EEOC as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature if:

- submission to, or toleration of, such conduct on or off campus is made (either explicitly or implicitly) a term or condition of instruction, employment, or participation in other college activities;
- submission to, or rejection of, such conduct by an individual is used as a basis for evaluation in making employment or academic decisions affecting the individual;
- such conduct has the purpose or effect of unreasonable interfering with an individual's academic or work performance or creating an intimidating, hostile, or offensive college environment.

Orange County Community College is committed to maintaining a workplace and a learning environment free of sexual harassment and

intimidation. Sexual harassment is unacceptable behavior, unlawful and not tolerated. Any member of the college community found guilty of sexual harassment will be subject to appropriate disciplinary action. Any questions or allegations should be directed to Sue A. Sheehan, phone (914) 341-4200.

Anti-Hazing Law

Reckless or intentional acts that endanger mental or physical health or involve the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization are strictly forbidden. Violation of the anti-hazing law will result in the expulsion, suspension, or other disciplinary proceeding or, if the violator is an organization, rescission of permission of the organization to operate on campus. A violator or organization may be subject to any applicable provision of the Penal Law in addition to any College disciplinary proceedings.

Policy on Selling Wares on Campus

College regulations prevent the use of the campus for private or individual commercial purposes. Students may, of course, sell their texts or other personal belongings to other students and may use a designated area to advertise such selling. A student may request permission from the Vice-President for Student Development to sell handicrafts and other personal wares on campus. Students may arrange with the College Bookstore manager to concession personally-produced wares for sale in the Bookstore.

No Pets on Campus

Civil Law prohibits pets in public buildings and special laws prohibit animals in areas where food is prepared and served. Animals anywhere within the city limits not leashed are subject to impounding. *The College* further prohibits pets on campus. The dog warden or City police may be called at 343-3151.

Equal Opportunity/Affirmative Action

Equal Employment Opportunity is the law. It is mandated by Federal, State, and local legislation, by Executive Orders, and by definitive court decisions.

EEO is a system of employment practices under which individuals are not excluded from any participation, advancement, or benefits because of their race, color, religion, sex, marital status, national origin, disability, Vietnam era veteran status, or sexual orientation.

Affirmative Action refers to steps taken to ensure that there is no discrimination with regard to employees and applicants for employment. It is designed to correct the effects of past discrimination, to eliminate present discrimination, and to prevent future discrimination.

Affirmative Action differs from Equal Opportunity in that it is not merely prohibitive (non-discriminatory) but positive (antidiscriminatory). Affirmative Action works on the principle that discrimination can be eliminated only when employers take positive steps to identify and change policies, practices, and any other institutional barriers that cause or

perpetuate inequality. Affirmative Action, in other words, is the effort whereby the promise of Equal Employment Opportunity may be fulfilled.

Orange County Community College is committed to the principles of non-discrimination and equality of opportunity for all qualified applicants, students and employees. Any questions or allegations should be directed to the college's Human Resources Office, phone (914) 341-4660. Grievance Procedure for the Review of Allegations of Illegal Discrimination or Sexual Harassment

In its continuing effort to seek equity in education and employment and in support of federal and state anti-discrimination legislation, Orange County Community College provides an internal grievance procedure for the prompt and equitable investigation and resolution of allegations of sexual harassment or illegal discrimination on the basis of race, color, national origin, religion, age, sex, disability, marital status, or sexual orientation.

GRIEVANCE PROCEDURE FOR THE REVIEW OF ALLEGATIONS OF ILLEGAL DISCRIMINATION OR SEXUAL HARASSMENT

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This internal grievance procedure is one of several options open to any SUNY Orange student or employee who believes that they have been the victim of illegal discrimination or sexual harassment. If the grievant is an employee of SUNY Orange, he/she may choose instead to use any relevant employee grievance procedures established through negotiated contracts. Also, the grievant—either student or employee—may instead choose to file a grievance with an outside enforcement agency, such as the New York State Division of Human Rights, the Equal Employment Opportunity Commission, the Office of Civil Rights of the Department of Education, and the Office of Federal Contract Compliance of the Department of Labor. The choice of which of these grievance procedures to use is solely that of the grievant.

The Orange County Community College Grievance Procedure for the Review of Allegations of Illegal Discrimination or Sexual Harassment provides a mechanism through which the College may identify and eliminate incidents of illegal discrimination or sexual harassment. The College recognizes and accepts its responsibility in this regard and believes that the establishment of this internal grievance process will benefit students, faculty, staff, and administration alike, permitting investigation and resolution of problems without resort to the frequently expensive, time-consuming procedures of state and federal enforcement agencies or courts.