

# **ST. THOMAS AQUINAS COLLEGE**



**2023 - 2024**

***STUDENT HANDBOOK***

# 2023 - 2024 ACADEMIC CALENDAR

## Fall Semester 2023

Thurs-Mon	August 31	
	September 1-4	Spartan Journey Orientation
Monday	September 4	Labor Day Holiday - No Classes
Tuesday	September 5	First Day of Classes
Tues-Tues	September 5-12	Late Registration
Thursday	September 7	Freshman Convocation
Tuesday	September 12	Last day to add a Fall Course
Friday	September 15	Last Day for 2024 graduates to apply for graduation

### Sat-Tues      October 7-10

### Fall Study Days - No Classes

Wednesday	October 11	Classes Resume
Friday	October 20	Fall 2023 Online Midterm Grading Closes at 11 am
Wednesday	November 8	Deadline for Faculty to submit Grades for Spring\Summer Incompletes

Thursday	November 9	Last day to Withdraw from Courses
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### Wed-Sun      Nov. 22 - 26

### Thanksgiving Recess - No Classes

Monday	November 27	Classes Resume
Mon-Fri	December 11-15	Last Week of Classes & Exams
Friday	December 15	Fall Semester Ends (end of 14th week of Instruction)
Tuesday	December 19	Fall 2023 Online Final Grading Closes at 11 am

## Winter Interim 2024

Tuesday	January 2	Winter Interim Courses Begin
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### Monday      January 15

### Martin Luther King Jr. Day – HOLIDAY

Friday	January 19	Winter Session Courses End
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## Spring Semester 2024

Monday	January 22	Spring semester begins
Mon-Fri	January 22 - 26	Late Registration
Friday	January 26	Last Day to Add a Spring Course
Friday	March 8	Spring 2024 Online Midterm Grading Closes at 11 am
<b>Mon-Fri</b>	<b>March 11 - 15</b>	<b>Spring Mini-Break</b>
Monday	March 18	Classes Resume
Tuesday	March 19	Deadline for Faculty to submit Grades for Fall\Winter Incompletes
<b>Friday</b>	<b>March 30</b>	<b>Good Friday - Holiday</b>
Wednesday	April 3	Last Day to Withdraw from Courses
Tuesday	April 9	Honors Convocation
Mon-Fri	April 29-May 3	Last Week of Classes & Exams
Friday	May 3	Spring Semester Ends (end of 14th week of instruction)
Tuesday	May 7	Spring 2023 Online Final Grading Closes at 11 am
Friday	May 10	Commencement Day

## Summer Sessions 2024

Monday	May 13	Undergraduate Summer Session I Begins
Friday	June 7	Undergraduate Summer Session I Ends
Monday	June 10	Undergraduate Summer Session II Begins
<b>Monday</b>	<b>June 19</b>	<b>Juneteenth - Holiday</b>
<b>Tuesday</b>	<b>July 4</b>	<b>Independence Day - Holiday</b>
Friday	July 5	Undergraduate Summer Session II Ends
Monday	July 18	Undergraduate Summer Session III Begins
Friday	August 2	Undergraduate Summer Session III Ends

Graduate Summer Session Dates to be Announced

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## **HISTORICAL INFORMATION**

### **STAC HISTORY**

In 1952, The Board of Regents of the State of New York granted a Provisional Charter to the Dominican Sisters of Sparkill to operate a three-year elementary teacher education program under the corporate title of St. Thomas Aquinas College. This Charter was later amended in 1957 so that the College might conduct courses leading to the Bachelor of Science in Education Degree for members of the Sparkill Congregation. In 1958, the College graduated its first class into the ranks of the alumni - 30 strong!

In 1960, the Provisional Charter was made absolute and the College was empowered to grant the degrees of Bachelor of Arts, Bachelor of Science and Bachelor of Science in Education as well as to admit other religious women and lay-women. In 1967, the College was granted the Charter amendment to open its doors as a coeducational institution.

In 1981, the College was granted a Charter amendment to offer the associate in arts and associate in science degrees at the United States Military Academy at West Point. The program was designed and implemented at the Army's request for enlisted military personnel, officers, spouses and dependents and civilian employees at the military base at West Point and the Stewart Army Subpost.

In 1985, the New York State Education Department authorized St. Thomas Aquinas College to confer the Master of Science in Education on duly qualified students completing the registered programs and, simultaneously, approved the first graduate program in special education. Additional programs in elementary education, secondary education and reading, leading to the degree of Master of Science in Education (M.S. in Ed.) as well as a Certificate of Advanced Study (CAS) leading to provisional certification (PreK-6, and 7-12) were authorized in May 1992. The CAS was superseded by the MST in 2002.

In 1994, the New York State Education Department authorized St. Thomas Aquinas College to confer the Master's of Business Administration in Business Administration, on duly qualified students completing the registered program with concentrations in finance, marketing or management. Five-year dual degree programs in engineering are offered cooperatively with The George Washington University in Washington, D.C., and Manhattan College in New York City. The College also has a dual degree program in podiatry in cooperation with the New York College of Podiatric Medicine. In 1995, the College started a five-year program, and currently (since 2002) offers a seven-year program that culminates with a Doctor of Physical Therapy from New York Medical College. In 1996, St. Thomas signed an articulation agreement with New York Chiropractic College which enables students to earn a B. S. in Biology from St. Thomas, and a Doctor of Chiropractic (D.C.) from NYCC.

St. Thomas students can now study in a variety of countries, including England, Ireland, Hungary, Italy, France, Spain, Finland, Korea and Japan. The College assists students in arranging study abroad opportunities.

In 2002 a Master of Science in Teaching (MST) leading to initial certification (Grades 1-6 or 7-12) was approved by New York State, and in 2006, a Master of Science in Education in

Educational Leadership leading to School Building Leader certification was approved. A Master's Degree in Public Administration (MPA) in Criminal Justice was approved by the New York State Education Department in 2017.

Since 1997, the College has formed additional strategic alliances with a number of institutions of higher education in transfer and cooperative degree programs. The following institutions in the area have entered into transfer agreements with St. Thomas Aquinas College: SUNY Rockland, SUNY Orange, SUNY Dutchess, SUNY Hudson Valley, and SUNY Nassau Community Colleges; CUNY Queensborough Community College; and Bergen Community College.

The College also has articulation agreements with the following comprehensive undergraduate and graduate degree programs: Barry University's School of Law; Catholic University of America (MA in English); Le Moyne College (MS in Occupational Therapy, MA in Arts Administration); Marist College (MS in Psychology); New York University's School of Social Work (accelerated BS/MSW on the STAC campus); Pace University (MS in Counseling); Polytechnic University (BS/MS in Biomedical Engineering); Seton Hall University (MA in Corporate and Public Relations); St. John's University (BS,BA/MLS on the STAC campus; advanced standing agreements in graduate Biology, English, History, Math & Computer Science, Sociology, Spanish and Theology/Religious Studies); and St. John's University School of Law.

We now offer a total of 100 majors, minors, specializations and dual degree programs for our students. Our enrollment grew 100% in just 20 years and our physical plant has grown from 23 to 72 acres. These strides, as well as all of the new projects on campus, speak of PROGRESS and we are proud of it. Yet our success and progress is a reflection of those very people we aim to serve — our students.

## **VISION**

St. Thomas Aquinas College endeavors to be a vibrant, inclusive learning community that is the top choice for students who seek a leading-edge, transformative education rooted in the liberal arts and designed to prepare them for career success in a changing world.

## **MISSION**

St. Thomas Aquinas College seeks to challenge, guide, and energize each student to realize and create their own path to success and commit themselves to making a profound difference in the world.

## **COLLEGE RECOGNITION AND MEMBERSHIP**

St. Thomas Aquinas College is incorporated by the Legislature of the State of New York. The College has an absolute Charter from the Board of Regents of the University of the State of New York. The College is fully accredited by the Middle States Association of Colleges and Schools, the accreditation for its Bachelor of Science and its Master of Business Administration degree programs in business through the International Assembly for Collegiate Business Education (IACBE). Since 2003, all educator preparation programs of St. Thomas Aquinas College have been accredited by the Council for the Accreditation of Educator Preparation (CAEP), previously known as the National Council for Accreditation of Teacher Education (NCATE).

St. Thomas Aquinas College holds membership in the American Council on Education, Association of American Colleges, Association of Governing Boards of Universities and Colleges, American Assembly of Collegiate Schools of Business, National Association of Independent Colleges and Universities, Commission of Independent Colleges and Universities, the Council of Independent Colleges, Council for the Advancement and Support of Education, the American Association of University Women. Members of the administration and faculty hold membership in numerous associations, including the Middle States Association of Collegiate Registrars and Admissions Officers, the National Education Association, College Art Association, American Association of University Professors, American Chemical Society, American Association of Mathematics, American Association for the Advancement of Science, National Council of Teachers of English, American Philosophical Association, American Psychological Association, Council of Exceptional Children, National Association of College Admissions Counselors, Society of Professional Journalists, Association for Continuing Higher Education and other educational and professional associations.

## **STAC TRADITIONS**

**College Motto** - *Illuminare Mentem Per Veritatem* - To Enlighten the Mind through Truth.

**College Seal** - The SUN and STAR represent the highest aspirations of the spirit of man. The TORCH bears the light-giving FLAME, symbol of truth and knowledge which dispels the darkness of ignorance and leads man to achieve the CROWN of wisdom. All of these symbols are embossed on a black and white SHIELD which represents the armor which knowledge provides throughout life for the truly educated individual.

**College Color** - MAROON symbolizes a maturity rich with the surging of the human life force. The GOLD of integrity surrounds the maroon. Together they speak of the quality of human life, which, ideally, St. Thomas Aquinas College prepares the individual to live.

## **COLLEGE BUILDINGS**

**SPELLMAN HALL**, the College's first academic building, was dedicated on June 9, 1955. It contains, in addition to general classrooms:

The Administrative Offices:

- \* Provost and Vice President of Academic Affairs
- \* Director of Student Success
- \* Registrar
- \* Director of Institutional Research
- \* Dean, School of Arts and Social Sciences
- \* Dean, School of Science, Technology, Engineering and Mathematics (STEM)
- \* Director of Student Financial Services
- \* Dean for Student Success

The Broadcast Television Studio  
The Bloomberg Professional Laboratory  
The Loughheed Library

Chapel  
Innovation Center  
The Bonaparte Classroom  
Computer Laboratories  
The Center for Academic Excellence

Lower Level:

\* Pathways Program

**AQUINAS HALL** was opened for use in September 1965. It contains:

Gymnasium w\Locker Rooms & Athletic Training Room  
The Kraus Fitness Center  
Administrative Athletic Offices  
College Switchboard  
Mail Office  
Office of Campus Safety and Security

**MAGUIRE HALL**, the College's second academic building, was completed in September 1968. It contains, in addition to general classrooms and faculty offices:

Lower Level:

Faculty Offices  
Adjunct and Full-time Faculty Lounge  
Athletic Department Offices

First Floor:

Sullivan Theatre

Second Floor:

Dean of Instructional and Administrative Technology  
Painting Studio

**THE JOSEPH F. ROMANO STUDENT ALUMNI CENTER**; this building was completed in 1988 and renovated in 2021. Besides dining and lounge areas, the following departments are located in the RSAC:

Upper Level:

Office for Student Development  
Vice President & Dean for Student Development  
Associate Dean for Student Development

Office of Counseling & Psychological Services  
Counselors



Career Center

Dean of Experiential Learning  
Director of Experiential Learning  
Director, Career Development

Lower Level:

Office of Student Engagement  
Director  
Associate Director  
Student Government Association  
The Thoma (College Newspaper)  
The Thomist (College Yearbook)  
The Spartan Grille  
WSTK Radio Station

**COSTELLO HALL** opened in 2000. The building is home to two lecture classrooms, the Azarian-McCullough Art Gallery, and Forensic & Science Labs and Classrooms.

**BORELLI HALL**, opened in the Fall of 2011, is host to classrooms and administrative offices.

- \* The President
- \* Vice President for Enrollment Management
- \* Vice President of Institutional Advancement
- \* Senior Vice President for Administration and Treasurer
- \* Director, Human Resources & Strategic Services
- \* Director of Annual Giving & Alumni Affairs
- \* Director of Development
- \* Assistant Director of Foundations & Community Relations
- \* Director, Campus Communications & Enrollment Marketing
- \* Business Office
- \* Administrative Offices
- \* Dean, School of Business
- \* Dean, School of Education
- \* Graduate Education Offices
- \* Master of Business Administration Offices
- \* Faculty Offices

**NAUGHTON HALL** for many years served as faculty offices. It was renovated in 2021 to house the Office of Admissions.

**THE MCNELIS COMMONS & FITZPATRICK VILLAGE** are the two residence life complexes, which serve as on-campus residence for over 600 students. The McNelis Commons consists of six buildings: the Dining Hall, four residence halls, and laundry/maintenance facility. The Fitzpatrick Village consists of five residence halls including laundry facilities.

## CAMPUS RESOURCE CENTERS

**THE LOUGHEED LIBRARY** - The Lougheed Library is located on two levels of Spellman Hall. The library has 40,000 cataloged books, including hundreds of DVDs and a selection of music CDs. We have close to 100 print journals, in addition to the thousands of online full-text journals through our electronic databases. Daily newspapers are available as well.

Comprehensive library information and online access to the library catalog and library databases is available 24/7. Just go to [www.stac.edu](http://www.stac.edu), and click on the mySTAC page at the top right menu. On the next page, click on the Lougheed Library listed on the left. You will find general information and access to the databases on the Library home page.

The library facility features a number of spaces for quiet and group study. It has AV equipment for in-library viewing and listening by individuals and small groups. A microform reader/printer and coin copiers are available. A bank of public access computers is found inside the entrance. Wireless connectivity is available throughout the library. No food or cell phone use is allowed anywhere in the library, including the classrooms on the lower level.

Librarians offer information literacy classes where students learn to identify, find, evaluate, select, and use information in an effective and ethical manner. Librarians also provide individual library instruction, reference assistance, and interlibrary loan services.

**Always feel free to askalibrarian.com**

### LIBRARY HOURS--ACADEMIC TERMS

Monday through Thursday	8:00 a.m. - 11:00 p.m.
Friday	8:00 a.m. - 6:00 p.m.
Saturday	12:00 p.m. - 7:00 p.m.
Sunday	1:00 p.m. - 9:00 p.m.

Exam, Interim, Spring Break, and Summer hours are posted.

### LIBRARY PHONE NUMBERS

Help with research	845-398-4218
Hours	845-398-4223
General Information	845-398-4219

**THE STUDENT SUCCESS CENTER FOR ACADEMIC EXCELLENCE** - The Center offers tutoring and study skills help for all STAC students. The tutoring sessions are held in designated classrooms across campus and virtually. The primary goal of the SSCAE is to assist students in improving their academic skills in order to be successful in the classroom. For information, contact the center at 845-398-4090.

The Center for Academic Excellence offers the following services:

- \* Individual and small group tutoring
- \* Supplemental Instruction Classes
- \* Study Groups
- \* Supervised study halls
- \* College skills workshops

The Center for Academic Excellence is located in Spellman Hall (S111):

Monday through Thursday	9:00 am - 8:00 pm
Friday	9:00 am - 2:00 pm

**THE COLLEGE BOOKSTORE** - Operated by Follett Higher Education Group through our virtual website at [www.stac.bkstr.com](http://www.stac.bkstr.com).

**THE MCNELIS COMMONS DINING HALL** - Located in the McNelis Commons residence life complex. The Dining Hall serves breakfast, lunch and dinner on weekdays and brunch and dinner on weekends for meal plan students. Any member of the college community may elect to dine in the Dining Hall, (unlimited seconds!), and pay on a cash basis per meal or pay with their points account. For further information, contact the Dining Services Office at 845-398-4244.

**THE SPARTAN GRILLE** - Located on the lower level of the Romano Student Alumni Center. The Spartan Grille is open Monday through Saturday and serves the entire college community. Purchases may be by cash or pay with their points account. For more information, contact the Dining Service Office at 845-398-4244.

**CAMPUS SAFETY & SECURITY OFFICE** – The Campus Safety & Security office is located on campus in Aquinas Hall. There are campus safety officers on duty 24 hours a day, seven days a week. If you require assistance from one of the campus safety officers, call the Campus Safety & Security Department number (845-398-4080).

# **ADMINISTRATIVE OFFICERS AND ORGANIZATIONAL STRUCTURE**

## **Board of Trustees**

The legally designated authority of and for the College is its Board of Trustees. This governing body is a self-perpetuating Board, which is composed of thirty members. Four primary areas of responsibility of the Board are ensuring the mission, institutional policy, presidential relations, and financial resources.

The Major Administrative Officers Are:

- \* The President
- \* Provost and Vice President for Academic Affairs
- \* Senior Vice President of Administration and Finance
- \* Vice President for Institutional Advancement
- \* Vice President for Enrollment Management
- \* Vice President and Dean for Student Development

## **The President**

The President is the chief executive officer of the College and is responsible for its administration. It is the President's duty to see that the mission and goals of the College are attained in keeping with the directives of the Board of Trustees.

## **Provost and Vice President for Academic Affairs**

The Provost and Vice President for Academic Affairs develops, coordinates, and implements the instructional programs of the College. The Vice President is assisted by the Dean of Student Success; Director of Student Success; Deans of the Schools of Arts and Social Sciences, STEM, Business, and Education; Director of Institutional Research; Registrar; Director of Library and Communication Services; Directors of Special Programs and Dean for Experiential Learning.

## **Senior Vice President for Administration & Finance**

The Vice President for Administration & Finance is responsible for the business and financial affairs of the College. Reporting to this position is: The Controller, Senior Executive Director of Human Resources, Campus Store, Director of Construction and Facilities, Director of Information Technology and special Presidential projects. Reporting to this position is: The Director for Facilities & Construction and Associate Directors of Computer Information Services.

## **Vice President and Dean for Student Development**

The Vice President & Dean for Student Development coordinates and develops the non-academic programs of the College including career counseling, personal counseling, career placement, residential living, health services, student activities, athletics, safety and security, and student discipline. The VP & Dean is assisted by the Associate Dean for Student Development, Director of Health & Wellness Services, Director of Campus Safety and Risk

Management, Director of Student Engagement, Director of Residence Life, Director of Athletics, Coaching staff, Campus Safety and Security staff, and the Residence Life staff.

### **Vice President for Institutional Advancement**

The Office of Institutional Advancement directs all College activities related to external constituencies. This includes public relations efforts and government, corporate and community relations, including the College's President's Council activities, activities of the Alumni Association and its Board of Directors, and any of those tasks directly related to the College's public image. The Director of Annual Giving & Alumni Affairs, Director of Development and Director of Foundations, Government and Community Relations report directly to the Vice President of Institutional Advancement.

Institutional Advancement is responsible for all fundraising activities including: the Annual "HERITAGE FUND" which benefits the general funding needs of the College, all Capital Campaigns which benefit scholarships and capital construction programs, the Annual President's Council Benefit Golf Tournament which benefits student scholarship programs, the Annual Tribute Dinner, a black-tie gala, and the Annual Hall of Fame Dinner which honors outstanding Alumni and Friends of the College who have shown true societal accomplishment in keeping with the mission of the College. In addition, all charitable and corporate foundation and federal/state grant appropriations, all College Development, Annual Giving, Alumni Affairs, Public/Corporate/Foundation/Governmental Relations are the responsibility of the Vice President for Institutional Advancement and staff.

### **Vice President for Enrollment Management**

The Vice President of Enrollment Management's mission is to combine all college resources to increase the number of new enrolled students each year in the undergraduate and graduate programs at the college while staying within the budget parameters set by the President of the College. The Director of Admissions, Director of Student Financial Services, and the Director for Enrollment Marketing and Campus Communications report directly to the Vice President. The Vice President works with the directors of the graduate programs, the Honors Program, the Pathways Program, the High School Programs and the HEOP Program to develop and execute enrollment goals for these programs.

## **ACADEMIC INFORMATION**

The St. Thomas Aquinas College Undergraduate and Graduate Catalogs, published annually (visit **[www.stac.edu](http://www.stac.edu)**), supply detailed information on degree requirements as well as procedures and regulations regarding grading, academic honors, probation, withdrawing from a class, etc. Students should consult the Catalog when questions regarding academic matters arise.

### **The Academic Community**

All members of the academic community possess rights and powers proper to their positions. The community should meet the needs of each of its members within the overall context of the goals of the institution and of society.

### **Attendance Policy**

Regular and prompt attendance is required. Each professor for each course specifies penalties for excessive absence.

### **Grade Appeal Policy**

The following procedures are in practice for students who wish to appeal a grade. Students who feel they have been unfairly graded may appeal the grade within 60 days of the end of the semester in which the grade was earned.

- They should first consult the instructor for an explanation of the grade.
- If not satisfied at this level, they may consult the appropriate Dean of the School where the course is housed who - after consultation with the instructor - may or may not recommend that the grade be changed.
- If students remain dissatisfied, they may submit the appeal in writing to the Provost & Vice President for Academic Affairs. Having received the written complaint, the Provost & Vice President for Academic Affairs shall forward a copy of it to the faculty member and ask the faculty member to respond in writing.
- The Provost & Vice President for Academic Affairs, after consulting with the Dean, may or may not direct that the grade be changed and will communicate the decision in writing to the student.

### **Incomplete Grades**

An Incomplete grade indicates that a student has completed the majority of the assigned coursework, but due to some extraordinary circumstances cannot complete the work assigned at the end of the semester. Students who require an Incomplete must discuss this option with their instructor in advance of the last week of class, and work out a specific plan for submitting the work. Forms requesting this grade are available from the offices of the School Deans and the Office of the Provost. Forms must be completed by the student, signed by the course instructor, and forwarded to the Registrar.

- Incompletes are given at the discretion of the faculty member
- All work must be submitted by the date stipulated by the instructor, but not later than the deadline indicated on the Academic Calendar for the following semester, or the Incomplete grade becomes an F.

**Withdrawal\Change of Program**

Students who wish to withdraw from a course must do so officially by the date indicated on the academic calendar (available on [www.stac.edu](http://www.stac.edu) Registrar's webpage). There is a \$25 change of program fee. Withdrawal forms must be completed in the Office of the Registrar.

**Accommodation of Disabilities**

In accordance with Section 504 of The Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, St. Thomas Aquinas College may provide certain accommodations for students with documented disabilities at no additional charge to the student. These accommodations are determined on an individual basis by The Committee on Academic Accommodations of Disabilities (CAAD) and/or The Committee for Non-Academic Accommodation of Disabilities (CNAAD), and include academic and other support services. For further information on services available through CAAD and/or CNAAD, please contact the Disability Services Liaison in the Office of Academic Advisement at (845) 398-4088 or consult the Disability Services Handbook.

Students with learning disabilities and attention deficit disorders who feel that their learning needs require more comprehensive services than those provided through the CAAD can choose to apply for admission to Pathways, which provides assistance with learning strategies and study skills specifically designed for students with learning disabilities. Students meet individually with trained mentors on a regular basis each week during the academic year. The fee for participation in Pathways during 2023-2024 is \$5,000; admission to the program is competitive. For further information on Pathways please contact Pathways office at (845) 398-4230 or consult the Pathways Brochure.

All students with documented learning disabilities, whether participants in Pathways or not, may be granted adjustments in academic requirements by the Provost and Vice President for Academic Affairs, provided the need for such adjustment is supported by documentary evidence from a qualified professional in the field of learning disabilities and provided that the academic requirement in question is not essential to the program or any directly related licensing requirements.

**Air Force ROTC**

By agreement with the U.S. Air Force and Manhattan College, STAC students are eligible to join the Air Force ROTC program at Manhattan College. All AFROTC classes are held at Manhattan College in Riverdale, N.Y. Consult the Registrar.

**CAREER CENTER**

The Career Center is located on the upper level of the Romano Student Alumni Center and open 9 a.m. to 5 p.m. Monday through Thursday, & 9 a.m. to 4 p.m. on Fridays, when the college is open. To make an appointment, please call 845-398-4065.

Career Center provides the opportunity for students to develop life long career exploration skills. The focal point of Career Center is to help STAC students in identifying their plans and provide them with the skills needed for job procurement. Our belief is that the job search process is most productive when one is clear about interests, values, skills and goals. Career Center does not provide academic advice, nor does Career Center place students in jobs or internships. Career Center does collect and advertise job and internship opportunities that come into the office through an online system - [SpartanJobs](#).

Students are strongly encouraged to visit the Career Center early in their academic career to meet with a Career Counselor. The staff guides students in their search to answer questions and helps them to identify other resources that will assist in career development. Career planning emphasizes goal clarification and career exploration. Students who are uncertain about their career directions or about their interests, skills and values will be assisted in clarifying their thinking and exploring pertinent options.

### **Career Counseling**

Individual career counseling is available on an appointment basis. In career counseling, each student has the opportunity to evaluate his/her skills, values, talents, and interests in terms of possible career opportunities. Career Development administers career assessments in order to assist in selecting an appropriate academic major and to help determine career options.

### **On-Campus Recruiting**

Representatives of business and industry visit St. Thomas Aquinas College to recruit for professional, seasonal, part-time, and internship positions during the academic year. Career Development also hosts an annual Job and Internship Fair during the Academic Year.

### **Workshops & Professional Development Programs**

Career Development offers a variety of workshops and programs, including: Social Media For The Job Hunt, Effective Resume and Cover Letter Writing, Dress For Success, Dining Etiquette, Employer Panels, Mock Interview programs, Employer Tours (Bus Trips), and more. Students are encouraged to participate in these programs to further develop professionally. Additionally, information is available regarding the application process for Graduate and Professional School.

### **Job Listings and SpartanJobs**

Detailed information about all Job and Internship opportunities can be obtained on SpartanJobs. SpartanJobs is a valuable career resource and online tool that showcases various career opportunities. All students are encouraged to create their online professional profile as early as freshman year. All Resident Students are required to complete their SpartanJobs profile prior to residing on campus.

### **Benefits of SpartanJobs registration include 24 hour web based access to:**

- Search and view employers, jobs, internships, scholarships, and fellowships.
- Post and send resumes to employers.
- Create a career portfolio containing your resume, cover letter, transcripts, writing samples, and more.



- Register for resume, cover letter and interviewing workshops.
- Stay updated on career opportunities and events.
- Participate in alumni networking events.
- Manage your own personalized calendar of career activities and events.

## **STUDENT FINANCIAL SERVICES**

### **General Information and Billing**

The College Catalog details the financial information pertinent to students. All inquiries regarding financial matters should be directed to the Student Financial Services, located in Spellman Hall.

### **Financial Aid**

Financial assistance is available through a number of programs established at the college, e.g., scholarships, tuition grants, low interest loans and work-study opportunities. To determine their eligibility, interested students should consult with the Student Financial Services, which is located in Spellman Hall.

Please note that the financial aid cycle is an annual one. Present recipients should reapply each year early in January. Students, who are "ineligible" one year, may and should consider applying again as their eligibility for aid could change.

### **Master/Visa/Discover Charge**

Tuition and fees may be charged to an authorized Master/Visa/Discover Charge Card.

### **Financial Liabilities**

Students incurring financial liabilities through unpaid tuition, room, board, fees, fines and loss of, or damage to College property will be required to fulfill their financial obligations before entering into the registration process. As stated in the Catalog all financial accounts must be settled in full.

## **STUDENT DEVELOPMENT**

St. Thomas Aquinas College provides an educational experience which requires each student to attain a broad academic foundation in the liberal arts and sciences. The mission of the Office for Student Development is to enhance the educational development of students outside of the classroom while providing services which are necessary to address individual personal needs.

Dedicated student-centered professionals supply resources, guidance and support to further the social, cultural and recreational components of the educational process. Opportunities to participate in activities and governance are made available to foster student empowerment and to develop leadership skills. Students are encouraged to set personal goals and a vibrant, purposeful extracurricular experience characterized by high expectations is provided to help students achieve their goals.

The student life environment at the college is structured to assist each student in becoming a responsible member of society by promoting healthy, physical, cognitive, affective and moral development. The college prides itself on providing a safe campus community where opportunities and services exist to help students learn and grow both in and out of the classroom. The Office for Student Development is dedicated to the development of each individual student consistent with his or her resolve to engage in the opportunities presented.

### **VICE PRESIDENT & DEAN FOR STUDENT DEVELOPMENT**

The Office of the Vice President and Dean for Student Development provides administrative leadership, supervision and coordination of student life. The VP & Dean represents student's needs to the college administration and faculty and transmits expectations from these groups to the students.

The VP & Dean oversees most non-academic departments at the college including Health & Wellness Services, Athletics, Residence Life, Campus Dining, Community Standards, Campus Safety and Security & Risk Management, and Student Engagement. The Associate Dean assists the VP & Dean in all of the areas of Student Development.

Additionally, the VP & Dean is responsible for the usual disposition of student-related college disciplinary matters. Spartan Journey which is the New Student Orientation is also the VP & Dean's responsibility. The Dean's essential role is that of student advocate and resource. Any student in need of any service or assistance should feel free to contact the Dean for Student Development.

The Vice President & Dean may be reached at:

Mr. Kevin Nesbitt  
Romano Student Alumni Center  
Upper Level Room 24  
845-398-4052

The Associate Dean may be reached at:

Mr. Norman Huling  
Romano Student Alumni Center  
Upper Level Room 25  
845-398-4068

Administrative Assistant  
Ms. Linda Hayden  
845-398-4051

## **Student Development Staff**

### **HEALTH & WELLNESS SERVICES**

Director  
Ms. Anne Walsh  
845-398-4242

Dr. Louis M. Muggeo  
Licensed Clinical Psychologist  
National Register Health Service Psychologist  
845-398-4174

### **DEPARTMENT OF ATHLETICS**

Director of Athletics  
Ms. Nicole Ryan  
845-398-4163

Associate Director of Athletics  
Ms. Margaret Alaimo  
845-398-4092

Assistant Director/Senior Women's Administrator  
& Academic Success  
Ms. Rayven Johnson  
845-398-4085

Assistant Director/NCAA Compliance  
& Sprint Football Operations  
Mr. Andrew Tartara  
845-398-4186

Assistant Director/Athletics Communications  
Mr. Brad Sarno  
845-398-4153

Assistant Director/Student Athlete Advisory Committee  
Mr. William Cleary  
845-398-4026

Assistant Director/Athletic Facility Rentals  
Mr. Graham Brown  
845-398-4065

Assistant Director/Facilities  
Mr. Jon Garvey  
845-398-4027

Assistant Director/Community Engagement  
Mr. Matt Capell  
845-398-4056

Assistant Director/Academic Success  
Ms. Genesis Pacheco  
845-398-4053

Faculty Athletic Representative  
Dr. Staci Shultz  
845-398-4276

Athletic Training Staff  
845-398-4057

## **CAMPUS SAFETY & RISK MANAGEMENT**

Director  
Mr. James Nawoichyk  
845-398-4080

Assistant Director  
Mr. Michael Viohl  
845-398-4081

## **STUDENT ENGAGEMENT**

Interim Director  
Ms. Emily Lundy  
845-398-4173

## **DINING SERVICES**

Director

Mr. Paul Carroll  
845-398-4244

### **RESIDENCE LIFE**

Main line  
835-398-4227

Director  
Ms. Deb Pawlikowski  
845-398-4068

## **HEALTH & WELLNESS SERVICES**

### **General Services**

The Office of Health & Wellness Services is located in the McNelis Commons residence life complex, Apartment 2B. The phone number is 845-398-4242.

The mission of Health & Wellness Services is to provide health education, prevention and health promotion services and activities in response to the changing needs and concerns of our students.

Students are encouraged to visit Health & Wellness Services for illness assessment, coordination of medical resources, health counseling, health education and community referrals. Health & Wellness Services is staffed by a full-time Registered Nurse during the academic year. Appointments may be made but walk-ins are welcome.

### **Emergency Services**

Resident students that become ill should contact the nurse during business hours at 845-398-4242 or the residence life staff member on duty. Campus Safety & Security can also be contacted at 845-398-4080. If the student needs emergency treatment, the contacted individual will secure an ambulance for transport to Nyack Hospital, Midland Avenue, Nyack, N.Y. 10913. Nyack Hospital's phone number is 845-348-2345. Urgent Care is also available at CityMD, 256 East Route 59, Nanuet New York 10954 and the phone number is 845-624-2273.

## **COUNSELING AND PSYCHOLOGICAL SERVICES (CAPS)**

### **CAPS Overview and Mission**

The Office of Counseling & Psychological Services (CAPS) is a component of the Office of Health and Wellness and offers a wide range of free services to currently enrolled St. Thomas Aquinas College (STAC) students. Services include: time-limited individual psychotherapy; counseling; crisis intervention; preventative outreach programming; consultative services; and Resident Assistant Training. CAPS is located on the upper level of the Romano Student Alumni Center (across from the Campus Bookstore). The Office is open Monday through Friday, 9:00 AM - 5:00 PM, during normal College business hours.

The principal goal of CAPS is to help facilitate student development by providing practical tools and solutions to psychological and psychosocial obstacles that one may encounter while at STAC. CAPS staff utilizes empirically supported methodology to help students become independent and productive in their academic, personal, and professional endeavors. CAPS works collaboratively with Academic Services, Residential Life, Campus Safety, and other College offices. In addition to the aforementioned, CAPS maintains a current database of off-campus mental health providers, should a student require services that are outside the scope of this Office, or to specifically meet an individual's needs

### **Scheduling an Appointment**

Appointments may be scheduled in person at the CAPS office. The office is located on the Upper Level of the Romano Student Alumni Center (across from the Campus Bookstore). Students may also call the office at 845-398-4065 to schedule an appointment. Email appointments are discouraged. To facilitate the intake process, students may be asked to go to the CAPS website at, [www.stac.edu/psych](http://www.stac.edu/psych), click on the "Clinic Forms" link and follow the instructions on the page. Please note that any information that is provided by the individual completing the form is confidential and only accessible to CAPS staff.

### **Policies, Confidentiality, and Clinical Records**

CAPS documents are SEPARATE from a student's academic/educational records. ONLY CAPS staff have access to them. CAPS will maintain and retain such records in a confidential manner, except in specific situations where disclosure of information is ethically or legally required. The CAPS Office will retain a student's record(s) in accordance with legal and ethical standards. Aside from the typical limits of confidentiality (outlined below), a student's clinical records can ONLY be disclosed if an "Authorization to Release Information" form (available at the CAPS Office) is completed by the student. A more thorough disclosure of Policies and Services can be obtained at, [www.stac.edu/student-life/counseling-psychological-services](http://www.stac.edu/student-life/counseling-psychological-services) under the "Policies and Confidentiality" section.

### **Limits of Confidentiality**

There are legal and ethical exceptions to confidentiality which require CAPS staff to take responsible action. The exceptions include:

- When there is a clear and present danger of harm to self or another individual. In these circumstances CAPS is legally required to take action to protect life. Actions in these circumstances may include arranging for voluntary or involuntary hospitalization, as well as notifying law enforcement authorities and/or other persons (such as family, friends, and/or individuals at risk) as deemed appropriate.
- When the clinician has reasonable cause to suspect that a minor or elderly individual is being abused or neglected. CAPS is legally required to report the abuse to appropriate county and/or state authorities.
- In the event of a court order or other mandatory legal process, CAPS may be required to release information contained in the student's records.

### **Canceling, Rescheduling, and Missed Appointments**

If it is necessary to reschedule or cancel an appointment, the CAPS office please notify the office at least 24 hours in advance. It is the student's responsibility to reschedule any canceled or missed appointments. Failure to provide 24 hour cancellation notice or to attend a scheduled

appointment may result in a rescheduling delay. Frequent cancellations and/or missed appointments may result in the discontinuation of services and a referral to an outside mental health provider. Exceptions may be made by the Director of CAPS discretion.

### **Excused Absences/Assignments**

The CAPS does not provide excuses for missed classes or assignments.

### **Electronic Mail Communications**

Email communications by students are discouraged for matters involving personal or clinical concerns. Students should be aware that confidentiality of email communications cannot be guaranteed. CAPS staff may not always be capable of receiving e-mail and do not regularly monitor email after normal business hours.

### **Research and Evaluation**

CAPS seeks to evaluate and improve its services to students by conducting research and evaluation projects each year. Staff members conducting research and evaluation projects may also take selected information from a student's file as a part of a project. This activity would always be anonymous and restricted to information relevant to the specific project identified in the student's Authorization to Release Information form.

### **Mental Health Emergency and Crisis Assistance**

There is no guarantee that CAPS staff will be available during or outside of normal College operating hours. Should a crisis or emergency situation arise and CAPS staff is not available, students on campus are encouraged to call Campus Safety at extension at 845-398-4080 or 911 for emergency support. Campus residents may also contact a member of the Residence Life staff. Additional mental health emergency and crisis assistance information is available for all students, faculty, and staff at the CAPS website, [www.stac.edu/student-life/counseling-psychological-services](http://www.stac.edu/student-life/counseling-psychological-services), under the "Mental Health Emergency and Crisis Assistance" and "Resources for Faculty/Staff" sections. Additional resources in the community for all students include:

- 911
- Behavioral Health Response Team (Rockland Mobile Crisis)  
845-517-0400 or 1-844-255-BHRT (2478)
- Rockland Crisis Services - (845) 364-2200
- Rockland Suicide Hotline - (845) 354-6500
- Bergen County CarePlus NJ -(201) 262-HELP (4357)

## **DEPARTMENT OF ATHLETICS**

### **Mission Statement**

The Mission of the Athletics Department of St. Thomas Aquinas College lies within the broader mission of the College. The Athletics Department is committed to provide a wide variety of intercollegiate, intramural, and recreational programs. The student- athlete will have every opportunity to develop their athletic abilities in an environment supporting their holistic development and characterized by high moral character, high standards of academic scholarship, leadership and loyalty to the College. The intramural and recreational programs

offer the opportunity for athletic participation by all members of the College community. These programs will strive for broad participation and competitive excellence, encouraging sportsmanship and developing positive societal attitudes.

### **Intercollegiate Athletics**

St. Thomas Aquinas College is a member of the National Collegiate Athletic Association (NCAA) Division II and East Coast Conference. The College is clearly committed to the principles of sportsmanship, ethical conduct, rules compliance and amateurism as defined by NCAA rules for Athletics staff, student athletes and institutional personnel.

### **NCAA Sports**

#### **Men's**

Cross Country  
Baseball  
Basketball  
Golf  
Soccer  
Tennis  
Track (Indoor\Outdoor)  
Lacrosse  
Volleyball

#### **Women's**

Cross Country  
Basketball  
Golf  
Lacrosse  
Soccer  
Softball  
Tennis  
Track (Indoor\Outdoor)  
Field Hockey  
Triathlon  
Volleyball

### **Club Sports**

Men's Bowling  
Men's Ice Hockey  
Cheerleading  
Men's Soccer  
Men's Volleyball  
Sprint Football

Women's Bowling  
Baseball  
Dance Team  
Women's Soccer  
Women's Volleyball

### **Intramural Sports**

The intramural sports program has been successful because of active student involvement. Basketball, flag football and coed volleyball have been among the most popular intramural sports at the college. Other sports coordinated by the intramural programs are wiffle ball, floor hockey, team handball, dodgeball, soccer, and other competitions that generate sufficient student interest.

In the past, the various competitions have featured championships, all-star games and highly competitive student-faculty duels. The various intramural endeavors are an attempt to provide



enjoyment and healthy competition. In this way, we hope to make the total educational experience more meaningful. All students are invited to participate in any of the intramural programs and are encouraged to do so as the various competitions are offered.

## **CAMPUS SAFETY & SECURITY**

*Working in partnership with the St. Thomas Aquinas College Community  
to provide a safe and secure learning and living environment  
for our students, faculty and staff*

Campus safety is a “shared responsibility.” St. Thomas Aquinas College is a safe campus in a dangerous world. It takes commitment and dedication by students, faculty and staff to maintain a safe campus. Program the Campus Safety & Security Department Phone Number into your cell phone (845) 398-4080.

Here are three important ways you can help:

- \* Watch for and report any crimes or suspicious activities;
- \* Inform yourself about College policies and procedures regarding your safety and well-being as well as state and federal laws;
- \* Incorporate practical, common-sense safety measures into your daily activities.

When in doubt, call Campus Safety & Security.  
Don't hesitate to call us for anything that doesn't seem right.  
Call immediately 845-398-4080

The Campus Safety and Security Department provides continuous, year round security on campus. Safety and Security professionals respond to a variety of calls for help, from medical emergencies to criminal activity.

Foot and vehicle patrols of campus grounds, buildings and residence halls, designed to detect any crimes in progress, are made 24 hours a day. During these patrols, officers also report any conditions they notice that might pose a threat to campus security.

The Campus Safety and Security Officers are employees of St. Thomas Aquinas College and are supplemented by a contract security agency. All of the Campus Safety Officers are certified NYS Security Guards and maintain certification in first aid and CPR. Many of the officers have additional law enforcement and investigative training and certifications.

St. Thomas Aquinas College Campus Safety and Security Officers have the authority to ask persons for identification and to determine whether individuals have lawful business at St.

Thomas Aquinas College. Campus Safety and Security Officers have the authority to issue parking tickets, which are billed to financial accounts of students.

Campus Safety and Security Officers do not possess arrest power. Criminal incidents are referred to the local police who have jurisdiction on campus. While College officers have primary authority to enforce laws within campus boundaries (including all roads leading into campus), local and state police can enter campus and exercise their authority. The St. Thomas Aquinas College Campus Safety and Security Department maintains a highly professional working relationship with the Orangetown Police Department.

All crime victims and witnesses are strongly encouraged to immediately report the crime to the Campus Safety and Security Department and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics

Throughout the year, the Office of Safety and Security sponsors a wide variety of services and educational programs designed to build your awareness of potential safety problems, alert you to any unusual incidents of crime and to offer ways you can help prevent or deter a crime from happening to you.

They include:

- \* Annual orientation sessions that advise new students on campus safety concerns and familiarize them with the services of the Office of Safety and Security.
- \* An on-campus safety escort service by safety & security officers, who will walk or drive students and employees to their residence halls and/or cars on an as-needed basis.
- \* Any Emergency phones, which are located on campus in Fitzpatrick Village and the rear of the Fitness Center. These phones automatically link callers to Campus Safety. Take time to learn their locations in case of an emergency.
- \* Smoke detectors and fire extinguishers are strategically placed in all academic/administrative buildings and residence halls to protect both life and property. Fire alarms are continuously monitored through the Office of Safety and Security. In compliance with state regulations, fire drills are conducted in all buildings and residence halls.
- \* Regular presentations and workshops on each campus on such safety issues as crime prevention, underage drinking and sexual assault. The Office of Residence Life also sponsors regular seminars designed to promote good safety habits and encourage personal responsibility in the residence halls. Topics include reviews of each residence hall's guest policy, party policy, emergency procedures and the role of the campus life staff and residence assistants.

### ***General Do's and Don'ts for Campus Safety***

- \* Put the Campus Safety & Security Department Phone # 845-398-4080 in your phone under STAC EMERGENCY
- \* Travel with a friend when possible.
- \* Use the Campus Safety Escorts
- \* Walk in well-lit areas.
- \* Don't carry large amounts of cash.
- \* Keep personal belongings with you at all times.
- \* Keep vehicles locked at all times.
- \* Do not bring animals on campus.
- \* Keep any valuables in your vehicle out of view and put valuable items in a safe place in your room.
- \* Report all thefts, loss, injuries and accidents to Campus Safety.
- \* Smoke only in designated areas.
- \* NEVER bring a weapon of any kind on to the campus grounds or parking areas.
- \* Keep your cool. Don't become a threat to the safety of others - talk it out.
- \* Lock your door when you are in the room, especially when you are asleep.
- \* Lock your door to your office and residence when you leave.
- \* Lock windows that are accessible from outside.
- \* Do not let strangers into your room
- \* When going off campus, tell someone your destination and expected arrival and return time.
- \* Do not advertise your whereabouts on social networking sites

### **MEDICAL ASSISTANCE**

If serious injury or illness occurs on campus contact Campus Safety and Security immediately by calling 845-398-4080 or by calling extension 4080 using a campus phone. Give your name and describe the nature and severity of the medical problem and location of the victim.

If it is a life threatening injury or illness contact the Orangetown Police at 911. Give your name and describe the nature and severity of the medical problem and location of the victim. Then contact Campus Safety and Security immediately by calling 845-398-4080 or by calling extension 4080 using a campus phone

If serious injury or illness occurs off campus at a college sponsored activity call "911". Give your name and describe the nature and severity of the medical problem and location of the victim.

Have someone remain on the phone with Campus Safety and Security or the local emergency services to provide updated information regarding the incident.

Keep calm and reassure other people who may be nearby.

### **FIRE ALARM PROCEDURES / FIRE EVACUATION**

**R** – Rescue and relocate anyone in immediate danger.

**A** – Alert others by activating the building fire alarm system and calling 845-398-4080 or extension 4080 using a campus phone from a safe location.

**C** – Confine the emergency by closing the doors.

**E** – Evacuate immediately. Do not use elevators. Use stairs. If there is smoke in the corridor, stay in the room, close and seal doors, call 845-398-4080 or extension 4080 using a campus

phone for help, and stand by the windows.

***YOUR GOAL IS TO GET OUT SAFELY***  
***If you can not get out, follow the appropriate steps below***

- Before opening any doors, feel the door first. **If it is hot, don't open the door.** If it isn't hot, brace yourself against the door, open it slightly, and if heat or heavy smoke is present, close the door and leave by an alternate exit.
- If you can't leave the room, keep the door closed. Open the windows from the top to let out heat and smoke AND from the bottom to let in fresh air. Seal the bottom of your room door and any air vents with a rug, blanket, or towel. Then hang a light colored object (towel, bed sheet, shirt, etc.) out the window to attract the fire department's attention. If there is a phone in the room, call 845-398-4080 or extension 4080 using a campus phone and report that you are trapped. Be sure to give your building name and location. Do not hang up until the dispatcher tells you to.
- If you can leave the room, leave a light on and close all the doors behind you. Leave all materials in your room or office to avoid wasting time. Take your key in case you cannot reach an exit and you have to return to your room.
- Go to the nearest exit or stairway. If the first exit is blocked, go to an alternate exit or stairway.
- **Never use an elevator during a fire emergency.** A mechanical or electrical failure could leave you trapped at the fire floor or between floors.
- If you are not able to self evacuate proceed to an enclosed stairwell if available in your building. If you go to an enclosed stairwell, be sure to position yourself so as not to block or impede pedestrian flow or access to the stairwell.
- If you go to a stairwell or remain in a room, call Campus Safety at 845-398-4080 or extension 4080 using a campus phone, giving your exact location – building, floor and stairwell/room number.
- If all exits are blocked, go back to your room, close the door, and open the window, as previously described.
- Stand clear of the area after evacuating to give emergency apparatus and personnel room to maneuver. Go to a designated meeting area and stay there. If possible, call Campus Safety at 845-398-4080 or extension 4080 using a campus phone from a neighboring area and give as much information as possible.
- Each person not involved in the emergency procedures should follow the directions of the fire department, Campus Safety, and other emergency personnel.
- No persons may re-enter an evacuated building until permitted to do so by Campus Safety.
- Each student and employee has the responsibility of knowing the location of the fire alarm station, fire extinguisher, and primary and secondary exit routes for primary place of occupancy while on College property. Should a fire be discovered or suspected, a fire alarm should be sounded immediately. If time permits, call Campus Safety at 845-398-4080 or extension 4080 using a campus phone and activate the pull station.
- If you discover or suspect a fire, sound the building fire alarm immediately. All fires, even small ones, must be reported to Campus Safety immediately.
- When an alarm sounds, every building occupant shall evacuate the building immediately.

- Treat every alarm as an actual emergency.
- Be especially aware of handicapped persons in your building. They may need your help to reach a point of safety such as a stairwell. Report to the command post the location of the handicapped individual.
- Rescue others only if you can do so safely.

### **Pre-Emergency Preparation**

- All members of the College community should become thoroughly familiar with their facility and the location of all its exits and areas of refuge.
- They should become familiar with the distinct sound of the fire alarm signal.
- They should seek out volunteers (buddy system) who might be able to assist them in an emergency.
- If wheelchair-confined, they should know the safest method people can use to assist them, and they should know how many people are needed to provide such assistance.
- Every person who is mobility-impaired as well as communication-impaired should place a sign on their wheelchair providing instructions on how they can be assisted. They should carry a loud whistle, horn, or similar device to alert people of their location if they become trapped or isolated.

### **Assisting an Individual with Disabilities**

Under the assumption that Campus Safety will be the first responders to any fire incident, the Campus Safety department should be made aware, on an on-going basis, of those persons with significant physical disabilities working, studying or living in any College facility.

### **Responsibility of Individuals with Mobility Impairment**

It is critical to the health and safety of mobility-impaired persons that they are knowledgeable of their needs during an emergency evacuation. They should be expected to convey these needs to their professor, or supervisor, at the beginning of their employment or academic year. In the event of a fire emergency, an individual with mobility impairment may choose one of the following alternatives:

- Proceed to an enclosed stairwell, accompanied by a partner or "buddy" and wait inside the stairwell. Remain in the stairwell until the responding fire department arrives and safely completes the evacuation.
- Defend in place. Seek refuge in rooms or sections of a building, that by virtue of its construction associated with the location of the fire, will provide a safe area for persons to remain during a fire until rescue is made. The door should be kept closed. If possible, individuals should call Campus Safety to advise them of their location.

### **Mobility Impaired – Wheelchair**

Individuals who use a wheelchair may need to be evacuated with the wheelchair particularly, if they use a respirator. During an emergency evacuation, it is preferable for someone to remain with and assist the non-ambulatory person if the "buddy" can do so safely.

### **Mobility Impaired – Ambulatory**

Individuals who are able to walk independently, either with or without the use of crutches or a cane, and can negotiate stairs in an emergency situation with minor assistance, should wait

until heavy pedestrian traffic has cleared before attempting to use the stairways, in the event of imminent danger.

### **Hearing Impaired**

Individuals with hearing impairments may need fire alarm horn/strobe lights installed in their rooms or offices. Staff should be aware of those persons with hearing impairments and should attempt to provide assistance and guidance in the event of an emergency evacuation.

### **Visually Impaired**

Individuals with a visual impairment should become familiar with their immediate surroundings and most frequently traveled routes. In the event of an emergency evacuation, staff or other students should offer to guide an individual with a visual impairment from the building. Special attention should be given to obstacles or route obstructions.

### **Speech Impaired**

Individuals with speech impairment may have difficulty communicating during an emergency evacuation. Ideally, a volunteer or “buddy” capable of communicating with that individual should assist them during the evacuation.

### **Developmentally Disabled**

It is critically important that the designated evacuation route be rehearsed with a developmentally disabled occupant. Ideally, someone capable of communicating effectively with this person should assist them during the evacuation.

### **Questions?**

Contact the Office of Campus Safety & Security at 845-398-4080 or extension 4080 using a campus phone.

## **PARKING**

Parking and operating a motor vehicle on the Saint Thomas Aquinas College (STAC) Campus is a **privilege**, and constitutes acceptance by the individual of the responsibility to ensure that his or her vehicle is neither parked, nor operated in violation of any of the STAC Regulations. The acceptance of parking privileges and the presence of any vehicle on campus represents an agreement by the motorist that Saint Thomas Aquinas College is in no way liable for personal injury, damage, or lost or stolen parts or contents of the vehicle.

A parking permit allows a student to park on campus, but does not guarantee a parking space. Parking permits must be hung from the driver’s center mirror. The permit is designed so that it can be left in place and is not in violation of any NYS Motor Vehicle Laws.

### **Parking Permit Application**

Students, Faculty and Staff that wish to park a vehicle on campus must obtain a STAC Parking Permit from Campus Safety. Application for the permit can be made by going to the Campus Safety Webpage

<https://www.stac.edu/student-life/campus-safety-security>

After completing the online form you can receive your parking permit the next business day at the Office of Campus Safety. Please bring your STAC Identification Card and vehicle registration. NYU Employees, Students and Faculty please bring a valid driver's license and vehicle registration.

### **REPORTING A CRIME, EMERGENCY OR SAFETY CONCERN**

Community members, students, faculty, staff, and visitors are encouraged to report all crimes, emergencies, and safety concerns to the Campus Safety and Security Office in a timely manner.

Reports may be made by calling Campus Safety at 845-398-4080 or extension 4080 using a campus phone or in person at the Campus Safety and Security Office in Aquinas Hall, St. Thomas Aquinas College. The phone number for the local police department is; Orangetown Police (845) 359-3700

The Campus Safety and Security Department will assist any person who wishes to report any incident or emergency to local law enforcement agencies.

A crime, emergency, or safety concern may also be reported to the following St. Thomas Aquinas College Officials:

Director of Campus Safety & Risk Management	– Phone 845-398-4080
Vice President, Student Development	– Phone 845-398-4052

To report a non-emergency security or safety concern, call Campus Safety at 845-398-4080 or extension 4080 using a campus phone or in person at the Campus Safety and Security Office in Aquinas Hall St. Thomas Aquinas College.

All incident reports involving students are forwarded to the Office of Student Development for review and potential STAC disciplinary action.

If assistance is required from other law enforcement, local fire departments, or other emergency agencies, the Campus Safety and Security Office will contact the appropriate unit.

If a sexual assault should occur, St. Thomas Aquinas College will offer the victim a wide variety of services. St. Thomas Aquinas College is a partner with a local Sexual Assault Response Team (SART) and has trained members who are available to assist a victim. The Emergency 24 Hour Phone Number for The Center for Safety and Change is (845) 634-3344. For a complete explanation of our Sexual Misconduct Policy and resources please refer to the page in this handbook.

St. Thomas Aquinas College does not operate off-campus housing and does not have off-campus student organizations. On-campus student organizations that engage in off-campus activities should report crime incidents to the local law enforcement agency where the incident occurred and also to the Campus Safety and Security Office.

Employees participating in STAC sponsored off-campus activities should report crime incidents

to the local law enforcement agency where the crime occurred and also to the Campus Safety and Security Office.

Crimes should be reported to the Campus Safety and Security Office to ensure inclusion in the STAC's annual crime statistics and to aid in providing timely warning notices to the community when appropriate.

### **CONFIDENTIAL REPORTING PROCEDURES**

If you are the victim of a crime and do not want to pursue action through St. Thomas Aquinas College, the St. Thomas Aquinas College Campus Safety and Security Department or the criminal justice system, you may still want to consider making a confidential report. To file a confidential report contact any of the following people: Director of Campus Health & Safety, Assistant Director of Campus Safety and Security or the Vice President and Dean for Student Development. With your permission, the Director of Campus Health & Safety, Assistant Director of Campus Safety and Security or the Vice President and Dean for Student Development can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, STAC can keep an accurate record of the number of incidents involving students, faculty, staff, and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for St. Thomas Aquinas College.

Students may contact the Vice President and Dean for Student Development, Director of Counseling & Psychological Services or the Director of Campus Health & Safety for information on local agencies and counseling services who may provide confidential counseling services. Faculty/staff may contact the STAC Office of Human Resources for information regarding confidential counseling services.

### **SEX OFFENDER REGISTRATION POLICY**

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the St. Thomas Aquinas College Campus Safety and Security Department is providing a link to the New York State Division of Criminal Justice Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

NYS Division of Criminal Justice - Office of Sex Offender Management  
Sex Offender Registry

The New York State Sex Offender Registration Act (Correction Law Article 6-C), known as SORA, established a Sex Offender Registry within the New York State Division of Criminal Justice Services. SORA was enacted to assist local law enforcement agencies and to protect communities by: 1) requiring sex offenders to register with the State; and, 2) providing information to the public about certain sex offenders living in their communities. SORA took



effect on January 21, 1996.

SORA requires the registration of individuals convicted in New York State of certain sex offenses as well as the registration of those individuals convicted in another jurisdiction if the offense is equivalent to a New York State registerable sex offense. In addition, if the individual is convicted of a felony requiring registration in the conviction jurisdiction, or the individual is convicted of one or more specific federal or military offenses, the individual will be required to register in New York State. Individuals convicted of one or more registerable offenses on or after the effective date of SORA must register with the Division. Additionally, any person convicted of a registerable offense who was incarcerated or under parole or probation supervision on January 21, 1996 is required to be registered.

Sex offenders are classified as either low risk (Level 1), moderate risk (Level 2) or high risk (Level 3). SORA requires the Division of Criminal Justice Services to maintain a public *Subdirectory* on the internet which can only include Level 2 and Level 3 sex offenders. While the Registry also contains information on low-risk (Level 1) sex offenders, this site provides you with public access to the *Subdirectory* only. Therefore, accessing this site will not provide you with information about Level 1 offenders. You may, however, learn if an individual is a convicted sex offender listed in the Registry by calling the **Sex Offender Registry (800) 262-3257**.

Due to litigation in federal court, certain level 2 and level 3 offenders are not in the *Subdirectory* at this time. Once these offenders have had an opportunity for a due process hearing to determine the risk level, and if their risk level is determined to be level 2 or level 3, they will be included in the *Subdirectory*.

The New York State's Sex Offender Registry home page is located at **<http://criminaljustice.state.ny.us/nsor/index.htm>**. The Registry helps protect our families and communities by requiring sex offenders to register, and providing this information to law enforcement and the public.

Sex offenders are classified by risk level: Level one (low risk); Level two (medium risk); and Level three (high risk). Level 1 offenders are required to register for a minimum of twenty years, and level 2 and 3 offenders for life. Police and law enforcement have access to information on all sex offenders (levels 1, 2 and 3). However, under the law, information on level 1 (low-risk) offenders is not available on the public website. Only level 2 and 3 offenders are listed on the public website.

### **How do I search for a sex offender?**

To search for a sex offender online visit the public website -

**<http://criminaljustice.state.ny.us/nsor/index.htm>**. You can search by last name or zip code or County. You can also call **(800) 262-3257**. By calling the 800 number you can obtain information on level 1, 2 and 3 offenders (the public website only lists level 2 and 3 offenders, the 800 line can give information on level 1, 2 and 3). If you call the 800 line you will need the offender's name and one of the following: an exact address, or a date of birth, or a driver's license number, or a social security number.

### **ANNUAL DISCLOSURE OF CRIME STATISTICS**

The St. Thomas Aquinas College Campus Safety and Security Department prepared this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

The full text of this report can be located on our web site at **<http://www.stac.edu/security/index.html>**. You will also be able to connect to our site via the STAC Homepage at **<http://www.stac.edu>**. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus, Offices of Student Development and Residence Life. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to the Campus Safety and Security Department, designated campus officials (including but not limited to directors, deans, department heads, designated, judicial affairs, advisors to students/student organizations, athletic coaches), and local law enforcement agencies.

Each year, an email notification is made to all enrolled students, faculty and staff that provides the website to access this report. Copies of the report may also be obtained at the St. Thomas Aquinas College Campus Safety and Security Department 125 Route 340, Sparkill, NY 10976. or by calling (845) 348-4080.

St. Thomas Aquinas College complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. St. Thomas Aquinas College's Information can be located at: <http://ope.ed.gov/security/>.

#### **TIMELY WARNING POLICY**

The St. Thomas Aquinas College Campus Safety and Security Department will post timely warning notices for the College Community to notify members of the community about serious crimes against people that occur on campus, where it is determined that the incident may pose an ongoing threat to members of the STAC community.

The department issues/posts Crime Alerts for incidents of:

1. Murder
2. Aggravated assault (cases involving assaults among known parties, such as two roommates fighting which results in aggravated injury, will be evaluated on a case by case basis to determine if the individual is believed to be an on-going threat to the larger STAC community)
3. Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Crime Alert, but will be assessed on a case by case basis)
4. Sexual Assault (considered on a case by case basis depending on the facts of the case, when the incident occurred verses when it was reported and the amount of information known by STAC Campus Safety & Security Department)
5. Major incidents of arson

6. Other crimes as determined necessary by Vice President of Student Development, Director of Campus Safety and Security Department or Assistant Director of Campus Safety and Security Department

STAC will generate Crime Alerts using the **"e2Campus"** campus text messaging system or a blast email to the college community or other appropriate means based upon the situation. Crime Alerts may also be posted in campus buildings, where and when deemed appropriate.

**The Campus Safety and Security Department does not issue crime alerts for the above listed crimes if:**

1. The subject(s) is apprehended and the threat of imminent danger for members of the STAC community has been mitigated by the apprehension.
2. If a report was not filed with the Campus Safety and Security Department or if the Campus Safety and Security Department was not notified by campus officials in a manner that would allow the department to post a "timely" warning for the STAC community. A general guideline will include a report that is filed more than five days after the date of the alleged incident may not allow the department to post a "timely" warning to the community. This type of situation will be evaluated on a case by case basis.

The Campus Safety and Security Department also maintains a daily crime log which is normally updated each business day and contains all crimes reported to the Campus Safety and Security Department.

**ACCESS POLICY**

St. Thomas Aquinas College does not discriminate against students, staff, and other beneficiaries on the basis of race, color, national origin, gender, age, sexual orientation, disability, marital status, genetic predisposition, carrier status, veteran status, or religious affiliation, in admission to the College, or in the provision of its programs and services. The Director of Human Resources (Borelli Hall, ext. 4044) is the ADA/Section 504 Compliance Officer, the Title IX Officer, and Age Act Coordinator.

As the utilization of a building diminishes during the day or evening, Campus Safety and Security Officers lock the building. These buildings are patrolled throughout the night on a random basis to ensure the safety and security of the campus. The same procedure is repeated during the weekend hours. Exterior door access to a locked building is granted only on a limited basis of proven need. Campus Safety and Security Officers are prepared to escort anyone to and from a building during non-working hours. Anyone entering or leaving a building during non-working hours such as when class is not in session is required to notify the Campus Safety and Security Department.

**STUDENT IDENTIFICATION CARDS (SPARTAN CARD)**

All students attending the college are required to receive and carry their college Identification Card at all times. Identification cards are available at the Office for Student Development

located on the upper level of the Romano Student Alumni Center (RSAC). SPARTAN CARD can be used (a) to gain admittance to social, cultural & athletic events on campus, (b) to check-out books in the Library, (c) to register for further course work at the College, (d) to be admitted to classes for which the student has registered, and (e) to be presented for the meal plan, (f) to gain access into computer labs and other areas, etc. The college issues the first card free to each student. There is a \$25 replacement fee after the first card.

## **STUDENT ACTIVITIES (STACTivities)**

[www.stactivities.com](http://www.stactivities.com)



The Student Activities Office (STACTivities) is a student-centered and experiential learning environment. We are dedicated to both individual and group development. We strive to promote student learning, empowerment, and accountability through activities, programs, and events. We provide the resources, guidance, and support to enhance student engagement and the promotion of a positive culture. Overall, our goal is to create a more vibrant, purposeful, and holistic educational experience for our community.

### **The Student Government Association**

The SGA is the elected representative student body of the campus. All clubs and organizations recognized by the SGA are responsible for abiding by its policies and decisions. In order to maintain active status, the SGA and the Student Activities Office recognize student groups.

### **Clubs & Organizations**

In an academic environment student clubs and organizations exist to meet social and educational needs, which may not be fully realized inside or outside your field of study. These groups provide the opportunity to share experiences with other students of various backgrounds and to develop leadership skills. Clubs and organizations help forge a well-rounded education and act as a means to learn, share and socialize. The Student Activities Office contributes to this goal by promoting programs that enhance the emotional, intellectual, physical,

occupational, recreational and spiritual development of students. Clubs and organizations also enhance college life and add another dimension to the learning experience outside the classroom, including leadership and organizational development.

Current clubs and organizations include:

### **Alpha Chi-New York Beta Chapter**

The New York Beta Chapter of Alpha Chi is a coeducational honor society established on campus in 1973. The purpose of Alpha Chi is to promote academic excellence and exemplary character among college students from all academic disciplines. Members are elected to this society in their junior or senior years.

### **Alpha Sigma Lambda**

The Delta Zeta Chapter of Alpha Sigma Lambda was established on campus in 1984. Alpha Sigma Lambda is the national honor society for students in continuing higher education. The society is dedicated to the advancement of scholarship and recognizes the high scholastic achievement in an adult student's career. Induction ceremonies are conducted in the Spring each academic year. Members are selected from matriculated part-time students who meet the standards or requirements identified in the national bylaws of Alpha Sigma Lambda.

### **Specialized Honor Societies**

- \* Alpha Phi Sigma - Criminal Justice
- \* Delta Alpha Pi - Students with Disabilities
- \* Delta Mu Delta - Business
- \* Kappa Delta Pi - Education
- \* Kappa Mu Epsilon - Mathematics/Natural Science
- \* Phi Sigma Iota - Foreign Language
- \* Pi Gamma Mu - Social Sciences
- \* Psi Chi - Psychology
- \* Sigma Tau Delta - English

### **Alpha Phi Omega (ΑΦΩ)**

Alpha Phi Omega (ΑΦΩ) is the largest collegiate fraternity in the United States, with chapters at over 350 campuses, an active membership of over 25,000 students, and over 400,000 alumni members. Alpha Phi Omega is a National co-ed service fraternity organized to provide community service, leadership development, and social opportunities for college students.

### **Art Therapy Club**

A club providing opportunities for students to meet, share information and plan events related to art therapy. Club members also interact with professionals and learn from their clinical presentations.

**Business Club**

The Business Club is an academic organization at St. Thomas Aquinas. Mainly for business school students – it nevertheless is open to any students interested in Accounting, Business Administration, Finance, Management, Marketing, or Sports Management.

**Class Governance**

Each class at STAC (Class of 2024, 2025, 2026, and 2027) elects officers, and in general operates like a club. The classes run events for members of their class and often the entire school. Ultimately as each class builds a firm budget base, the money is used their senior year for Graduation or Senior Week Activities.

**Communication Arts**

The Communication Arts Club is an academic organization at St. Thomas Aquinas College. Mainly for students in the communication arts major – but is open to everyone interested in communication, social media, and communication technologies.

**Commuter Student Organization**

Commuter Connection sponsors events for commuting students. It provides students an opportunity to meet new people, keep informed of events that take place on campus, and voice their opinions.

**Education Club**

Education Club provides a way for education majors to network with other teachers in the field as well as other students interested in entering the field of education. We hope that with this club we can help all of its members gain the experience needed to have a successful teaching career after graduation.

**Laetare Players**

The Laetare Players of St. Thomas Aquinas College was formed to initiate innovative theatrical productions both for educational and entertainment purposes. The objective of the Players is dedication to excellence in theater performance and production, involving all spheres of creative experimentation as well as the staging of classical and contemporary plays.

**Multicultural Student Association**

The Multicultural Student Organization is an organization that aims to spread awareness about the different ethnic and cultural groups around the world. This is a multicultural

group where all are welcomed.

### **N.E.R.D. Club**

The NERD Club is a student organization for all STAC students interested in science fiction, video games, and anime!

### **Spartan Volunteers**

A student organization which seeks to promote social action within both the STAC community and neighboring communities. The organization works both with the Student Activities Office and the Office of Campus Ministry in order to formulate appropriate programs. Membership is open to any student who is interested in working with and for people.

### **Sports Management Club**

Members of the Sport Management Club will also have the opportunity to network, participate in organizing and running events on campus. This club will also provide a forum to exchange ideas and/or to facilitate continued education in all areas of Sport Management.

### **STAC Scholars**

An organization whose purpose is to develop, nurture, and engage STAC's Honor Student population.

### **STAC Singers**

The STAC Singers receive professional choral direction, give public concerts, and also perform at special events such as the Honors Convocation and Graduation.

### **The Thoma (Newspaper)**

The student newspaper serves as a forum for the exchange of ideas and information among all members of the college community. It is student directed and edited and is distributed to students, faculty and friends of the College.

### **The Thomist (Yearbook)**

The College yearbook is a pictorial description of a year at St. Thomas Aquinas College.

### **WSTK (Radio Station)**

The WSTK Radio Station can be heard throughout the campus. WSTK broadcasts news, contemporary music, information about on campus activities, live sports coverage of Lady Spartans and Spartans basketball games, interviews with members of the campus

community and relevant editorial material. Any STAC student is welcome to join the WSTK staff. For more information, please contact the Station Advisor. Editorials and comments on WSTK are subject to the same standards and freedom as the student press. The station operates under FCC rules.

**\* Club is active contingent on student interest**

**Club Officers and Academic Eligibility**

1. A cumulative grade point average of 2.25 or better must be maintained by a student holding an office and a 2.0 for general members. Those officers who fall below the GPA requirement, but who are above a 2.0 GPA, will be on probation until the end of that term. General members who fail to meet the 2.0 requirement will not be eligible for membership.
2. Students who are elected or appointed to an office must be full-time undergraduate students (minimum of 12 credits).
3. Students who do not have a minimum of 2.0 GPA will not be allowed to sit on any college committees.

**Gold and Maroon Tier Status of a Club**

Gold Club - Full Recognition  
Maroon Club - Advanced Recognition

**Obligations of a Club/Organization**

In addition to pursuing its goals and fulfilling the needs of its membership, every organization shares the following responsibilities:

1. Respect the rights and traditions of other clubs and organizations.
2. Aim to improve the student life at STAC.
3. To abide by the rules set forth by the Student Activities Office and the Student Government Association.

**New Clubs/Organizations**

Any student organization wishing to be official recognized must complete the following steps:

1. Form an interest group of at least one (1) full-time, registered, undergraduate student
2. Create a name for the student organization.
3. Provide a description for the student organization.
4. Provide contact information for public dissemination.
5. Club Registration Form must be completed
6. Set up a meeting with Student Engagement Advisor



Once these steps have been completed, the student organization must petition for official recognition, which will be approved by the Director of Student Activities. An organization will not be eligible for the use of College funds and facilities if not properly recognized. St. Thomas Aquinas College does not discriminate against any person on the basis of race, sex, color, age, national origin, religious affiliation, or physical limitation, in any of its education or employment programs or activities.

### **Distribution of Literature on Campus**

STAC acknowledges the right of free responsible journalism and other forms of written expression. St. Thomas Aquinas College does not assume responsibility for statements in any such publications, and contribution to such publications by STAC students does not represent the policy or opinion of the College Community. Although they are not sanctioned by the College, unofficial publications have moral and legal obligations to observe the normal rules of practice responsible journalism.

Any off-campus groups or individuals wishing to disseminate literature or meet with students regarding non-academic matters must receive permission from the Office of the Associate Dean for Student Development.

### **Scheduling Social and Cultural Activities**

Any group or organization that wishes to sponsor a social and/or cultural activity should inform the Associate Dean for Student Development, Mr. Norman Huling & Director of Student Engagement, Mr. Nick Migliorino, of such plans at least one month before the date proposed for such an activity. All planned events must be processed through the Office for Student Development by the submission of an Event Planning Request Form.

### **STACtivities Weekly**

The Student Activities Office issues a weekly e-newsletter via STAC email indicating information concerning social and cultural events as well as items of general interest at the college. The email will go out weekly to your STAC.edu email address.

### **Students on College Committees**

To provide for maximum student input into the decision making process at the College, membership on certain of the College's standing committees is open to students. Student committee members are elected by the Student Government Association and are responsible for reporting back to the SGA on the proceedings of their committee meetings and representing the student point of view on the committee.

### **Additional Student Development Info.**

Bulletin Boards: For information in the following areas please check the following posting boards:

- |                                     |               |
|-------------------------------------|---------------|
| * Academic & Administrative Notices | Spellman Hall |
| * Advertisements                    | Aquinas Hall  |

* Dean's List	Spellman Hall
* Library Notices	Spellman Hall
* Job Notices	Aquinas Hall
* Intramurals	Aquinas Hall
* Student Activities	Borelli, Spellman, Aquinas, and Maguire Halls

Please consult the appropriate departmental boards for information and special notices.

### **For Sale**

Advertisements concerning "Items for Sale" must be approved by the Office of the Associate Dean for Student Development or may be advertised in the college newspaper or WSTK radio station for a nominal fee.

### **Lost and Found**

Any items lost or found may be turned into the Office of Safety & Security located in Aquinas Hall.

### **Rings**

Class rings may be ordered during the junior or senior year through the Office of Student Engagement. The ring salesperson is on campus annually.

### **School Closings**

In the event of inclement weather, etc., class cancellations will be announced by the following radio stations either on the air or their websites: WCBS (880 AM), WOR (710 AM), WRCR (1300 AM), WHUD (100.7 FM), WFAS (103.9 FM) and WGNV (1220 AM and 103 FM).

SNOW AND EMERGENCY CLOSING WILL BE ANNOUNCED VIA STAC EMAIL, THE STAC HOMEPAGE AT STAC.EDU and THE COLLEGE SWITCHBOARD

### **Student Discounts**

Student discounts are available at many area merchants and stores throughout Bergen, Rockland and Westchester Counties. Amounts of discounts vary with the individual establishments, but a STAC I.D. (SPARTAN) card must be presented in all cases.

## **RESIDENCE LIFE**

The Office of Residence Life is committed to establishing a positive atmosphere in the student residence life community, which presently consists of the Fitzpatrick Village and McNelis Commons residence life complexes. This positive atmosphere complements the academic experience. Through the efforts of the Residence Life staff, students have the opportunity to grow in life skills such as assertiveness, mediation, wellness, how to respect and celebrate difference, how to develop self-esteem and how to succeed academically. In addition, the Office of Residence Life coordinates both social and educational events to facilitate the development of supportive communities.

### **RESIDENCE LIFE STAFF**

The Director of Residence Life, who resides on campus in the McNelis Commons residence life complex, is responsible for all residence life facilities operating smoothly, safely, and efficiently. The Director is assisted by the Associate Director of Residence Life as they work closely with Campus Safety and Security, Dining Services, Cleaning Services, and the Facilities Department. The Office of Residence Life is located in the McNelis Commons Residence Life complex, Unit 1H.

### **RESIDENT ASSISTANTS**

Resident Assistants (RA) are full-time undergraduate students. The RA assumes a variety of responsibilities. They act as a resource person, develop and implement educational, social, wellness programs related to the College's mission and the goal of creating a positive living environment. The RAs are also responsible for ensuring that the college's rules and regulations are adhered to and respected, and often encourage the resident students to assist in the process. The RAs receive training in many areas including counseling, crisis management, communication, health and safety, and campus resources. A RA staff member is on duty each weeknight and every weekend throughout the semester.

### **PROFESSIONALS**

There are three residence life staff professionals who reside on campus within the Fitzpatrick Village and McNelis Commons residence complexes. The staff professionals act as a resource to assist resident students, resident assistants, campus safety & security, and any emergency situation. These staff professionals are very good resource people concerning information about the college community. A staff professional is on duty each weeknight and every weekend of the semester.

### **STAFF ON DUTY**

A resident assistant and professional staff member is on duty every day of the week throughout the academic year.

## **SERVICES**

### **PARKING**

All residence life students who will have a vehicle on campus must display the proper residence life parking decal to occupy a space in any of the designated parking areas of the college community. Our McNelis Commons residence life complex has limited space as well as the Fitzpatrick Village residence complex. The McNelis Commons parking spaces are available on a first come, first serve basis for the residents of the McNelis Commons residence complex. The

Fitzpatrick Village parking spaces are available on a first come, first serve basis for residents of the Fitzpatrick Village residence complex.

The Office of Campus Safety and Security distributes parking permits for all resident student vehicles. In order to obtain a parking permit, the resident student must present proof of vehicle registration. If a resident student fails to register or park in the designated area, then the Campus Safety personnel will issue a ticket for each violation. All violations after the first violation for the semester will be doubled. Parking fines are placed directly on the student's bill.

### **LAUNDRY ROOM**

There are two laundry facilities for resident students within our residence life complexes. The McNelis Commons residence complex Laundry Room is located opposite Building 2 and Fitzpatrick Village residence life complex laundry room is located in unit 206 downstairs. Each laundry room is open from 7 a.m. until 12 midnight. All loads of laundry should be completed before 12 midnight. All residence students are granted access into the Laundry room through their SPARTAN ID CARD. We offer free laundry services to all current resident students.

If a machine is not working properly, please report this information to a residence life staff member or the Office of Residence Life.

### **BULLETIN BOARDS**

All residence life units contain a bulletin board where important Residence Life information is posted.

### **MAIL**

All resident student mail and packages will be distributed through the college mailroom system. Resident students will be notified through their college email if they have packages. Resident Students should visit the college mailroom during normal operating hours of the college mailroom which is located in the hallway of Aquinas Hall to obtain regular mail.

Resident student mail should be addressed:

Student Name  
St. Thomas Aquinas College  
125 Route 340  
Sparkill, NY 10976 - 0300

### **GYMNASIUM/FITNESS CENTER**

Hours for open gym and regularly scheduled intramural and recreational activities will be posted throughout the academic year.

### **MAINTENANCE REQUESTS (WORK ORDERS)**

All requests for maintenance repairs for residence life units should be reported directly to the Office of Facilities through the online work order system which each resident has access to through the MySTAC portal. Requests should be specific as possible, i.e., location, problem.

**EMERGENCY** repair requests such as a bathroom flood should be reported immediately to

Facilities at ext. 845-398-4395 or after normal operating hours to Campus Safety & Security at 845-398-4080.

### **MANDATORY WORKSHOPS/SEMINARS FOR RESIDENT STUDENTS**

All residence life students will be expected to attend mandatory workshops and seminars sponsored by Office of Residence Life staff during the academic year. Students must sign in for these workshops. We feel the content of the workshops/seminars will enrich the quality of the student's life on campus and enhance the chances of academic success.

### **ROOMMATE BILL OF RIGHTS**

The College's mission challenges students to become responsible citizens who will exemplify the principles of cooperation, mutual respect, and who will help shape a diverse world community. Resident life provides ample opportunities to live out these aspects of the mission. Learning to cooperate, negotiate, and facilitate relationships are daily challenges. Rights of roommates are points worth discussing on a regular basis.

Relationships with roommates will continue to challenge all of us and mutual respect is key to our goal of creating "a positive living environment." As with all rights comes responsibility.

1. The right to read and study free from undue interference in your room.
2. The right to sleep without undue disturbance from noise, guests, roommates, etc.
3. The right to expect roommates will respect each other's personal belongings.
4. The right to a clean environment in which to live.
5. The right to free access to one's room and facilities without pressure from a roommate.
6. The right to personal privacy.
7. The right to host guests at an agreed upon time, and with the expectation that guests are to respect the rights of the host's roommate(s) and other resident students.
8. The right to be free from fear or intimidation, physical and/or emotional harm.
9. The right to refuse requests without having to feel guilty or selfish.
10. The right to feel or express anger.
11. The right to expect reasonable cooperation in the use of the telephone, television, cooking facilities and a commitment to honor agreed upon payment procedures.
12. The right to expect that any and all disagreements will be discussed in an atmosphere of openness and mutual respect, and that it is acceptable when any roommate feels it necessary to involve a residence life staff member in such discussion.

## **POLICIES**

It is the responsibility of each resident student to be aware of these residence life policies and adhere to them. Any violation of the policies can result in disciplinary action ranging from a verbal warning to removal from residence.

## **GENERAL CAMPUS SAFETY AND SECURITY**

Be sure to lock your door at all times to protect yourself and your belongings. The College is not responsible for loss of any belongings from any of the residences. It is suggested that you carry an insurance policy to cover your personal belongings while living in the residence. Insurance can be available through homeowner's insurance or any insurance company who provides insurance to college students. Report any thefts to the Campus Safety staff. While we strive to establish a positive community spirit, it is a fallacy to believe that thefts will not occur.

## **FIRE SAFETY**

The College treats fire safety seriously. As a result, VIOLATIONS FOR FIRE SAFETY POLICIES WILL RESULT IN STRICT SANCTIONS. Anyone found responsible for violating our fire safety policies could face up to removal from residence and face serious legal action by the law.

Each unit and/or bedroom is equipped with smoke detectors, carbon monoxide alarms and fire extinguishers. DO NOT TAMPER with them. Use them only for an actual fire. The fire extinguishers are located in the common area of each unit.

Report any fires, however small, immediately to the Office of Campus Safety & Security at 845-398-4080.

Any cooking appliances found in the units will result in confiscation and serious disciplinary action.

Do not overload your electrical outlets. You may use a multi-outlet power strip. Retail surge protectors/power strips are designed for only light loads such as computers, printers, and low amperage equipment. They are not to be used for fans, coffeemakers, and equipment with similar loads. Use only surge protectors that have an internal circuit breaker. With these the breaker will trip to prevent fire, if overloaded or shorted. All units should be UL (Underwriters Laboratory) or Electrical Testing Laboratories approved. Cases of counterfeit labeling have been encountered, so to ensure your safety, purchase electrical cords and items from a reputable vendor rather than at discount stores. Use of extension cords is allowed only to extend the length of a cord and not to use three appliances in one outlet.

## **SMOKE DETECTORS:**

Smoke detectors are your most immediate and direct protection from fire because smoke occurs before a fire begins. They are located in each unit within the common area and bedrooms.

**DO NOT DISCONNECT OR TAMPER WITH THESE SMOKE DETECTORS OR YOU WILL FACE SEVERE DISCIPLINARY ACTION!**

## **SPRINKLERS:**

The sprinkler system was installed to meet fire safety codes and for your total protection. The sprinklers are not to be tampered with. In addition to being financially responsible for any

damage as a result of tampering, you could face up to removal from residence.

### **FIRE EXTINGUISHERS**

Fire extinguishers are located in each unit within the common areas. In the event of a fire, pull the pin, aim the extinguisher at the base of the fire, and pull the handle. The extinguisher is good for all types of fires (wood, grease, and electric). DO NOT tamper with your extinguishers unless there is an actual fire emergency.

### **FIRE LANE PARKING**

A fire lane is posted in each of the two residence life complexes, FITZPATRICK VILLAGE and MCNELIS COMMONS. These lanes are installed to insure proper access for fire truck apparatus in case of any emergency. Do not park in these areas. Ticketing or towing by either our own Office of Campus Safety staff or the Orangetown police could be the result of parking in the fire lane zone.

### **FIREARMS, FIREWORKS AND EXPLOSIVES**

Firearms and weapons of any kind are not permitted on campus. Possession is a violation of New York State law. Likewise, fireworks and explosives of any kind (this includes simple firecrackers, bottle rockets and M-80s) are not allowed on campus.

### **ALCOHOL CONSUMPTION/DRUGS**

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989, St. Thomas Aquinas College has adopted and implemented programs and policies designed to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by College community members on College property or as part of any of its activities. Violations of alcohol and drug policies and laws will result in disciplinary action. Sanctions could include written warnings, fines, alcohol and/or drug assessments, disciplinary probation, suspension and dismissal.

Students are responsible for compliance with all laws regarding possession and distribution of illicit drugs and alcohol. The College does not condone any violations of the criminal law, including underage drinking.

The College will enforce the laws on alcohol and drugs if, for example, attention is drawn to the room because of noise, excessive numbers of people, intoxication, any violation of the rights of others or because of previous history from other possible violations.

It is each student's responsibility to understand and abide by the laws as outlined in the College Substance Abuse Policy. The College Drug and Alcohol Policy is binding on all undergraduate and graduate students.

### **PERTAINING TO THE RESIDENCE UNITS**

The illegal use, sale, possession, manufacture, or purchase of narcotics, drugs, any controlled substance or alcohol is strictly prohibited.

All alcoholic beverages are strictly prohibited in residence unit common areas, halls, adjoining corridors and other public areas of the McNelis Commons and Aquinas Village. In appropriate circumstances, the College may enter a private residence room for the purpose of enforcing

federal, state, local laws and College policy.

Any structure, which has by its appearance, the function of serving alcohol is prohibited in residence rooms, adjoining corridors and other public areas of the McNelis Commons and Fitzpatrick Village. Examples of such are structures with chairs, stools and empty alcohol containers. All alcohol advertisements are restricted from any common area of residence life. First violation of this policy will result in a referral to a judicial meeting. Subsequent violations will result in sanctions up to and including expulsion or termination and referral for prosecution.

Any paraphernalia that promotes drug usage is prohibited at the College. If a student is found to be in possession of such, this will be considered a violation of College policy and may result in sanctions up to and including expulsion or termination and referral for prosecution.

### **PERTAINING TO DRUNKENNESS AND INTOXICATION**

Intoxication, whether by alcohol or illicit drugs and whether public or private, is a violation of the standards of the College and is subject to College discipline. Resident Assistants and Staff Professionals (under the supervision of the Associate Dean for Student Development) and Campus Safety Personnel (under the supervision of the Director of Campus Safety and Security) are responsible for monitoring intoxication occurring in the McNelis Commons and Fitzpatrick Village residence complexes.

Incidents of intoxication occurring in the residence life area will be adjudicated through the Student Code of Conduct process. Violations outside of the college's residence life area and/or repeated violations may result in sanctions up to and including expulsion or termination and referral for prosecution.

### **POSSESSION AND TRANSPORT OF ALCOHOL ON CAMPUS**

No person under the legal age (21) may possess or transport alcoholic beverages in any public area of the campus, i.e. parking lots and college residence life areas. Alcohol may not be provided to those who are underage. "Provide" means: sell, lend, give, exchange, barter or furnish in any way. Any violations of the policy may result in disciplinary sanctions up to and including expulsion or termination and referral for prosecution.

### **KEGS**

Kegs are not allowed anywhere on College property, except in places that are duly licensed by the State of New York. Any student involved in a violation of this regulation will receive a mandatory fine of two hundred and fifty dollars (\$250). In addition, any student involved in a violation of this regulation may be subject to sanctions, up to and including expulsion or termination and referral for prosecution. All kegs and taps will be confiscated.

St. Thomas Aquinas College is committed to promoting the physical, intellectual, social, ethical and spiritual development of the College Community; and in continuing its efforts to meet those commitments, will provide ongoing health promotion, risk reduction, intervention and referral to treatment in connection with the unlawful possession, use and distribution of alcohol and other drugs, as cited in this policy.

### **SMOKING**



Smoking **IS NOT** permitted in **ANY** of the unit\rooms within the college residence complexes. Any student found to be violating this policy could face disciplinary action up to and including expulsion or termination of residence privileges through our Student Code of Conduct process.

### **CANDLES/INCENSE**

Candles and incense are not permitted in any residence life unit. Any student found to be violating this policy could face disciplinary action up to and including expulsion or termination of residence life privileges through our Student Code of Conduct process.

### **PROHIBITED ITEMS FOR FIRE AND SAFETY REASONS:**

- \* Items placed on or over smoke/heat detectors/sprinkler heads
- \* Items too close to smoke/heat detectors/sprinkler heads within 18" of the ceiling
- \* Multiple electrical connectors (other than circuit breaker equipped outlet strips)
- \* Smoking Devices such as Hookahs, Bongs, Water Pipes etc.
- \* Halogen lamps
- \* Pets
- \* Water beds, water-filled furnishings
- \* Lofts
- \* Air Fryers, Steam Cookers, Hot plates, toasters, toaster ovens, space heaters, candles, fireworks, incense, flammable liquids, lighter fluid, kerosene, propane, gas, electric or charcoal grills
- \* Excess trash/combustibles
- \* Coffee Makers and Irons without an automatic shut-off

### **ROOM AND COMMON AREA DECORATION**

While students are permitted to decorate their rooms, obscene or inappropriate pictures, signs, articles, etc. may not be displayed in any room or window. Pictures, objects and decorations, etc. must conform to the ideals and values expressed in the college's mission statement and must be in good taste. The Associate Dean for Student Development and professional staff members are authorized to judge conformity, or the lack of it.

### **TELEVISION/STEREO/RADIO VOLUME**

To help foster a climate of respect for the college community, all audio sounds should be contained within the student's room. Stereos, radios and televisions are not to be heard outside the student's room. The noise level should not infringe on another person's personal space.

### **UNIT SECURITY**

Resident students are responsible for keeping their doors and windows in a safe and secure manner. Each student is issued a door key or electronic key (and in most cases a closet key) exclusively for her or his personal use. UNAUTHORIZED POSSESSION, DUPLICATION OR LENDING OF KEYS OR ACCESS CARDS IS STRICTLY PROHIBITED.

### **WINDOWS AND SCREENS**

Screens and the window panes may not be removed from the window frames. Removal of the screens could result in a fine and/or other sanction through our Student Code of Conduct process.

## **COURTESY/QUIET HOURS**

Courtesy hours are in effect 24 hours a day. Quiet hours are in effect Sunday through Thursday, 10 p.m. - 8 a.m. and Friday and Saturday, 12 midnight - 8 a.m. To help foster a climate of respect for the college community, all audio sounds should be contained within the student's room. Students bothered by excessive noise are asked to take initial responsibility for contacting the residents who are generating the noise. If the noise persists, then CAMPUS SECURITY staff should be contacted. Failure to comply with courtesy/quiet hours could result in sanctions through our Student Code of Conduct process. NOTE: The Town of Orangetown has a noise ordinance in effect as of 10 p.m. every night of the week.

## **ROOM CHANGES**

Room changes will not be honored during the first three weeks of the semester. Room changes are only permitted with the approval from the Director of Residence Life or Associate Director of Residence Life.

However, prior to that approval, an RA should be contacted and a meeting arranged among all of the students involved mediating the situation. After this process, the RA will contact the Residence Life Professional to intervene in the situation if there is no compromise between the students. The Residence Life Professional would make a recommendation to the Director of Residence Life or Associate Director of Residence Life to make the final decision if these steps don't result in a resolution.

## **GUEST POLICY**

### **Evening Access to Campus**

Under normal circumstances, beginning at 9:00 pm nightly, access to campus is monitored by Campus Safety Officers in booths at the entrance to the main campus and the McNelis Commons. Individuals who do not possess a St. Thomas Aquinas identification card will be required to produce identification upon request, and register as visitors.

### **Late Night Access to Campus**

Under normal circumstances, beginning at 12:00 am nightly, access is restricted to those individuals who live on campus and to their registered guests. These guests will be issued a visitor's pass (wristband) which must be clearly displayed.

### **Visitors to Residence Facilities**

A "visitor" is defined as anyone (including other STAC students) who is not a resident of that unit. Resident students are responsible for the conduct of their visitors, both registered and unregistered. All Non-STAC visitors must be escorted by a resident student. Unregistered overnight guests will be asked to leave campus immediately. The College reserves the right to limit visitation for any person at any time and/or declare a nonmember of the College community "persona non grata" when his/her presence is considered detrimental to the welfare of the College community. An individual declared "persona non grata" is not permitted on college property.

### **Late Night Guests**

The College believes that late night guests are an infringement upon the privacy and convenience of the person/s sharing the space. Late night guests should only occur on a limited

and infrequent basis. The consent of all roommates sharing the space should be agreed upon before the late night guest is registered with the Office of Campus Safety. One (1) guest per resident student is permitted between 12:00 a.m. & 8:00 a.m. Late night guests must be issued an overnight guest pass by 12 a.m. for the night the individual is staying. No guest is permitted to stay more than two consecutive nights. No guest may stay overnight more than four times in each semester. Resident student hosts assume all responsibility for the conduct of their visitors while on campus. There are NO VISITORS permitted during the first two weeks and the last two weeks of each semester.

### **Visitor(s) Behavior**

Consideration, common sense and mutual respect for the rights of others needs to be exercised by all college resident students and any visitor/guest they may have, including those just visiting for a brief period of time. It is not acceptable for any visitor (including other STAC students) to store books, clothing, sleeping bags or any other items in the residence life units. All visitors are bound by the College's policies. Those visitors/guests, whose behavior in the residence units infringes upon the rights and liberties of another student will be dealt with in a serious manner. The College reserves the right to dismiss any visitor/guest who is unwilling or unable to meet the expected standards of behavior.

### **FURNITURE**

All college owned furniture must remain inside the assigned rooms and units. Furniture removal from the assigned space within the unit\room is not permitted. Personal furniture (Recliners, Sofas, etc.) is not permitted in the residence units. Any personal furniture documented in a unit\room will be confiscated and the student or students documented to be in violation of this policy and could face disciplinary action up to and including expulsion or termination of residence privileges through our Student Code of Conduct process.

### **PETS**

No pets (including fish) are permitted. Any student found to be violating this policy will face disciplinary action up to and including expulsion or termination of residence privileges through our Student Code of Conduct process. For Emotional Support Animals and Service Animals, please refer to the Office of Accessibility Services for these situations.

### **PERIODS OF RESIDENCE LIFE CALENDAR**

1. Periods of "Regular Housing": The traditional Fall and Spring semester. The Fitzpatrick Village and McNelis Commons residence life complexes are open and housing ALL resident students. ALL RESIDENT STUDENTS ARE REQUIRED TO SELECT A MEAL PLAN.
2. Periods of Alternative Housing: The periods of the residence life calendar, which include special academic sessions (winter interim, pre-summer, summer, and post-summer sessions), Spring Break and periods between academic sessions when the College is open but classes are not in session. These periods provide special challenges, as a wide variety of students (those enrolled in special class sessions, international students, student workers, student teachers, and student-athletes) traditionally request on-campus housing. In addition this period is not covered under our Residence Life Room & Board agreement.

The following is the policy, which will address all possible requests received during these

periods:

The College will offer alternative housing during these periods to any eligible student, defined as:

- a. any student enrolled in a course (3 credit minimum)
- b. any student-worker who has received permission from the Vice President of an area
- c. any student-athlete with permission of the Athletic Director and referral to the Associate Dean for Student Development
- d. any student with "international status" (as defined by the college)

Additionally, any student who meets any of the above criteria will be considered eligible for alternative housing only if he/she:

- a. is currently a resident student at the time the alternative housing application is made
- b. and he/she is a student "in good standing" (i.e. has not been held responsible for violating college policy which has resulted in the forfeiture of alternative housing privileges)

The application for alternative housing must be received by the Associate Dean for Student Development 30 days prior to the anticipated move-in date.

Alternative housing will be available only in units designated by the Office of Residence Life. The number of available beds is limited and the number of beds available will change from alternative session to session. The College cannot guarantee a bed to any student for any alternative session.

The per-diem rate for alternative housing is made available through the Office of Residence Life.

Supervision of alternative housing will be the responsibility of the Office of Residence Life. If any current resident student requests on-campus housing during an alternative session and none is available, the resident student should consider off-campus housing in the local area.

### **INTERNATIONAL STUDENTS**

International students residing on-campus will be housed either in the McNelis Commons or Fitzpatrick Village residence life complexes. International students will be permitted a short grace period (72 hours after the official closing date of residence life) of staying due to travel requirements.

During periods of "Alternative Housing", International Students will be housed in a residence life complex and supervised by the residence life staff. The per-diem rate for International Students, who choose to remain on-campus during periods of alternative housing is available through the Office of Residence Life.

### **STUDENT-ATHLETE HOUSING**

No housing preference is given to student athletes.

## **STUDENT VIOLATORS**

Any student who violates any College and/or Residence Life policy, as stated in the Residence Life section and Policies and Procedures section of the Student Handbook, will have a documented incident report and referral to the appropriate Student Code of Conduct process based on the alleged policy violation.

## **UNIT CLEANLINESS (OUTSIDE AND INSIDE)**

All residents of a unit or room are responsible for the cleaning of their unit or room on a daily basis. This includes removing garbage as needed and maintaining the inside and outside of your unit in a clean and healthy manner throughout the academic year. It is suggested that you organize a schedule for garbage removal and other household tasks with your roommates and suitemates. Dumpsters are located near each of the residence life buildings. Unclean and unhealthy unit\room conditions, common area space, and in front of the unit could result in monetary fines and/or additional sanctions through our Student Code of Conduct process.

## **DAMAGE TO YOUR APARTMENT AND BEDROOM**

It is expected that you will take care of your furniture, walls, carpet, appliances, window screens, etc in your residence unit. You are responsible for these items for the entire academic year. When you depart your residence life unit\room during any alternative period, it is expected that your residence unit\room will be in a well-maintained order.

Your room and all common areas of the unit have been inspected prior to your arrival to determine their condition. On a monthly basis your unit\room will be inspected for damages and health/safety conditions, there is a special damage assessment record and billing that occurs after each of these inspections. You will be held financially responsible for any damages, which occur throughout each semester. Because you are regarded as a responsible adult, any deliberate acts of vandalism within your residence could result in disciplinary action through our Student Code of Conduct process.

Shared responsibility not only applies to household tasks but is also applicable to damages. If damage occurs in a common area of the residence it is the responsibility of all residents to discuss the situation and determine who is responsible for the damage\s. If this communication does not occur, the bill for the damage\s will be distributed among all residents. Ultimate responsibility for bedroom damage\s must be borne by the individuals who reside in the bedroom.

Posters and other wall hangings should be hung with thumbtacks. TAPE, NAILS, GLUE OR ANY OTHER FORMS OF ADHESIVE ARE NOT PERMITTED.

You are also responsible for damages, which occur to your front doorway area (screens, windows, door jams, etc.). Should another individual render damage to your front doorway, report this information immediately or you could be held responsible.

## **REPAIRS**

Report all repair requests (light bulbs, leaky faucets, etc.) to the On-Duty RA who will process the requests. DO NOT HANDLE REPAIRS YOURSELF. The facilities personnel are the only staff

authorized to do repairs. All requests must first be reported to the Office of Residence Life except for emergencies.

### **KEYS AND ACCESS CONTROL**

Keys to your room and closet are issued at check in. Report any lost key(s) immediately to the Office of Residence Life and/or Campus Safety. There is a \$50 fee for each lost key or \$25 access card (SPARTAN ID CARD). There is a possible \$500 fee to change all locks within the unit if necessary. Do not lend your key(s) to anyone. You are fully responsible for the use of your assigned keys or access card (SPARTAN ID Card). Violation of this policy is a serious safety and security issue and will be dealt with accordingly.

### **LOCKED OUT OF YOUR ROOM/RESIDENCE**

Please notify either Campus Safety and Security (845-398-4080) to assist you in gaining access to your unit. Resident students who have been locked out more than two times in an academic semester will be charged a \$10 fine for each recurring time. Please remember to take your keys and/or access card (SPARTAN ID Card) with you!

## **GENERAL REGULATIONS REGARDING CONDUCT**

STAC expects that each student will behave lawfully, maturely, and responsibly and that his/her behavior will not be detrimental to the orderly conduct of the College's function as an educational institution.

### **BASIC HONOR CODE**

The St. Thomas Aquinas College community expects of its members the highest level of personal integrity based on respect for one's self and one's associates. Enrollment at the College pre-supposes the student's willingness to accept the rules and regulations set down for the common good. Academic dishonesty - cheating on examinations, plagiarism, etc. is considered a serious violation of the College honor code. So, likewise, is behavior, which indicates an irresponsible disrespect for the rights of others. The College reserves the right to take disciplinary action, up to and including expulsion, against any student whose conduct is at variance with the ideals and objectives of the College.

### **STUDENT CODE OF CONDUCT**

#### **General Regulations**

St. Thomas Aquinas College requires all students to adhere to certain policies and regulations. These regulations and the accompanying disciplinary procedures are designed to ensure that the rights of the community and its members are protected, and that the educational process may proceed without impairment.

St. Thomas Aquinas College policies and regulations call for a high degree of personal responsibility on the part of every student. Students have an obligation to know and follow the regulations of St. Thomas Aquinas College. These policies apply to any location where a student is engaged in a college activity.

Students are responsible for the actions of their guests within the context of this code. Any student assisting in the alleged violation of any provision of this Code may be charged as a responsible participant.

The College reserves the right to amend the code and/or College rules and regulations at any time, pending proper notification of changes to the community.  
Code of Conduct violations may result in any of the described disciplinary sanctions.

The following Student Code of Conduct should be read broadly and is not designed to define misconduct in exhaustive terms. Also prohibited are violations of any College rule, regulation or policy as stated in the College catalog, posted on College bulletin boards, contained in student contracts or otherwise published or promulgated by the College.

Furthermore the college faculty and administration team have agreed to the following. This information is also referenced in the syllabi.

“St. Thomas Aquinas College is committed to creating an inclusive environment. Our community actively seeks the inclusion and full participation of individuals from groups that have historically experienced discrimination and prejudice. We are committed to a climate of mutual respect and inclusion, one in which diversity is a source of pride rather than a source of division. We encourage all persons—students, faculty, and staff alike—to reflect on their own experiences to explore the ways in which others’ experiences can and do differ; the goal is to use this reflection to learn about different values, cultures, and ways of thinking. Ultimately, a just and equitable society will be easier to realize if we do not exclude those who are different from us and instead practice empathy and inclusivity.”

To that end, if you experience or are aware of bias, mistreatment, or discrimination based on a person’s (or your own) membership in a historically under-privileged or marginalized group, please report the incident here, or contact one of the following individuals to share your concerns:

Samantha Bazile

Chief Diversity Officer

845-398-4104; sbazile@stac.ed

The following actions are prohibited by this Code:

**A. ALCOHOL AND OTHER DRUGS**

1. Violation of College Substance Abuse Policy
2. Smoking  
In accordance with the Rockland County law, smoking is prohibited in all college buildings including residence units.
3. Possession of drug paraphernalia



**B. PROPERTY**

1. Theft of any property or services from another person, group of people, or St. Thomas Aquinas College
2. Damage, destruction or misuse of college property, facilities, or services
3. Trespassing upon or forced entry on St. Thomas Aquinas College premises
4. Embezzlement, fraud, or procurement of money, goods, or services under false pretenses
5. Informed possession, purchase or receipt of stolen property, money or services
6. Issuance of any check, which lacks sufficient funds for its payment
7. Unauthorized use and/or abuse of college computer systems, access codes, or restricted computer services area
8. Tampering with locks and duplication or unauthorized use of college keys

**C. HARASSMENT AND ABUSE**

1. Assaulting, striking or in any way threatening or causing physical harm to another.
2. Any form of sexual, racial, ethnic or religious harassment. *In particular, the College will not tolerate explicit expressions of racism, including **antisemitism**, support of **genocidal practices**, and all forms of abuse directed at people because of their **gender, sexual identity**, race, religion, or national origin.*  
**Sexual Harassment is governed under the College's Sexual Misconduct Policy. Refer to that policy for more information.**
3. Any conduct which threatens the health and safety of any person *and/or language that implies acceptance of or endorses acts of individual or mass violence against particular groups of people based on their religion, race, sexual **identity**, or gender.*
4. Any instance of sexual misconduct/assault  
**Sexual Misconduct and assault are governed under the College's Sexual Misconduct Policy. Refer to that policy for more information.**
5. Hazing activities, whether by an individual or an organization
6. Any instance of disorderly or lewd conduct
7. Harassment of college officials (included, but not limited to security and resident assistants) acting within the scope of their duties

8. Slanderous, false or malicious statement(s) about a person or defamation of character which results in or risks a change in reputation, job, academic record\standing or award

**D. ORDERS AND DIRECTIONS**

1. Violation of College Visitation and other residence life policies
2. Falsely reported information entered on an administrative record or presented at an administrative hearing
3. Failure to comply with the reasonable direction of any college official and\or their authorized agent(s) acting in the performance of their duties
4. Any willful act with the intent of interrupting any service provided by the institution
5. Knowingly using or furnishing false information or identification upon request
6. Failure to provide College personnel with adequate identification upon request
7. Non-compliance with a summon to appear at a disciplinary hearing
8. Fleeing the scene of an incident
9. Providing false information or testimony during a disciplinary hearing
10. Gambling on campus

**E. SAFETY**

1. Tampering with or misusing fire alarms, fire-fighting equipment or safety equipment
2. Operation of a vehicle in violation of traffic rules or in a manner which endangers persons or property
3. Ejecting objects from windows of College buildings or vehicles
4. Endangerment of the health and safety of self and\or others
5. Propping or tampering with doors to prevent them from closing or locking
6. Parking in non-designated or restricted areas such as sidewalks, lawns, fire lanes or handicapped parking areas
7. Personal use or possession or storage of fireworks, firecrackers, smoke bombs, or any other explosive device
8. Use or possession, transport or storage of firearms, air guns, BB guns, paintball guns or any other dangerous weapon

9. False 911 calls

10. Failure to evacuate during a fire alarm or emergency

## **DISCIPLINARY PROCEDURES**

### **Purpose**

The purpose of the College disciplinary procedures is to adjudicate violations of college rules and regulations. The disciplinary process should be an educational experience that rests upon fairness and the right to due process.

### **Adjudication of Non-Academic Matters: Due Process**

When a Code of Conduct violation is charged, due process is observed as follows:

A student accused of violating the Code of Conduct shall be notified in writing of the specific charge(s) against him or her and shall have the opportunity, within a reasonable amount of time, for a hearing to discuss the charge(s). This hearing shall consist of a meeting between the accused student and the Vice President and Dean for Student Development or a designated hearing officer at which time the accused student shall have the opportunity to present his or her full and final version of the facts. Refusal or failure to appear at this hearing will not impede the adjudication process and judgment will be made based on the available evidence and testimony.

### **Administration**

The Board of Trustees vests in the President the authority to hear and resolve final appeals in any matter. The Vice President and Dean for Student Development is responsible for supervising the disciplinary system. All alleged infractions of the Student Code of Conduct policies are referred to the Office of the Vice President and Dean for Student Development.

### **Disposition of Infractions**

Disciplinary action usually begins with the witnessing by campus security, residence life staff member, a member of the college administration, faculty, staff or other student of conduct which appears to violate a college policy, rule, or regulation. Any individual wishing to report an incident must notify either the Vice President and Dean for Student Development, the Associate Dean for Student Development, and/or the Director of Campus Safety & Security of the alleged infraction. An individual may be requested to submit a written complaint providing additional detail.

The Vice President and Dean for Student Development reserves the right to act in the best interests of the college community in situations that threaten the health, welfare, and safety of students, College personnel and property. The Vice President and Dean for Student Development has the authority to adjudicate those very serious violations of College policy which require immediate attention.

All other complaints are forwarded to the Campus Judicial Officers who initiate the campus disciplinary procedure. The Campus Judicial Officers are members of the professional staff in

Student Development appointed by the Vice President and Dean for Student Development.

### **Standard of Proof**

The standard of proof in College disciplinary procedures shall be "preponderance of the evidence"--meaning that it is more likely than not that the alleged violation took place.

### **DISCIPLINARY SANCTIONS**

St. Thomas Aquinas College response to policy\rule\code of conduct violations may include the following sanctions, among others:

- A. Reprimand** - the student is told verbally that his\her behavior was inappropriate and that behavioral changes are expected.
- B. Written letter of warning** - the student is sent a written letter warning him\her that behavior changes are expected. The letter is placed in the student's file in the Office for Student Development and may be removed according to the condition\s specified by the Vice President and Dean for Student Development.
- C. Formal probation** - this action is considered a more stringent written letter of warning issued in response to more serious or frequent violations of rules and regulations. The probation status is issued for a stated period of time and may include specific restrictions on the student.
- D. Residential review** - a sanction that places the student under warning that at the next violation of College policy, rules or regulations, he\she may be ineligible for on-campus housing for the next term.
- E. Residential relocation** - a sanction that moves a student to another area of on-campus housing.
- F. Removal from residence** - this action removes the student from on-campus housing either permanently or temporarily.
- G. Disciplinary Probation** - a sanction consisting of a written statement to a student offender that he\she has violated a particular College policy, rule or regulation, and that further violations may likely result in a more severe sanction, such as suspension or dismissal.

The student shall not hold office in any student group or organization. If deemed appropriate, the student may also be subject to restriction of privileges sanctions.

Violation of any of the terms of disciplinary probation may subject a student to immediate suspension or expulsion (dismissal) from the College.

- H. Disciplinary suspension** - a sanction consisting of a written statement to a student offender that he\she has violated a particular College policy, rule or regulation, Suspension shall

mean exclusion from classes, from presence on campus and from all other privileges or activities for a definite period of time.

Disciplinary suspension is recommended by the Vice President and Dean for Student Development and forwarded to the President for consideration.

The statement of suspension shall be placed in the student's file in the Office of the Vice President and Dean for Student Development and may be removed according to the condition\specified by the Office of the Vice President and Dean for Student Development.

In cases of suspension a student must reapply for admission by writing a letter of request to the President.

**I. Expulsion** - a sanction consisting of a written statement to a student offender that he\she has violated a particular college policy, rule or regulation. Expulsion shall mean immediate dismissal from the college.

Expulsion is recommended by the Vice President and Dean for Student Development and forwarded to the President for consideration.

The statement of expulsion shall be placed in the student's file in the Office of the Vice President and Dean for Student Development and may be removed according to the condition\specified by the Office of the Vice President and Dean for Student Development.

**J. Restrictions of Privileges and imposition of Special Conditions** - Students may also have their privileges restricted or special conditions imposed upon them. Such restrictions and/or imposed conditions may be implemented as "stand alone" sanctions, or in combination with other sanctions. The restrictions and/or imposed conditions may include any action that the Vice President and Dean for Student Development believes is appropriate in the situation. Examples include but are not limited to:

- Be prohibited from participating in specified, or all extracurricular activities
- Be prohibited from being present in areas on campus where alcohol is served.
- Be prohibited from being present on particular parts of the campus (i.e. residence halls).
- Be prohibited from being on campus at specified times.
- Be suspended or dismissed from on-campus residence.
- Be prohibited from having conduct with specific individuals ("Stay Away Orders").
- Be required to complete an educational project.
- Be required to complete community service or restorative activities.
- Be required to pay restitution or compensation.
- Be required to undergo a psychological or psychiatric evaluation.
- Be required to meet with specified College employees.
- Be required to provide appropriate medical documentation.

## **STUDENT JUDICIAL RECORDS**

### **Policy Statement**

The Family Educational Rights and Privacy Act of 1974 (FERPA) is a federal law that provides regulations regarding the access, review, amendment, and disclosure of student educational records. Student judicial records are included in the definition of educational records. The requirements of this law with respect to student judicial records are covered in the information, which follows.

### **Access**

Any student has the right to inspect his or her own judicial file. The information contained therein will be made available to the student upon written request forwarded to the Vice President & Dean for Student Development.

No one outside the College shall have access to the student's records nor will the College disclose any information from these records without the written consent of the student, except under those circumstances that are permitted by FERPA. Students are advised that potential graduate schools or employers may request information on disciplinary status. Under the FERPA regulations, the College may disclose a student's records to school officials of another institution in which a student seeks to enroll. However, judicial materials will not be sent to any employer unless the student specifically authorized the College to do so in writing.

Within the College community, only those members individually or collectively acting in the student's educational interest are allowed access to student records.

It shall be the responsibility of the Vice President & Dean for Student Development in response to any authorized inquiry to inspect the records of any student, and to provide an explanation in writing, if necessary, as to the nature and severity of any violation in which the student in question has been sanctioned.

### **Maintenance of Records**

When a student is found responsible for violating the College's Code of Conduct a disciplinary file for the student is created. This file contains all information pertinent to any and all proceedings in which the student has been involved. Each subsequent time a student is found responsible for violating a regulation, his or her record is used in determining a sanction. The records of any student contained in the judicial file shall be maintained by the Office for Student Development for a seven (7) year period after the student's graduation from the College, at which time it will be destroyed. An exception will be made to this policy, however, in those instances where the judicial proceedings resulted in a student's suspension or expulsion (dismissal) from the College. In such a case, a notification will appear on the student's record, and the documents containing the relevant sanction will be maintained to substantiate this notation.

### **Good Standing**

Only matriculated students pursuing degree programs who are not under academic or disciplinary probation will be eligible for office in a student organization. This includes

appointed as well as elected offices.

### **Off-Campus Conduct Policy**

Whether on or off campus, students are expected to adhere to the code of conduct established by St. Thomas Aquinas College. This applies to students in St. Thomas Aquinas College off-campus housing as well as students dwelling in non-College sponsored off-campus housing. The College reserves the right to investigate and subsequently apply College discipline in certain off-campus situations, which impact the College community.

### **Possession and Surrender of ID Cards**

Every registered student at St. Thomas Aquinas College is required to carry the College Identification Card at all times while on campus and to surrender it upon the request of clearly identified College personnel (this includes campus safety officers) in the performance of their duties.

Identification cards are available in the Office for Student Development. In the event the ID card is lost or the student withdraws from the College, he/she must report the loss, theft, or withdrawal immediately to the ID Office (Romano Student Alumni Center, Office for Student Development).

## **Appeal Process**

### **A. Appeal to the Vice President and Dean for Student Development**

1. A student receiving a sanction by the decision of the Adjudication Officer (A.O.) in a case of violating the student code of conduct may appeal the decision to the Vice President and Dean for Student Development.
2. Upon official notification of a decision by the A.O., the student shall have (5) business days to submit an appeal in writing to the Vice President and Dean for Student Development.
3. Appeals must be based on one or more of the following grounds:
  - a. New evidence is available which was not reasonably available at or before the time of the student's last presentation to the A.O.
  - b. A procedural error occurred which can be shown to have had a detrimental effect on the decision of the A.O.
  - c. It is the opinion of the student that the decision of the A.O. imposes inappropriate sanction(s) having no reasonable relationship to the offense(s) committed.
4. A meeting will be scheduled between the appellant and Vice President and Dean for Student Development.
5. The Vice President and Dean for Student Development of the College, having met with the appealing student shall notify the student of his/her decision within ten (10) business days of their meeting.

6. The Vice President and Dean for Student Development of the College shall notify the A.O. regarding the filing and outcome of the appeal.

## **ACADEMIC INTEGRITY**

Academic integrity is a commitment to honesty, trust, fairness, respect and responsibility within an academic community. An academic community of integrity advances the quest for truth and knowledge by requiring intellectual and personal honesty in learning, teaching, research, and service. Honesty begins with oneself and extends to others. Such a community also fosters a climate of mutual trust, encourages the free exchange of ideas, and enables all to reach their highest potential.

A college community of integrity upholds personal accountability and shared responsibility, and ensures fairness in all academic interactions of students, faculty, and administrators. While we recognize the participatory and collaborative nature of the learning process, faculty and students alike must show respect for the work of others by adhering to the clear standards, practices, and procedures contained in the policy described below.

Academic integrity is essential to St. Thomas Aquinas College's mission to educate in an atmosphere of mutual understanding, concern, cooperation, and respect. All members of the College community are expected to possess and embrace academic integrity.

### *Academic Dishonesty*

Academic dishonesty is defined as any behavior that violates the principles outlined above. St. Thomas Aquinas College strictly prohibits academic dishonesty. Any violation of academic integrity policies that constitutes academic dishonesty will be subject to harsh penalties, ranging up to and including dismissal from the College.

### *Examples of Academic Dishonesty*

#### Cheating

- Giving unauthorized help on a test or other academic exercise.
- Accepting unauthorized help on a test or other academic exercise.
- Attempting to obtain unauthorized help from another student on a test or other academic exercise.
- Copying from another student's work.
- Allowing another student to copy from your work.
- Using unauthorized materials during a test or other academic exercise, such as a textbook, notebook, or calculator; use of electronic devices such as computers or phones; use of specifically prepared items, such as notes written on paper, clothing, furniture, or oneself.
- Fraudulently obtaining copies of tests, such as from offices, waste receptacles, or from students who have previously taken the test.
- Giving test questions or test answers to other students who have not yet taken that test.
- Obtaining test questions or test answers from other students who have already taken



that test.

### Plagiarism

Plagiarism is representing someone else's work or ideas as one's own, and occurs when appropriate credit is not given to the original source. Note that plagiarism can be intentional as well as unintentional, and information sources refer to both print and electronic media.

Examples of plagiarism include the following:

- Failing to indicate direct quotations.
- Failing to indicate the source of direct quotations.
- Failing to indicate the source of paraphrased material.
- Copying another's lab reports, data files, or computer programs and presenting them as one's own.
- Submitting work that was written or prepared, in whole or in part, by another person either on campus or off-campus, including Internet sites.
- Purchasing or attempting to purchase work written or prepared by another. (Section 213-b of the NYS Education Law prohibits the sale of term papers, essays, and research reports to college students.)
- Borrowing or attempting to borrow work written or prepared by another and presenting it as one's own without permission.

### Deception

- Signing a name other than one's own on any document, such as a registration form or letter of recommendation.
- Intentionally presenting false information on any document, such as a registration form or letter of recommendation.
- Taking or attempting to take a test for another person.
- Allowing another person to take a test in one's place.
- Falsifying data for labs, experiments, and research projects.
- Listing reference sources that have not been used.
- Inventing reference sources.
- Unauthorized multiple submissions of papers and other academic exercises (submitting the same paper in two different classes without the permission of all instructors involved).
- Lying to an instructor or other College official (e.g., intentionally misrepresenting the reason why one has missed an examination).
- Aiding another student in academic misconduct.

### *Faculty Procedures for Academic Dishonesty*

Because all faculty members have authority and jurisdiction within their classes, when they discover an instance of academic dishonesty, they make the decision about how to handle it. For example, the faculty member can fail the student on the essay, test or quiz, or even for the course as a whole, as seems appropriate to the offense in the judgment of the faculty member. Other academic penalties may be imposed, such as repeating a test or revising an essay, as the faculty member sees fit. Therefore, in most cases, the faculty member makes this decision on his or her own, and that decision turns out to be the final one.

However, for all Academic Dishonesty offenses, faculty must file a Student Conduct Academic

Dishonesty Report with the appropriate Academic Dean and the Office of the Provost, indicating whether it is a matter for further investigation or not by indicating one of the following on the form:

- Report to Dean and Provost only; complaint requires no further action
- Request for further action and investigation to be taken by the Dean and/or Office of the Provost

Therefore, the Office of the Provost will maintain records of all reported incidents. The Provost will determine whether the student in question has on file any previous cases of academic dishonesty and impose any sanctions that may be warranted. If deemed necessary, a student's record of previous offenses may be shared with faculty at the discretion of the Provost.

The Academic Integrity and Standards committee will regularly review reports submitted by the faculty. For serious offenses and repeat offenses the committee may recommend further action. If a faculty member decides that no additional action is required from the Provost, the form will remain on file while the student is enrolled at the College. On the other hand, if the faculty member requests that further action and investigation be taken, then the Provost may review possible sanctions by:

- Meeting with the faculty member making the request
- Meeting with the student being charged
- Meeting with the Dean of the appropriate School
- Meeting with the Academic Integrity and Standards Committee

### *Sanctions*

Sanctions for specific violations of the College's Academic Integrity Policy will be discussed with the relevant instructor, the Dean, and the Academic Integrity and Standards Committee if necessary. In the case of repeat offenses, students must meet with the relevant Dean. Violations fall into two categories, Level One and Level Two, as defined below.

### Level One Violations

Level One violations are less serious examples of academic integrity. These may often be attributable to a student's academic inexperience or lack of understanding of the specific details regarding academic integrity. Such violations are often accidental or are less intentional than Level Two versions.

Level One violations may often occur on a minor assignment or quiz, something that contributes to a small percentage of the total course work. Below are a few common examples of violations that might be considered as Level One:

- Improper citation due to lack of awareness regarding academic citation
- A small occurrence of plagiarism
- Cheating on a quiz or minor test
- Unauthorized collaboration on a homework assignment
- Making up a reference source for a minor assignment
- Falsifying or creating a small number of data points on a lab exercise
- Falsifying the signature of another student for an attendance sheet

Note: an alleged second Level One violation may be treated as an alleged Level Two violation.

Sanctions for Level One violations may include, but are not limited to, one or more of the following at the discretion of the faculty member, Dean, or Provost:

- No penalty
- Required participation in a workshop on academic integrity at the Center for Academic Excellence or Loughheed Library
- An assigned paper or project related to academic integrity
- A make-up assignment at the discretion of the faculty member
- A grade of no credit for the original assignment
- A failing grade on the assignment
- A failing grade for the course

### Level Two Violations

Level Two offenses are very serious violations of our academic integrity policy that involve a significant portion of course work relative to Level One violations. Level Two violations are typically deliberate, and the intent to violate the policy is clearer in the way in which the offense is manifested. Below are some examples of violations that can be considered as Level Two:

- Numerous repeated Level One violations
- Substantial evidence of plagiarism on a major assignment
- Clearly evident copying or use of unauthorized materials, devices, or clear evidence of collaboration on a major exam
- Having someone take an examination in a student's place
- Having someone perform coursework for an online or hybrid class.
- Creating false evidence or data or any other source material for a major assignment or project
- Facilitating the dishonesty of another student on a major exam or assignment
- Intentionally destroying or altering another student's work.
- Knowingly violating research ethics

Sanctions for Level Two violations may include, but are not limited to, one or more of the following:

- A failing grade for the course
- Disqualification from Honors Societies
- Dismissal from a departmental or school honors program
- Denial of access to internships or research opportunities
- Removal of fellowship or assistantship support
- Disciplinary probation
- Suspension for one or more semesters

These recommendations for sanctions at each level are intended as guidelines for the College community. For both Level One and Level Two violations, the sanction imposed should ideally be proportional to the nature of the violation committed. Prior to assigning a penalty to the student, the faculty member may wish to meet with his or her Dean and, if necessary, the

Provost to determine an appropriate penalty for the student. If a Level Two offense is particularly egregious, the Provost will refer the case to the Academic Integrity and Standards Committee (AISC), which will determine the appropriate penalty.

Pending the resolution of the case, should it be necessary to report a grade, the faculty member will record an Incomplete for the student as a final grade for the relevant course. No final grade in the course will be reported for the student until a final decision has been rendered. After any resolution to the case, the AISC will consult with the faculty member regarding the appropriate grade to be granted.

### *Appealing a Determination of Academic Dishonesty*

#### *Appealing a First Offense*

A student accused of his or her first violation of the Academic Integrity Policy, and who receives a penalty from the faculty member, may appeal the decision to the faculty member and then to the Dean of the relevant School. Once the faculty member notifies the student of the violation, the student shall have ten (10) business days to submit an appeal in writing to the Dean with a clear explanation of his or her response to the charge.

#### *Appealing when there are Repeat Offenses*

A student accused of multiple infractions of the Academic Integrity Policy, and who receives a penalty from the AISC, may appeal the decision to the President of the College. Upon official notification of a decision by the AISC, the student shall have five (5) business days to submit an appeal in writing to the President. Appeals at this level must be based on one or more of the following grounds:

- New evidence is available which was not reasonably available at or before the time of the student's last presentation to the AISC.
- A procedural error occurred which can be shown to have had a detrimental effect on the decision of the AISC.
- The decision of the AISC is clearly in error when viewed in light of the information presented to the AISC or the decision imposes inappropriate sanction(s) having no reasonable relationship to the offense(s) committed.

In arriving at a decision, the President will meet with the student in question, the Provost and Vice President for Academic Affairs, and, if appropriate, the Vice President for Student Development. The President shall notify the student of her decision within five (5) business days of the last meeting, unless special circumstances make that impracticable.

Note: The President of the College shall notify the Provost of appeals that originate through the President's office.

## **DISRUPTIVE STUDENT BEHAVIOR**

In Academic Classrooms and Faculty Offices, St. Thomas Aquinas College expects that each student will behave lawfully, maturely, and responsibly and that his/her behavior will not be detrimental to the orderly conduct of the College's function as an educational institution.

Students are prohibited from engaging in disruptive behavior in classes and faculty offices. Disruptive behavior includes verbal and/or physical conduct which tends to interrupt to the extent of stopping or preventing the normal continuance of a class or of a meeting in a faculty member's office.

In the event that a student engages in disruptive behavior in a class or a faculty member's office, the College may require the student to leave the site of the incident, impose conditions upon the student's resumption of ordinary relations with the faculty member of class, and/or take such other appropriate action as may be warranted in the discretion of the College. Other College procedures and directives may apply to related topics, such as disruptive behavior outside of classrooms and faculty offices and disciplinary action that may result from occurrences of disruptive behavior.

*1. First occurrence of disruptive behavior by a student*

- a. The faculty member should direct that the student leave the classroom or office immediately, and that the student should arrange an appointment with the Dean and keep that appointment before returning to the faculty member's class or office.
- b. If the student complies in leaving the classroom or office, the Dean should specify in writing the conditions under which the student may resume normal relations with the class or faculty member.
- c. If the student does not comply with the directive to leave the classroom or office, the faculty member immediately should contact the Office of Campus Safety and ask that members of the Campus Safety staff escort the student from the classroom or office or, if necessary, cause the student to be removed there from.
- d. The faculty member should inform, in writing, the Dean, the Provost & Vice President for Academic Affairs, and the Vice President and Dean for Student Development of the event and briefly describe what happened.

*2. Second or Subsequent Occurrences of Disruptive Behavior by a Student*

- a. If the faculty member judges that a direct request to the disruptive student to leave the classroom or office would be futile or inappropriate under the circumstances, or if such a direct request is not respected, the faculty member should immediately contact the Office of Campus Safety and ask that a member of the Campus Safety staff escort the student from the classroom or office or, if necessary, cause the student to be removed there from.
- b. The faculty member should inform, in writing, the Dean, the Provost & Vice President for Academic Affairs, and the Vice President and Dean for Student Development of the event and briefly describe what happened.

*3. Instances Where Assistance of the Campus Safety Staff is required to remove a Student.*

- a. In any instance of disruptive behavior resulting in a required departure or removal from a classroom or faculty office through the assistance of members of the Campus Safety staff, the concerned student shall meet with the Vice President and Dean for Student Development prior to the student's next attendance of the concerned class or meeting with the concerned faculty member.
- b. This meeting shall afford the student an opportunity to present the student's

explanation of the events leading to the required departure or removal and shall provide the Vice President and Dean for Student Development an opportunity to gather more information regarding the incident.

- c. The condition under which the student may resume normal relations with the concerned class or faculty member will be determined by the Vice President and Dean for Student Development and the Provost & Vice President for Academic Affairs in consultation.

## **SUBSTANCE ABUSE POLICY**

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989, St. Thomas Aquinas College has adopted and implemented programs and policies designed to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by College community members on College Property or as part of any of its activities.

St. Thomas Aquinas College maintains a firm commitment to provide a safe and healthy environment for its students. In keeping with this commitment, the College has joined a network of other institutions throughout the country, the Network of Drug Free Colleges and Universities which have agreed to maintain a drug-free campus. In addition to adhering to the standard established by that group, the College's substance abuse policy complies with the regulations set forth in the Drug-Free Schools and Communities Act Amendments of 1989.

Violations in alcohol and drug policies and laws will result in disciplinary action. Sanctions could include written warnings, fines, alcohol and /or drug assessments, disciplinary probation, loss of housing, loss of extracurricular privileges, suspension, and dismissal. Student organizations also may be sanctioned for violations of these policies and laws.

Students and employees are responsible for compliance with all laws regarding possession and distribution of illicit drugs and alcohol. The College does not condone any violations of the criminal law, including underage drinking.

Enforcement of the College Substance Abuse Policy will occur in residence life units and rooms when, for example, attention is drawn to the room because of noise, excessive numbers of people, intoxication or any violations of the rights of others.

It is each student's and employee's responsibility to understand and abide by the laws as outlined in the College Substance Abuse Policy. The College Drug and Alcohol Policy is binding on all undergraduate and graduate students and College employees.

### **Alcoholic Beverages Policy**

Federal law requires that in order for an institution of higher education to receive federal funds, it must adopt and implement a program to prevent the possession, use, or distribution of illegal or illicit drugs and alcohol by students and employees. In keeping with the foregoing, all students are required to strictly adhere to the standards of

conduct outlined below.

a) Alcoholic Beverages:

In keeping with the laws of New York, college policy regarding alcoholic beverages is as follows:

- 1) It is illegal for any person under 21 years of age to possess alcoholic beverages or to attempt to purchase or to consume or transport any alcoholic beverage.
- 2) It is illegal for any person to sell or give alcoholic beverages of any kind to a minor.
- 3) It is illegal for any person to misrepresent his or her own age or the age of any other person to obtain alcoholic beverages.

For students and their guests of legal age, alcoholic beverages are confined to resident rooms with doors closed, or to a location designated and approved by the Office for Student Development. All individual students or guests in any student room must be of legal age (21 years or older) when alcohol is present.

Alcohol is prohibited in all public areas, including, without limitation, porches, lounges, stairs, lobbies, classrooms, hallways, and offices. In those situations in which exceptions are made, the college reserves the right to require additional procedures to ensure safety and responsible consumption.

Alcoholic beverages are not allowed in the Student Activities programs on campus unless during an event where all in attendance are of age and the sponsoring group has received the explicit written permission of the Vice President and Dean for Student Development.

b) Alcohol Containers and Quantities:

This section regulates the amount of alcohol a student who is 21 or older may possess in our residence halls or while on college property. The essential elements of that policy are as follows:

- 1) No kegs or beer balls, or the number of cases and/or bottles or cans of alcohol that equal the volume of these containers, are permitted in the residence halls or on college property.
- 2) Non alcoholic punch/mix/concoction is permitted in the residence halls or on college property.
- 3) No student may possess more than one total unit in any combination of the following list of alcohol unit amounts:

- One gallon of wine.
- One liter of hard liquor or natural or distilled spirits used or intended for consumption.
- One case of beer or malt products (24 12-ounce bottles or cans).
- One case of wine coolers or similar alcoholic products (24 12-ounce bottles or cans).

Bulk amounts and common sources of alcohol are strictly prohibited for individual and campus organizations unless provided by a third-party vendor and approved by and registered with the Office for Student Development. Examples of bulk amounts and common sources of alcohol are kegs and beer balls or jug wines. Alcohol used in violation of college policy will be confiscated.

Empty alcohol containers and paraphernalia— including wine bottles, beer cans/bottles, liquor bottles of any size, shot glasses, beer bong and funnels—are prohibited on college property, including those for decorative purposes.

## **STANDARDS OF CONDUCT**

1. The illegal use, sale, possession, manufacture, or purchase of illegal drugs or alcohol is strictly prohibited.
2. There shall be no alcohol beverages served or consumed at any on-campus College events or functions except under the specific exceptions listed below:
  - A. Alcoholic Beverages are prohibited on college properties and at all college functions with the following exceptions:
    1. Specifically stated Administrative/Staff functions: Faculty/Staff Dinner Dance and the Faculty/Staff Holiday Party.
    2. Other college functions as approved by the President.
3. **DRUNKENNESS AND INTOXICATION**  
Intoxication, whether of alcohol or illicit drugs and whether public or private, is a violation of the standards of the College and is subject to College discipline.
4. **POSSESSION AND TRANSPORT OF ALCOHOL ON CAMPUS; PROVISION TO MINORS**  
No person may possess or transport alcoholic beverages in any public area of the campus, i.e. parking lots, college housing, or common areas. Alcohol may not be provided to those who are underage.
5. **KEGS AND BEER BALLS**  
Kegs and Beer Balls containing alcoholic beverages are not allowed anywhere on College property. Any student involved in a violation of this regulation will receive a mandatory fine and additional sanctions. All kegs and beer balls will be confiscated.



## **WELLNESS**

St. Thomas Aquinas College is committed to promoting the physical, intellectual, social, ethical and spiritual development of the college community. In continuing its efforts to meet these commitments, the College will provide on-going health promotion, risk reduction, intervention and referral to treatment in connection with the unlawful possession, use and distribution of alcohol and other drugs, as cited in this policy.

### **1. HEALTH RISKS ASSOCIATED WITH ABUSE OF ILLICIT DRUGS AND ALCOHOL**

For information about the health risks associated with the use of alcohol and drugs, please stop by the Office of Student Development, the College Health & Wellness office, or the Office of Counseling & Psychological Services for detailed information.

### **2. COUNSELING & PSYCHOLOGICAL SERVICES**

Abuse of drugs and alcohol may lead to marked impairment in social, familial, and vocational functioning, as well as causing significant health problems.

Students at St. Thomas Aquinas College who are concerned with these issues are urged to contact a counselor at Counseling & Psychological Services (Romano Student Alumni Center). Confidential individual, group, and family counseling is available at the Center. Treatment for alcohol and/or substance abuse problems often involves referral to services in the community that specialize in Substance Abuse treatment.

Individuals who are trying to maintain sobriety may be referred to appropriate support groups, as are individuals who are suffering because a friend or family member is abusing drugs or alcohol.

## **COLLEGE DISCIPLINARY SANCTIONS**

A student or employee who violated the College's Substance Abuse Policy will be subject to disciplinary sanctions up to and including expulsion or termination and referral for criminal prosecution by law enforcement authorities.

The President and the Vice President & Dean for Student Development may impose disciplinary sanctions such as:

- written warnings
- monetary fines and/or restitution
- work assignment/community service
- referral for assessment and/or counseling
- probation (sports/student activity participation)
- suspension from campus housing

- expulsion from campus housing
- suspension from the college
- expulsion from the college
- suspension from employment.

## **APPEAL**

Each student has the right to appeal any sanction incurred as a consequence of a Substance Abuse Policy violation.

## **BIENNIAL REVIEW OF POLICY**

The College will review its Substance Abuse Policy every two years in order to: (1) determine its effectiveness and implement changes to the Policy if necessary; and (2) to ensure that the disciplinary sanctions described therein are consistently enforced.

## **LEGAL SANCTIONS**

Both Federal and State law make it a criminal offense to manufacture, distribute, dispense or possess with intent to manufacture, distribute, dispense or simply possess a controlled substance. See Title 21 U.S. Code 801, et. Seq. And New York State Public Health Law, 3306. Controlled substances are defined by the schedules contained in 812 of the Title 21 of the U.S. Code and New York State Public Health Law, 3306.

The New York State Penal Law makes it a criminal offense to possess, possess with intent to sell, or actually sell various drugs. The drugs to which this law applies include marijuana and those listed in the schedules contained in the New York State Public Health Law 3306.

The possible sanction\’s for the violation of Federal and State law depend upon the particular offense violated. The various offenses are premised on aggravating factors which include the type and quantity of drugs involved. Depending upon the particular aggravating circumstances involved, violations of said law may include sanctions ranging from community service to a monetary fine and/or a term of imprisonment.

It is a violation of New York State Penal Law 240.40 for a person to appear in public under the influence of narcotics or a drug other than alcohol to the degree that he may endanger himself or other persons or property, or annoy persons in his vicinity. It is also a violation of New York State Penal Law 260.20 (d) (4) for a person to give or sell an alcoholic beverage to a person less than twenty-one years old.

Any person who operates a motor vehicle while intoxicated or while his ability to operate such vehicle is impaired by the consumption of alcohol or by drugs in violation of Vehicle and Traffic Law 1192 is subject to suspension or revocation of driving privileges in the state as well as a fine and a possible term of imprisonment.

For detailed information on Federal and State Trafficking Penalties, or for further details

concerning federal, state and local legal sanctions, please visit the Office of the Vice President and Dean for Student Development.

### **LOCAL LAW**

Open Container: It is a violation of the Town of Orangetown, Local Law No. 2 to possess, carry or transport any alcoholic beverage in an open bottle or open container, in or upon any public sidewalk, street, highway, parking lot or public park or on any grounds owned or under the control of a public school district within the Town of Orangetown. The possible penalties include a fine and imprisonment.

## **SEXUAL MISCONDUCT POLICY**

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PART II: PROCESS A—FORMAL GRIEVANCE PROCESS FOR ALLEGATIONS OF TITLE IX SEXUAL HARASSMENT

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III. INFORMAL GRIEVANCE PROCESS

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PART IV: APPEALS PROCESS FOR DETERMINATIONS REGARDING RESPONSIBILITY (PROCESS A OR PROCESS B), DISMISSAL OF A COMPLAINT OR FORMAL COMPLAINT, OR ANY ALLEGATIONS THEREIN

Appendix A STUDENTS' BILL OF RIGHTS

Appendix B EMPLOYEE COMPLAINT FORM FOR REPORTING SEXUAL HARASSMENT

## *PART I: GENERAL POLICY CONSIDERATIONS*

### **I. St. Thomas Aquinas College (the “College” or “STAC”)**

The College seeks to maintain a safe learning, living and working environment. In furtherance of our Mission, and in accordance with Title IX of the Education Amendments of 1972 and its implementing regulations (“Title IX”), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”), as amended by the Violence Against Women Act of 2013 (“VAWA”), Title VII of the Civil Rights Act of 1964 (“Title VII”), Article 129-B of the New York State Education Law (“Article 129-B”), the New York State Human Rights Laws (“NYSHRL”), and all other applicable law, the College is committed to maintaining a community free from all forms of gender- and sex-based sexual discrimination, including sexual harassment. In accordance with Title IX, the College does not discriminate on the basis of sex in its educational programs or activities that it operates, including admissions and employment. Under Title IX, discrimination on the basis of sex includes sexual harassment, as defined below.

Any inquiries about the application of Title IX and related issues of sex discrimination, may be referred to the College’s Title IX Coordinator, the U.S. Department of Education’s Assistant Secretary for Civil Rights, or both.

Norman Huliung  
St. Thomas Aquinas College  
Title IX Coordinator  
125 Route 340  
Sparkill, NY 10976  
Romano Student Alumni Center  
Telephone: (845)398-4068  
Email: [nhuling@stac.edu](mailto:nhuling@stac.edu)

U.S. Department of Education  
Office of Civil Rights  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1100  
Telephone: 1-800-421-3481  
Fax: 202-453-6012  
TDD: 1-800-877-8339  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

The College has established this Sexual Misconduct Policy (the “Policy”), to promptly and equitably address allegations of “sexual misconduct” including: all forms of sex/gender-based discrimination, sex/gender-based harassment, all forms of sexual harassment, sexual assault, dating violence, domestic violence, stalking, and any other form of non-consensual sexual activity or related misconduct prohibited by this Policy, as well as retaliation as defined herein (collectively referred to as “sexual misconduct”). This Policy: (i) defines prohibited conduct; (ii) sets forth available resources and reporting options; (iii) describes the College’s processes for responding to reports, complaints, and formal complaints, as defined herein; and (iv) describes programs implemented by the College to educate and increase awareness among the College community.

## **II. TITLE IX COORDINATOR**

Notice of alleged Policy violations, reports, complaints, formal complaints, and/or inquiries or concerns regarding this Policy and/or the state, federal, and local laws covered in this Policy may be made to the College's Title IX Coordinator. Any member of the College, including any student, who believes that they have been a victim of sexual misconduct is encouraged to immediately report it to the College's Title IX Coordinator using the contact information listed above.

The Title IX Coordinator is responsible for, among other things: ensuring the College's compliance with Title IX, overseeing the College's response to reports, complaints, or formal complaints of sexual misconduct and/or retaliation, identifying and addressing any patterns or systemic problems of sexual misconduct that arise during the investigation of a complaint or formal complaint of sexual misconduct, and assessing the effects of sexual misconduct on the campus climate. The Title IX Coordinator is also responsible for the implementation of supportive measures provided to the Parties upon notice of sexual misconduct, and for addressing all reports of sexual misconduct and/or retaliation in an equitable and neutral manner.

The Title IX Coordinator is available to meet with any member of the St. Thomas Aquinas College community, as defined below, to discuss this Policy and the procedures set forth herein. The Title IX Coordinator is required to be free from conflicts of interest and free from bias for or against complainants or respondents generally or to any individual complainant or respondent. Concerns involving bias or conflicts of interest, misconduct, or discrimination by the Title IX Coordinator, may be reported to Maria Coupe, Director of Human Resources & Strategic Services, at [mcoupe@stac.edu](mailto:mcoupe@stac.edu) or (845)398-4044. Any concerns of bias or a potential conflict of interest, misconduct, or discrimination by any other individual involved in the processes set forth in this Policy should be reported to the Title IX Coordinator.

## **III. SCOPE OF POLICY**

This Policy is effective as of August 14, 2020 and governs all reports, complaints, and formal complaints of sexual misconduct made on or after such date. Any reports or complaints made prior to the effective date of this Policy will be reviewed under the prior Policies and Procedures for Reports of Student and Employee Sexual Misconduct. Other forms of discrimination and harassment, including discrimination and harassment based on race, religion, disability, and any other protected class other than sex/gender are governed by the College's Non-Discrimination and Anti-Harassment Policy<sup>1</sup>. An individual who has a question about which policy applies may contact the College's Title IX Coordinator. Any requests by students or employees for accommodations due to a

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<sup>1</sup> This policy supersedes any information contained in that policy, if applicable, with respect to the definitions or procedures relating to sexual misconduct.

disability can be raised with Anne Schlinck, Director of Disability Services at (845)398-4087 or via email at [aschlinck@stac.edu](mailto:aschlinck@stac.edu).

The fundamental objective of this Policy is to address all forms of sexual misconduct, including sex discrimination, and retaliation, as defined herein. Allegations of a violation of this Policy are addressed under “Process A” or “Process B” as determined by the College’s Title IX Coordinator. Process A only applies to qualifying allegations of sexual harassment under Title IX (“Title IX sexual harassment”). Process B applies to all other forms for sexual misconduct and retaliation, including sexual harassment that the Title IX Coordinator determines does not fall within Process A. Both Process A and Process B contain an informal process.

This Policy governs all reports, complaints, and formal complaints, involving members of the St. Thomas Aquinas College community. In this Policy, the “St. Thomas Aquinas College community,” “STAC community”, or “College community” includes the College’s students, employees, including faculty, administrators and staff, prospective students and employees, contractors, subcontractors, vendors, or other third parties, visitors and guests, and other parties affiliated with the College by reason of employment or education and within the College’s control. Each member of the St. Thomas Aquinas College community is expected to assist in maintaining a working and learning environment that is free of sexual misconduct at the College.

Sexual misconduct may occur between members of the same or different sex, or any combination of members of the St. Thomas Aquinas College community. This Policy applies regardless of an individual’s 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, criminal conviction, part-time or full-time status, or other status protected by law. While sexual misconduct can constitute a criminal offense under state or federal law, an individual’s conduct may violate this Policy even if it does constitute a criminal offense<sup>2</sup>.

#### IV. **JURISDICTION**

This Policy applies to sexual misconduct that occurs during the College’s education programs and activities, and therefore covers all of the operations of the College<sup>3</sup>, such as academics, extracurricular activities, and may also include computer and internet networks, digital platforms, and computer hardware or software owned by, operated by,

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<sup>2</sup> Conduct that violates College policy may also violate New York State laws and subject the Respondent to criminal prosecution. Sex Offenses under New York law are described in Sections 130.00 to 130.96 and prohibited Stalking Offenses in Sections 120.45 to 120.60 of the New York State Penal Code, available at <http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS>.

<sup>3</sup> For the purposes of Title IX sexual harassment (34 CFR §§ 106.30, 106.44 and 106.45), “education program or activity” includes locations, events, or circumstances over which the College exercised substantial control over both the Respondent and the context in which the sexual harassment occurs, and any building owned or controlled by a student organization that is officially recognized by the College.



or used in the operations of the College. This Policy covers conduct that occurs on-campus, in College provided housing, and any other property owned or controlled by the College, as well as off-campus at programs and activities sponsored by the College, including study abroad<sup>4</sup>. Any online postings or other electronic communications will be in violation of this Policy the same as any other verbal, written, or physical conduct addressed in this Policy. Irrespective of where the sexual misconduct took place, the College will assess all reports, complaints, and formal complaints to determine whether the sexual misconduct took place during its education program or activity or has a continuing effect on campus or in an off-campus sponsored program or activity.

Members of the STAC community are subject to this Policy. When the Respondent is not a STAC community member or the Respondent's identity is not known, the Title IX Coordinator will provide appropriate resources and support options to the Complainant, and/or assist the Complainant in contacting law enforcement if the allegations include conduct that is criminal and the Complainant wishes to file a report with the police. The College may also prohibit individuals from College programs or activities in order to protect the Complainant or its community.

## V. DEFINITIONS

For purposes of this Policy, the following definitions apply:

**“Actual knowledge”** means notice of Title IX sexual harassment or allegations of Title IX sexual harassment to the College's Title IX Coordinator or any College official who has authority to institute corrective measures on behalf of the College, also known as any Official with Authority as defined below. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. The mere ability or obligation to report Title IX sexual harassment, or to inform a student about how to report such sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the College. Notice includes, but is not limited to, reports, complaints, and formal complaints of sexual misconduct, as defined herein. This standard is not met when the only official of the College with actual knowledge is the Respondent. Once the College has actual knowledge of Title IX sexual harassment in its education program or activity against a person in the U.S., it will respond promptly in a manner that is not deliberately indifferent.

**“Advisor”** means an individual who may be, but is not required to be an attorney, and that is selected by each party or appointed by the College at the party's request to accompany the party to any related meeting or proceeding, to advise the party, and to conduct cross-examination for the party at the hearing in Process A, if any. If a party

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<sup>4</sup> Conduct that is prohibited by Article 129-B that is not covered by Title IX sexual harassment is addressed under Process B of this Policy. To the extent applicable, students maintain the rights set forth in the Students' Bill of Rights during resolution of a complaint or formal complaint under Process A or Process B. N.Y. Educ. Law § 6440(6). A copy of the Students' Bill of Rights is attached hereto as Appendix A.

does not select an advisor, and a hearing under Process A is required based on allegations of Title IX sexual harassment, the College will appoint an advisor, without fee or charge to that party, for the purposes of conducting cross-examination.

**“Affirmative consent”** means a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression.

- Consent to any sexual act or prior consensual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.<sup>5</sup>
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

**“Bystander”** means a person who observes a crime, impending crime, conflict, potentially violent or violent behavior or conduct that is in violation of the rules or policies of the College.

**“Coercion”** means unreasonable pressure to engage in sexual activity.

**“Complainant”** refers to an individual who is alleged to be the victim of conduct that could constitute sexual misconduct and/or retaliation for engaging in a protected activity.

**“Complaint”** means a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual misconduct, other than Title IX sexual harassment, against a Respondent and requesting that the College investigate the allegation of sexual misconduct and/or retaliation. Complaints apply to Process B of this Policy.

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<sup>5</sup> In New York, a person under the age of seventeen cannot legally consent to sexual activity and is considered incapacitated.

**“Confidentiality”** may be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to institution officials, in a manner consistent with state and federal law, including but not limited to 20 U.S.C. § 1092(f) and 20 U.S.C. § 1681(a). Licensed mental health counselors, medical providers and pastoral counselors are examples of institution employees who may offer confidentiality.

**“Covered Non-Employees”** include: (i) applicants for employment; (ii) interns, whether paid or unpaid; (iii) persons who are (or are employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services to the College; and (iv) persons commonly referred to as independent contractors, “gig” workers, and temporary workers, including, but not limited to, persons providing equipment repair, cleaning services, or any other services provided pursuant to a contract with the College.

**“Dating violence”** as defined by VAWA at 34 U.S.C. § 12291(a)(10), means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship is determined based on a consideration of the following factors: (i) the length of the relationship, (ii) the type of the relationship, and (iii) the frequency of interaction between the persons involved in the relationship.

**“Day”** means a business day.

**“Deliberately indifferent”** as defined in 34 C.F.R. § 106.44(a), an institution is deliberately indifferent only if its response to Title IX sexual harassment is clearly unreasonable in light of the known circumstances. Once the College has actual knowledge of Title IX sexual harassment in its education program or activity against a person in the United States, the College will respond promptly in a manner that is not deliberately indifferent.

**“Disciplinary sanction”** means an action imposed by the College on a Respondent where a determination of responsibility has been made and the Respondent has been found to have violated this Policy.

**“Domestic violence”** as defined by VAWA at 34 U.S.C. § 12291(a)(8), includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

**“Education program or activity”** for purposes of 34 C.F.R. §§ 106.30 and 106.45, includes locations, events or circumstances over which the College exercised substantial control over both the Respondent and the context in which the alleged sexual

misconduct occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the College.

**“Final determination”** means that a determination has become final. A determination is a finding by the College based upon a preponderance of the evidence, regarding whether the Respondent is responsible for the alleged conduct and whether the alleged conduct constitutes a violation of this Policy. A determination indicates whether disciplinary sanctions, if any, are to be imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the College’s education program or activity are to be provided to the Complainant. A “final” determination means the written determination containing the information required in 34 C.F.R. § 106.45(b)(7), as modified by any appeal by the Parties. A determination becomes a final determination on the date that the College provides the Parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

**“Force”** means the use of physical violence and/or imposing on someone physically to engage in sexual activity. Force can also include threats, intimidation, or coercion used to overcome an individual’s freedom of will to choose whether or not to participate in sexual activity.

**“Formal complaint”** means a Process A document filed by a Complainant (meaning a document or electronic submission that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the individual filing the formal complaint) or signed by the Title IX Coordinator alleging Title IX sexual harassment against a Respondent, and requesting that the College investigate the allegation of Title IX sexual harassment. Formal complaints apply to Process A of this Policy. At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the College.

**“Grievance process”** refers to the formal and informal grievance processes set forth as “Process A,” which is designated by the College to address Title IX sexual harassment that falls within this Policy, and which complies with the requirements of the Title IX regulations (34 C.F.R. § 106.45). Process A only applies to reports and formal complaints of Title IX sexual harassment.

**“Hearing Officer”** refers to an individual who presides over the hearing conducted during the formal grievance process (Process A) and formal resolution process (Process B) of this Policy and issues a determination as to alleged Policy violation(s).

**“Intimidation”** means implied threats that reasonably cause another individual to fear for that individual’s safety or well-being.

**“Investigator”** means an individual(s) appointed by the Title IX Coordinator or their designee to investigate the allegations of sexual misconduct and/or retaliation under this

Policy. Investigators are also charged with creating an investigative report that fairly summarizes the relevant evidence.

**“No-contact order”** means a directive prohibiting or restricting contact between and among designated individuals through any means, direct or indirect, including personal contact, email, telephone, text message, social media, or by means of a third party. Continued intentional contact would be a violation of College policy subject to additional conduct charges.

**“Official with Authority”** means an employee of the College who has the authority to institute a corrective action on behalf of the College.

**“Parties”** include the Complainant(s) and Respondent(s), collectively (a “party” is someone directly involved in a proceeding). Others, such as witnesses and advisors, are not considered Parties.

**“Preponderance of the evidence”** is the standard to determine responsibility under this Policy. This means that it is more likely than not that a violation of this Policy occurred.

**“Privacy”** may be offered by an individual when such individual is unable to offer confidentiality under the law but shall still not disclose information learned from a reporting individual or bystander to a crime or incident more than necessary to comply with applicable laws, including informing appropriate College officials.

**“Process A”** means the grievance processes defined above and detailed below. Process A only applies to conduct that constitutes Title IX sexual harassment.

**“Process B”** means the resolution processes defined and detailed below. Process B applies to all allegations of sexual misconduct and retaliation that do not constitute Title IX sexual harassment.

**“Prohibited conduct”** means conduct that constitutes a violation of this Policy.

**“Remedies”** means actions taken by the College in favor of a Complainant and/or the College community after a determination of responsibility has been made through Process A or Process B. Remedies are designed to restore or preserve equal access to the College’s education program or activity. Remedies may include the same individualized services as supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

**“Report”** means a report made to the Title IX Coordinator that is verbal or written, by any person, alleging sexual misconduct and/or retaliation as defined herein. Such a report can be made at any time in person, by mail, by phone, or by electronic mail. A report is not the same as a complaint or formal complaint and will not initiate either the grievance processes (Process A) or the resolution processes (Process B).

**“Reporting individual”** means any individual who reports an alleged violation of this Policy to the Title IX Coordinator. This may or may not be the same as the Complainant, a witness, or a bystander.

**“Resolution processes”** refers to the formal and informal resolution processes set forth in “Process B,” and which apply when Process A does not, as determined by the Title IX Coordinator. The resolution processes address all reports and complaints of sexual misconduct and retaliation as defined herein, except for all reports and formal complaints of Title IX sexual harassment.

**“Respondent”** refers to an individual who has been alleged to be the perpetrator of conduct that could constitute sexual misconduct and/or retaliation.

**“Responsible employee”** means an employee of the College who must share their knowledge of sexual misconduct with the Title IX Coordinator. This definition encompasses virtually every College employee, including all faculty, staff and administrators, except those who are acting as pastoral and professional counselors and non-professional counselors and advocates at the College. A responsible employee must immediately report all relevant details about the alleged sexual misconduct shared by the reporting individual to the Title IX Coordinator. A responsible employee will strive to maintain privacy and information reported to the responsible employee will be shared only with those having a need to know such information in order to respond in accordance with College policy. A responsible employee who receives knowledge of sexual misconduct does not constitute actual knowledge to the College, unless the Title IX Coordinator or an Official with Authority receives notice of the same.

**“Retaliation”** has various definitions under state and federal laws. See Section VII of Part I.

**“Sex”** includes sex, gender, sexual orientation, gender identity, and/or gender expression.

**“Sex discrimination”** involves treating someone unfavorably because of that person’s actual or perceived sex. It occurs when, on the basis of sex, gender, sexual orientation, gender identity, including transgender status and/or gender expression, an individual or group is excluded from participation in, or denied the benefits of, any College program or activity, including admission and employment.

**“Sexual activity”** includes any “sexual act” or “sexual contact.”

- A “sexual act” means (a) contact between the penis and vulva or the penis and the anus where penetration occurs, however slight; (b) contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus; (c) the penetration, however slight of the anal or genital opening of another by hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or

arouse or gratify the sexual desire of any person; or (d) the intentional touching, not through the clothing of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person;

- “Sexual contact” means the intentional touching, either directly or through the clothing of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade or arouse or gratify the sexual desire of any person.

“**Sexual assault**” as defined at 20 U.S.C. § 1092(f)(6)(A)(v), means an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation (“FBI”). These offenses are defined<sup>6</sup> as follows:

- “**Sex offenses**”<sup>7</sup> include any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.
  - **Rape – Completed** [SRS Definition]: penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes either gender of victim or offender. Sexual penetration means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, or by a sex-related object. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.
  - **Rape (except statutory rape)** [NIBRS Definition—to be used only when SRS is retired<sup>8</sup>]: the carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
  - **Sodomy**: oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

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<sup>6</sup> The definitions herein are from the most recent Uniform Crime Reporting Program National Incident-Based Reporting System (“NIBRS”) User Manual, dated May 7, 2020, with the exception of Rape, which, in accordance with the Clery Act, is defined pursuant to the FBI’s Uniform Crime Reporting Program Summary Reporting System (SRS), dated June 20, 2013. Once the SRS is retired, the NIBRS definition of rape shall be used.

<sup>7</sup> Under the NIBRS User Manual dated 2011, available here, this definition was used to describe “Sex Offenses, Forcible.” The following acts were classified as “Sex Offenses, Forcible”: Forcible Rape (Except Statutory Rape), Forcible Sodomy, Sexual Assault with An Object, and Forcible Fondling.

<sup>8</sup> It is anticipated that the FBI will retire the SRS on January 1, 2021.

- **Sexual assault with an object:** to use an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. An “object” or “instrument” is anything used by the offender other than the offender’s genitalia, e.g., a finger, bottle, handgun, stick.
- **Fondling:** the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- **“Sex offenses”<sup>9</sup>** are also unlawful sexual intercourse:
  - **Incest:** sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory rape:** sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in statutory rape; the act is not an attack. In New York, the statutory age of consent is 17 years.

**“Sexual exploitation”** means abuse or non-consensual use of another person’s sexuality or nudity without consent, for the Respondent’s own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited. Specific conduct that constitutes sexual exploitation could constitute Title IX sexual harassment if it meets the definition under Title IX. Examples of sexual exploitation include, without limitation:

- Causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over that person thus compromising that person’s ability to give affirmative consent (e.g. administering alcohol or drugs to another person for the purpose of making that person vulnerable to non-consensual sexual activity);
- Causing the prostitution of another person;
- Voyeurism (such as non-consensual observations, electronically video or audio recording, watching or taking pictures, videos or audio recordings of another person engaging in sexual activity, in a state of undress, or in a place and time where such person has a reasonable expectation of privacy, such as a bathroom or shower or changing room, each without the affirmative consent of all parties);

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<sup>9</sup> Under the NIBRS User Manual dated 2011, available here, the definition of “(except prostitution offenses) unlawful, non-forcible sexual intercourse” was used to describe “Sex Offenses, Non-forcible.” The following acts were classified as “Sex Offenses, Non-forcible”: Incest, Statutory Rape. Moreover, please note that under the most recent NIBRS, failure to register as a sex offender is also considered a sex offense and is defined as failing to register or keep current a registration as required by state and federal laws.



- Transmitting intimate or sexual utterances, sounds or images of another person in a state of undress or of a sexual nature;
- Disseminating, streaming, or posting sexual activity of any form on social media or any other public forum without permission from another individual;
- Exceeding the boundaries of consent with another individual such as by allowing third parties to observe you engaging in sexual acts with another individual;
- Exposing one's genitals to another person without affirmative consent;
- Distributing intimate or sexual information about another person; and/or
- Knowingly exposing or transmitting a sexually transmitted infection or virus, including but not limited to HIV, to another person without the other person's knowledge.

**“Sexual harassment”** has various definitions under state and federal laws. See Section VI of Part I.

**“Sexual misconduct”** is a broad term that encompasses a wide range of prohibited behaviors and a term used to refer to any form of sex/gender-based discrimination, sex/gender-based harassment, all forms of sexual harassment, sexual assault, dating violence, domestic violence, stalking, sexual exploitation, and any other form of non-consensual sexual activity or related misconduct prohibited by this Policy, as well as retaliation.

**“Stalking”** as defined by VAWA at 34 U.S.C. § 12291(a)(30), is a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for their safety or the safety of others; or (2) suffer substantial emotional distress.

**“Supportive measures”** are non-disciplinary and non-punitive individualized services offered as appropriate and reasonably available, without fee or charge to Complainants and Respondents before or after the filing of a complaint or formal complaint or where no complaint or formal complaint has been filed. Supportive measures are designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all Parties or the College's educational environment, or to deter sexual misconduct. Supportive measures can include various forms or services as set forth in Section XI of Part I.

**“Title IX Coordinator”** means the Title IX Coordinator and/or their designee(s) which include, but are not limited to, persons at the College who have been designated as Deputy Title IX Coordinators. The Title IX Coordinator may delegate certain responsibilities under this Policy to designees, who will be appropriately trained.

**“Title IX Deputy Coordinator”** means the Title IX designee(s) which include, but are not limited to, persons at the College who have been designated as Deputy Title IX Coordinators. Currently, those are:

*Title IX Deputy Coordinators:*

Nicole Ryan, Athletic Director and Senior Woman Administrator  
Aquinas Hall, Athletics Department, 845-398-4163, [nryan@stac.edu](mailto:nryan@stac.edu)

Benjamin Wagner, Assistant Professor of Psychology  
School of Arts & Sciences, 845-398-4212, [bwagner@stac.edu](mailto:bwagner@stac.edu)

## VI. **SEXUAL HARASSMENT**

Sexual harassment is an unlawful form of discrimination. Sexual harassment may be committed by any individual upon another, regardless of that individual's sex, sexual orientation, gender identity, or gender expression. The term "sexual harassment" has various definitions under applicable laws and by various bodies, including the U.S. Department of Education, the U.S. Equal Employment Opportunity Commission ("EEOC"), and New York State. Reports and formal complaints of sexual harassment that constitute Title IX sexual harassment are addressed under Process A of this Policy.<sup>10</sup> Reports and complaints of conduct that does not constitute Title IX sexual harassment, as well as conduct that may constitute Title VII or NYSHRL sexual harassment, is addressed under Process B of this Policy. Note, however, that conduct can meet more than one of these definitions. A summary of these definitions is set forth below.

### **a. Title IX Sexual Harassment**

Under Title IX, specifically 34 C.F.R. § 106.30, "sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

- i. A College employee conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct;
- ii. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity;<sup>11</sup> or
- iii. Sexual assault, as defined in 20 U.S.C. § 1092(f)(6)(A)(v), dating violence, as defined in 34 U.S.C. § 12291(a)(10), domestic violence, as defined in 34 U.S.C. § 12291(a)(8), or stalking as defined in 34 U.S.C. § 12291(a)(30). Definitions for these terms are also provided in Section V of Part I.

To fall under Title IX, the sexual harassment must have occurred during the College's education program or activity against a person in the United States. At

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<sup>10</sup> Conduct that constitutes sex discrimination, including under Title IX, and which does not constitute Title IX sexual harassment, is addressed under Process B of this Policy.

<sup>11</sup> Categories i and iii do not require elements of severity, pervasiveness, or objective offensiveness. Severity, pervasiveness and objective offensiveness must be evaluated in light of the known circumstances and depend on the facts of each situation, but must be determined from the perspective of a reasonable person standing in the shoes of the Complainant.

the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the College.

**b. Title VII Sexual Harassment**

It is unlawful to harass a person because of that person's sex. Harassment can include "sexual harassment" or unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- i. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- ii. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- iii. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

**c. NYSHRL Sexual Harassment<sup>12</sup>**

NYSHRL sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender. NYSHRL sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment need not be severe or pervasive to be unlawful and can be any harassing conduct that consists of more than petty slights or trivial inconveniences. NYSHRL sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex.

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<sup>12</sup> The NYSHRL applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors, and persons conducting business, regardless of immigration status, with the College; all must follow and uphold this Policy. Any employee or individual covered by this Policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action.

NYSHRL sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

NYSHRL sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment. Any employee who feels harassed should report it so that any violation of this Policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this Policy.

NYSHRL sexual harassment can occur between any two or more individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Unlawful NYSHRL sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

#### i. Examples of NYSHRL Sexual Harassment

The following describes some of the types of acts that may be unlawful NYSHRL sexual harassment and that are strictly prohibited:

- Unwanted physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;

- Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging an individual's work;
  - Bullying, yelling, name-calling.

Preventing sexual harassment is everyone's responsibility. The College cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern, or nonemployee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or the Title IX Coordinator. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or the Title IX Coordinator.

Reports of sexual harassment may be made verbally or in writing. Employees are encouraged to use the form that is attached to this Policy as Exhibit B, for submission of a written complaint. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf. Employees, paid or unpaid interns, or non-employees who believe they have been a victim of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior

or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to the Title IX Coordinator. In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue. Supervisors and managers will also be subject to discipline for engaging in any retaliation.

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner and will be confidential to the extent possible. An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. All persons involved, including Complainants, witnesses, and Respondents will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation. Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. The College will not tolerate retaliation against employees who file complaints, support another's complaint, or participate in an investigation regarding a violation of this Policy.

Allegations of NYSHRL sexual harassment that does not fit within the definition of Title IX sexual harassment, and allegations of retaliation, will be handled as outlined below and in accordance with Process B.

## **VII. PROHIBITION AGAINST RETALIATION**

The College will not tolerate any form of retaliation as defined herein. Unless the form of retaliation constitutes Title IX sexual harassment, which would be addressed under Process A, all complaints alleging retaliation under this Policy or the laws covered by this Policy should be addressed under Process B. The following constitutes "retaliation":

### **a. Title IX Retaliation<sup>13</sup>**

The College will not tolerate any intimidating, threatening, coercing, or discriminating behavior against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because an individual has made a report, complaint, or formal complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or Title IX sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination or a report or

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<sup>13</sup> Complaints alleging retaliation may be filed according to the resolution processes for sex discrimination required to be adopted under 34 C.F.R. § 106.8(c), which is Process B under this Policy.

formal complaint of Title IX sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this subsection of the Policy. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation under this subsection of the Policy, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

**b. Title VII Retaliation**

In accordance with Title VII, the College will not discriminate against any of its employees or applicants for employment because of the employee's or applicant's opposition to any practice made an unlawful employment practice by Title VII, or because the employee or applicant made a charge, testified, assisted, or participated in any investigation, proceeding, or hearing under Title VII.

**c. NYSHRL Retaliation (Employees Only)**

No employee covered by this Policy shall be subject to adverse action because the employee reports an incident of NYSHRL sexual harassment, or provides information or otherwise assists in any investigation of a NYSHRL sexual harassment complaint. The College will not tolerate such NYSHRL retaliation against anyone who, in good faith, reports or provides information about suspected NYSHRL sexual harassment. Any employee of the College who retaliates against anyone involved in a NYSHRL sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees working in the workplace who believe they have been subject to such NYSHRL retaliation should inform a supervisor, manager, or the Title IX Coordinator. All employees, paid or unpaid interns, or non-employees who believe they have been a target of such NYSHRL retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.

Under the NYSHRL, unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a NYSHRL sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours). Such retaliation is unlawful under federal, state, and (where applicable) local law. The NYSHRL protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- Made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- Testified or assisted in a proceeding involving sexual harassment under the NYSHRL or other anti-discrimination law;
- Opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- Reported that another employee has been sexually harassed; or
- Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

## VIII. IMMEDIATE RESOURCES

There are a number of on-campus and off-campus resources available that can help after an incident of sexual misconduct. For emergency or immediate assistance call Campus Safety at (845)398-4080 or x4080 from a campus phone or call 911 from a campus phone. Both options are available 24 hours a day, 7 days a week.

### a. Immediate Medical Assistance and Counseling

If you or someone you know is, or may be, the victim of any form of sexual misconduct and/or retaliation, the College strongly urges you to seek immediate assistance. Seeking assistance promptly may be important to ensure physical safety or to obtain appropriate medical care and emotional support. It may also be necessary to preserve evidence. Among the evidence that should be preserved are all pertinent emails, text messages, and social media postings.

Assistance is available 24 hours a day, 7 days a week, from:

- Emergency 9-1-1
- Office of Campus Safety and Security, 845-398-4080 or, if on campus, extension 4080. Appropriate members of Campus Safety & Security will provide both parties information on options for obtaining advocacy, medical and counseling services, and making criminal reports, and will assist with providing information on other resources.
- Orangetown Police Department, 845-359-3700
- Rockland County District Attorney, Special Victims Unit, 845-638-5001
- New York State Police, Troop F (Haverstraw), 845-364-0200
- New York State Police Campus Sexual Assault Victims Unit, 1-844-845-7269



- New York State Domestic Violence and Sexual Assault Hotline, provides crisis intervention, shelter services, and referrals (800)-942-6906

#### **b. Sexual Assault Forensic Examiners**

- Being examined as soon as possible is important in the case of sexual assault. To preserve evidence, do not shower, bathe, brush teeth, change clothing or drink liquids before going to the hospital or the police after experiencing an act of sexual assault or other misconduct.
- Sexual Assault Forensic Examiners (SAFE) are considered the best and most appropriate medical professionals to conduct such an examination and are available at:
  - The Center for Safety and Change  
<http://centerforsafetyandchange.org>  
 (845) 634-3344  
 9 Johnsons Lane, New City, NY 10956
  - Nyack Hospital  
 (845) 348-2000  
 160 N. Midland Avenue, Nyack, NY 10960
  - Good Samaritan Hospital  
 (845) 368-5000  
 255 Lafayette Avenue, Suffern, NY 10901

#### **c. College Counseling Resources**

Regardless of whether an individual makes a complaint or formal complaint, the following counseling options are available at the College:

##### Counseling and Psychological Services

Romano Student Alumni Center

Dr. Lou Muggeo, Director

[lmuggeo@stac.edu](mailto:lmuggeo@stac.edu)

Phone: (845) 398-4065

Monday – Friday, 9am – 5pm

##### Health & Wellness Services

McNelis Commons, Unit 2B

Ms. Ann Walsh, RN

Phone: (845)398-4242

[awalsh@stac.edu](mailto:awalsh@stac.edu)

Center for Safety and Change  
<http://centerforsafetyandchange.org>  
(845)634-3344  
9 Johnsons Lane, New City, NY 10956

## **IX. OPTIONS FOR REPORTING INCIDENTS OF SEXUAL MISCONDUCT**

The College encourages individuals who experience, witness or become aware of alleged sexual misconduct to report the incident to the Title IX Coordinator. The College will assist individuals in contacting law enforcement, if desired. The College also provides individuals the opportunity to discuss alleged incidents with a trained professional on campus with the assurance that the discussion will be confidential. For more information on how to file a complaint of sexual misconduct or formal complaint of Title IX sexual harassment please see Section I of Part II for formal complaints (Process A) and Section I of Part III for complaints (Process B).

### **a. Law Enforcement Notification and Orders of Protection**

If you are the victim of sexual misconduct, the College strongly encourages you to promptly report the incident to the police. Timing is a critical factor in collecting and preserving evidence that may assist in proving that the alleged misconduct occurred or may be helpful in obtaining an order of protection or a restraining order. College representatives are available to assist you in notifying law enforcement of an incident of sexual misconduct and in contacting law enforcement or legal service organizations. You may also decline to notify law enforcement.

Any internal College process will run concurrently with a criminal investigation and proceeding, except for temporary delays as requested by external 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. Not all sexual misconduct under this Policy is a crime<sup>14</sup> and the standard applied in criminal cases (beyond a reasonable doubt) is different from the College's standard (preponderance of evidence) under this Policy. Questions about whether incidents violate criminal laws and how the criminal process works should be directed to law enforcement officials or the District Attorney.

College representatives are also available to: (i) assist students in initiating legal proceedings in family or civil court and (ii) assist students in acquiring a New York State court order of protection. If an order of protection is granted, the Parties have the right to receive a copy of the order when the College receives it.

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<sup>14</sup> Penal codes and definitions vary by state and federal law. These definitions may also differ from the definitions of violations in this Policy. New York Penal law Article 130 addresses criminal sex offenses and can be accessed at <https://www.nysenate.gov/legislation/laws/PEN/P3THA130>.

Alternatively, the College suggests the party provide a copy of the order if they receive one as the College may not receive a copy if they are not a party to the action. The Parties will also have the opportunity to have the College explain the order, the consequences for violating the order, and answer any questions about the order. If the party against whom the order is made violates the order of protection, the protected party may receive assistance from the College in calling local law enforcement to inform them of the violation.<sup>15</sup>

## **b. College Notification**

The College will promptly and equitably respond to all reports of sexual misconduct made to the Title IX Coordinator, as identified above with measures designed to stop such conduct, prevent its recurrence and remediate any adverse effects. Reports of sexual misconduct and/or retaliation may be made using any of the following options:

- Any individual (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sexual misconduct) may report incidents of sexual misconduct to the Title IX Coordinator at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed herein for the Title IX Coordinator.
- Report online, using the reporting form: [Complaint Form for Reporting Sexual Harassment](#).
- Individuals may report anonymously.<sup>16</sup>

Except for those employees designated as confidential, as set forth herein, any incident of sexual misconduct reported to a College employee (a responsible employee as defined herein), must be reported by the employee to the Title IX Coordinator. The College will confidentially maintain the identities of reporting individuals, Complainants, individuals who have been alleged to be perpetrators of sexual misconduct, including Respondents, and witnesses, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA") and its implementing regulations, as required by law, or as necessary to conduct

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<sup>15</sup> The College's Montefiore Nyack Hospital Employee Assistance Program (EAP) provides confidential, cost-free professional consultation and referral services to assist all STAC employees and their family members when faced with any personal or professional challenges. For more information, or to utilize the EAP benefit, please call (845) 638-8880 and please see the attached information sheet.

<sup>16</sup> To the extent possible, the College will investigate anonymous reports in order to determine what actions it may be able to take, including to provide supportive measures. However, the College's ability to respond to the report, including its ability to provide supportive measures, may be limited if the Parties' identities are unknown. Additionally, a known Complainant cannot remain anonymous during the formal grievance process set forth in Process A regardless of whether the Complainant or the Title IX Coordinator files the formal complaint. If a report is filed anonymously and the Complainant is not identified, the Title IX Coordinator may still proceed with filing a formal complaint, should circumstances warrant. However, like with reports, the College's ability to respond to a formal complaint will be limited.

proceedings under this Policy. To the extent possible, information reported to the Title IX Coordinator will be shared only with individuals responsible for handling the College's response to the report. The Title IX Coordinator will not share information with law enforcement without the Complainant's consent, except as required by law, or where the information involves suspected abuse of a minor under the age of 18, or the incident poses a safety risk to the College community.

i. Initial Assessment

Upon receiving a report, complaint, or formal complaint of an alleged violation of this Policy, the Title IX Coordinator will commence an initial assessment within 5 to 7 business days:

- The Title IX Coordinator will contact and provide the Complainant with a written explanation of their rights and options to proceed with respect to their report of sexual misconduct, offer immediate assistance available to the Complainant (e.g., referrals to appropriate law enforcement agencies; and referrals for medical treatment at local hospitals, existing counseling and legal assistance, and trauma centers), and other services available both within the College and in the community.
- The Title IX Coordinator will advise the Complainant of the importance of preserving pertinent evidence. Such evidence could include, but not be limited to, pertinent emails, text messages, and social media postings. In cases of alleged sexual assault, the Complainant will be advised to be immediately examined by appropriate medical personnel, and to not shower, bathe, brush teeth, change clothing, or drink liquids, before such an examination.
- A reporting individual will have emergency access to the Title IX Coordinator, or their designee who is properly trained. The Title IX Coordinator will provide the reporting individual information regarding their options to proceed, and other important information about their rights under College policy and the law. Such information includes, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible, and detailing that the criminal justice process utilizes different standards of proof and evidence and that any questions about whether a specific incident violated the penal law should be addressed to law enforcement or to the District Attorney. The Title IX Coordinator will also explain whether they are authorized to offer the reporting individual confidentiality or privacy, and will inform the reporting individual of other reporting options.<sup>17</sup>

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<sup>17</sup> For the purpose of this Policy, privacy and confidentiality have distinct meanings. Section V of Part I.

- The Title IX Coordinator will determine whether the scope of the allegations fall within the jurisdiction of this Policy.
- The Title IX Coordinator promptly makes supportive measures available to the Parties upon receipt of a report, complaint, or formal complaint. The Title IX Coordinator will discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a complaint or formal complaint, and explain to the Complainant the process for filing a complaint or formal complaint.<sup>18</sup> At the time that supportive measures are offered, the College will inform the Complainant, in writing, that they may file a complaint or formal complaint with the College either at that time or in the future, if they have not done so already.
- The Title IX Coordinator determines the applicability of a grievance process under Process A and if the complaint does not fall within the scope of Process A, assesses which processes may apply to the complaint (e.g. Process B). If the allegations fall within the scope of Process A, then the Title IX Coordinator will inform the Complainant of the option to file a formal complaint as well as the process for doing so. If the Complainant decides to file a formal complaint, please see Section I of Part II of this Policy.
- If the Title IX Coordinator determines that Process A applies, and the Complaint has filed a formal complaint, the Title IX Coordinator will work with the Complainant to determine whether the Complainant prefers a supportive response, an informal option, if applicable, or an investigation and formal grievance process as provided in Process A.
- If the Title IX Coordinator determines that Process B applies, the Title IX Coordinator will work with the Complainant to determine whether the Complaint prefers a supportive response, an informal option, if applicable, or an investigation and formal grievance process as provided in Process B.
- If the Complainant wishes to proceed with either process, if applicable, or the College believes it is otherwise necessary, the Title IX Coordinator will, to the extent such information has not already been gathered or provided, ascertain the name of the Respondent, the date, location, and nature of the alleged sexual misconduct, and, in a timely fashion, will notify the Respondent of the allegations and supportive measures available to the Respondent. If a formal complaint is filed, the Title IX Coordinator will provide initial notice to the Parties as further described in Section II of Part II of this Policy. The grievance process and

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<sup>18</sup> For a period of 7 years, the College will maintain a record of any supportive measures provided to the Parties. This documentation is further explained in Section XII of Part I of this Policy.

resolution processes outlined in this Policy will be followed before any discipline is imposed on the Respondent.

**c. Confidentiality**

College employees have varying levels of responsibility to maintain confidentiality. However, even College offices and employees who cannot guarantee confidentiality will maintain an individual's privacy to the greatest extent possible. The information provided to non-confidential resources will be relayed only as necessary to the Title IX Coordinator for purposes of investigation and/or resolution.

i. Professional Counselors

Professional, licensed counselors whose official responsibilities include providing mental-health counseling to College students, including those who act in that role under the supervision of a licensed counselor, are not required to report any information about an incident of sexual misconduct to the Title IX Coordinator without the individual's consent. The College's professional counselors include:

Counseling and Psychological Services

Romano-Student Alumni Center

Dr. Lou Muggeo, Director

[lmuggeo@stac.edu](mailto:lmuggeo@stac.edu)

Phone: (845) 398-4065

Monday – Friday, 9am – 5pm

Health & Wellness Services

McNelis Commons, Unit 2B

Ms. Ann Walsh, RN

Phone: (845)398-4242

[awalsh@stac.edu](mailto:awalsh@stac.edu)

Center for Safety and Change

<http://centerforsafetyandchange.org>

(845)634-3344

9 Johnsons Lane, New City, NY 10956

i. Responsible Employees

A “responsible employee” is a College employee who is obligated by this Policy to share their knowledge of sexual misconduct with the Title IX Coordinator. This definition encompasses virtually every College employee, including all faculty, staff and administrators, except those who are acting as pastoral and professional counselors and non-professional

counselors and advocates at the College. A responsible employee must immediately report all relevant details about the alleged sexual misconduct shared by the reporting individual to the Title IX Coordinator. A responsible employee will strive to maintain privacy, and information reported to the responsible employee will be shared only with those having a need to know such information in order to respond in accordance with College policy.<sup>19</sup>

ii. When a Complainant Does Not Wish to Proceed

If a Complainant wants a report to remain confidential, such that the Complainant's identity will not be disclosed to the Respondent, and chooses not to file a complaint or formal complaint, the Complainant may receive supportive measures without an investigation, or formal grievance process or resolution process being conducted. A Complainant may also report the alleged incident for the purpose of receiving supportive measures, and later decide to file a complaint of sexual misconduct or formal complaint of Title IX sexual harassment.

The College will seek consent from the Complainant prior to conducting an investigation and hearing. Declining to consent to an investigation may be honored unless the Title IX Coordinator determines in good faith that failure to investigate does not adequately mitigate a potential risk of harm to the Complainant or ensure the safety of other members of the College community, would be clearly unreasonable in light of the known circumstances, or violates state or federal law. Honoring such a request may limit the College's ability to meaningfully investigate and pursue conduct action against a Respondent. Factors used to determine whether to honor such a request include, but are not limited to:

- Whether the Respondent has a history of violent behavior, a pattern of misconduct or is a repeat offender;
- Whether the incident represents escalation in unlawful conduct on behalf of the Respondent from previously noted behavior;
- The increased risk that the Respondent will commit additional acts of violence;
- Whether the Respondent used a weapon, violence or force;
- Whether the Complainant is a minor; and
- Whether the College possesses other means to obtain evidence such as security footage; and
- Whether available information reveals a pattern of perpetration at a given location or by a particular group.

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<sup>19</sup> Providing notice of sexual misconduct to a responsible employee does not provide actual notice to the College under Title IX. The College has actual knowledge when the Title IX Coordinator or Official with Authority, as defined herein, has notice of sexual misconduct.

The Title IX Coordinator has ultimate discretion to determine whether the College will proceed when the Complainant requests otherwise. The Title IX Coordinator may sign a complaint or formal complaint to initiate a formal grievance process or resolution process upon completion of a good faith determination. If the Title IX Coordinator signs the complaint or formal complaint, they do not become the Complainant.

A Complainant may withdraw a report, complaint, or formal complaint from the College at any time. The College may, however, still have an obligation to investigate and/or take action.

iii. FERPA

FERPA permits institutions to share information with parents when: (i) there is a health or safety emergency, or (ii) when the student is dependent on either parent's prior year federal income tax return. Generally, the College will not share information about a report of domestic violence, dating violence, stalking, or sexual assault with parents without the permission of the reporting individual or Complainant.

**d. Time for Reporting**

There is no time limit for reporting sexual misconduct. Nevertheless, any member of the College community who believes that they have been a victim of sexual misconduct is encouraged to report the alleged sexual misconduct immediately in order to maximize the College's ability to meaningfully respond. If the Respondent is no longer subject to the College's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Under no circumstances will the College allow an impending graduation to compromise its resolution of a sexual misconduct complaint or formal complaint. The conferral of a degree may, therefore, be withheld, if necessary, until proper resolution of any sexual misconduct charges, provided that an opportunity will be scheduled for the earliest practicable date that can accommodate the Parties and their witnesses.

**e. Clery Reporting and Federal Timely Warnings**

Pursuant to the Clery Act, the College will make reports of certain crimes in the College's Annual Security Report in an anonymized manner that identifies neither the specifics of the crime nor the identity of the reporting individual, including a Complainant. The College will issue timely warnings of crimes enumerated in the



Clery Act that represent a serious or continuing threat to students and employees, except in those circumstances where issuing such a warning may compromise current law enforcement efforts or when the warning itself could potentially identify the reporting individual or Complainant. A reporting individual or Complainant will not be identified in a timely warning.

**f. Minors**

Certain members of the College community who interact with, supervise, chaperone, or otherwise oversee minors in programs or activities at the College or sponsored by the College are required to report immediately to the NYS Maltreatment Hotline if they have reasonable cause to suspect abuse or maltreatment of individuals under the age of 18. If there is suspected abuse or maltreatment of a minor on campus, contact the Office of Campus Safety and Security at (845) 398-4080, the Title IX Coordinator and call the NYS Child Maltreatment Hotline at 1-800-342-3720.

**g. Bad Faith Reporting**

Submitting a false report of sexual misconduct or providing false or misleading information in bad faith in connection with an incident of sexual misconduct is prohibited and subject to disciplinary action under the Student Code of Conduct for students and Employee Handbook for employees, up to and including dismissal from the College. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are determined not to be accurate.

**h. Public Awareness and Advocacy Events**

Unless a report, complaint, or formal complaint of sexual misconduct has been made to or filed with the Title IX Coordinator, the College is not obligated to begin an investigation based on information it may learn about from other sources, such as through public awareness events (i.e., candlelight vigils, protests, or other public events). Only through reports, complaints, and formal complaints does the Complainant clearly indicate that they desire a report to be made or seek a specific response from the College. If appropriate, however, the College may use the information it learns from public events to assess its efforts for additional education and prevention efforts.

**i. External Reporting Options**

**a. Office of Civil Rights Notification**

Individuals may also report sexual misconduct to the U.S. Department of Education's Office for Civil Rights (OCR) at <https://www2.ed.gov/about/offices/list/ocr/index.html>.<sup>20</sup>

**b. Legal Protections and External Remedies for Employees**

Sexual harassment is not only prohibited by the College, but is also prohibited by state, federal, and, where applicable, local law. Aside from the internal processes at the College, employees and covered non-employees, as defined herein, may also choose to pursue legal remedies with the following governmental agencies. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

*i. New York State Human Rights Law*

The NYSHRL, codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees and covered nonemployees regardless of immigration status. A complaint alleging violation of the NYSHRL may be filed either with the Division of Human Rights ("DHR") or in New York State Supreme Court.

Complaints with DHR may be filed any time within three (3) years of the harassment. If an individual did not file at DHR, they can sue directly in state court under the NYSHRL, within three (3) years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a NYSHRL complaint in state court.

Complaining internally to the College does not extend your time to file with DHR or in court. The three years are counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are

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<sup>20</sup> Please see the contact information for the OCR in Section I of Part I of this Policy.

forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit [www.dhr.ny.gov](http://www.dhr.ny.gov).

Contact DHR at (888) 392-3644 or visit [www.dhr.ny.gov/complaint](http://www.dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

*ii. Title VII of the Civil Rights Act of 1964*

The United States Equal Employment Opportunity Commission ("EEOC") enforces federal antidiscrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining Parties. Federal courts may award remedies if discrimination is found to have occurred.

An employee alleging discrimination at work, can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)) or visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov). If an individual filed an

administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

*iii. Local Protections and Contacting the Local Police Department*

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in Rockland County may file complaints of sexual harassment with the Rockland County Office of Employee Rights and Relations. Contact their main office at 50 Sanatorium Road, Bldg A, Pomona, NY 10970; call (845) 364-3737; or visit <http://rocklandgov.com/departments/personnel/employee-rights/>. If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

**X. STUDENT AMNESTY POLICY**

The health and safety of every student at the College is of utmost importance. St. Thomas Aquinas College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault, or other sexual misconduct, occurs may be hesitant to report such incidents due to fear of potential consequences for their own alcohol or drug use. The College strongly encourages students to report any incident of sexual misconduct, including domestic violence, dating violence, stalking, or sexual assault, to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any such incident to the College's officials or law enforcement will not be subject to discipline under the College's Code of Conduct for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the incident.

**XI. SUPPORTIVE MEASURES, EMERGENCY REMOVALS, AND NO-CONTACT ORDERS**

**a. Supportive Measures**

Supportive measures are non-disciplinary and non-punitive, individualized services to a party, which are designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all Parties or

the College's educational environment, or deter sexual misconduct under this Policy. Supportive measures can range from referral to supportive services such as counseling or medical services to class/housing/office modifications, withdrawals, leaves of absence, and no-contact orders.

Provided it has notice, before or after a complaint or formal complaint is filed, or where no complaint or formal complaint has been filed, the College (through the Title IX Coordinator) will provide supportive measures to all Parties. When offering supportive measures, the Title IX Coordinator will inform the Complainant, in writing, that they may file a complaint or formal complaint at any time.

The determination of appropriate supportive measures must be based on the facts and circumstances of that situation. Supportive measures, include, but are not limited to:

- Providing campus escort services;
- Modifications to work or class schedules;
- Extensions of deadlines or other course-related adjustments;
- Changes to work, housing, living, transportation, or other applicable situations including changes in residence hall assignments or office locations;
- Providing counseling and academic support services, such as tutoring;
- Referral to counseling, medical and/or other healthcare services;
- Providing course-related adjustments such as extensions of deadlines;
- Providing leaves of absence;
- Providing increased security, supervision or monitoring of certain areas of the campus;
- Establishing restrictions on contact (no-contact orders) between the Parties; and
- Other similar measures or any other actions the Title IX Coordinator deems appropriate.

The College will review the facts and circumstances of each case and will implement measures in a way that does not unreasonably burden the other party. Upon written request, and in accordance with College policies, a student may seek prompt review of the need for or terms of supportive measures to the extent the relevant supportive measure has a direct impact on them. This request should include the basis for the request and any supporting evidence. A student may also ask for review of a request for additional supportive measures and submit evidence in support of the request. Such requests should be submitted in writing to the Title IX Coordinator. The other party will have the right to respond to the request for review to the extent the relevant supportive measure has a direct impact on them.

## **b. Emergency Removals**

If the Title IX Coordinator, in consultation with other College administrators, based on an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any individual justifies removal, including but not limited to an interim suspension, then the College will remove such Respondent from its education program or activity on an emergency basis. In determining whether an interim suspension is appropriate, the College will consider, inter alia, the following factors:

- Whether there have been other sexual misconduct reports, complaints, or formal complaints about the same Respondent;
- Whether the incident involves a weapon or violence;
- Whether the Respondent has a history of arrests or disciplinary records;
- Whether the incident represents an escalation in and unlawful conduct on behalf of the Respondent from previously noted behavior; and
- Whether there is an increased risk that the Respondent will commit additional acts of violence.

The College will provide the Respondent with written notice and an opportunity to challenge the College's decision immediately following the removal. The Parties may request a review of the need for, and terms of, an emergency removal, reasonable under the circumstances, including potential modification, and may submit evidence in support of their request to the Title IX Coordinator. Upon receipt of such a request, the Title IX Coordinator will inform the other party of the request and allow the other party to respond in writing and submit relevant evidence.

The Title IX Coordinator has sole discretion to implement an emergency removal and to determine the conditions and duration, if the emergency removal is to end before a determination of the complaint's allegations is made by the Hearing Officer. Violation of an emergency removal under this Policy will be grounds for discipline under the Student Code of Conduct for students and the Employee Handbook for employees, including but not limited to expulsion/termination from the College. The College may also place a non-student employee Respondent on administrative leave at its discretion and/or in accordance with federal and state laws.

## **c. No-Contact Orders**

All no-contact orders will be mutual – i.e. neither party involved will be permitted to contact the other party -- unless the Title IX Coordinator determines, in their discretion and after a fact-specific analysis, that a non-mutual order, or an order with limited restrictions, is appropriate. The Title IX Coordinator will issue any no-contact order in writing, specifying the terms of

the no-contact order, including the Parties' responsibilities. The Parties may request a review of the need for, and terms of, the no-contact order, including potential modification, and may submit evidence in support of their request. Any such requests should be submitted to the Title IX Coordinator who will then notify the other party and conduct a prompt review in response to such request. Violation of a no-contact order under this Policy will be grounds for discipline under the Student Code of Conduct for students and the Employee Handbook for employees, including but, not limited to expulsion/termination from the College.

## **XII. RECORDKEEPING**

For a period of 7 years, the College will maintain records generated in connection with sexual misconduct reports, investigations, disciplinary proceedings, hearings, informal resolutions, appeals, and the audio, audiovisual recording, or transcript, as well as any determinations regarding responsibility including any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant. All materials used to train (in connection with Process A) the Title IX Coordinator and their designees, Investigators, Hearing Officers, and any individual who facilitates informal resolution processes will also be maintained for at least 7 years.

For a period of 7 years, the College will also maintain records of any responses, including supportive measures, which the College took in response to a report, complaint, or formal complaint of sexual misconduct. In each instance, the College must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the College's education program or activity. If the College does not provide a Complainant with supportive measures, the College must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the College in the future from providing additional explanations or detailing additional measures taken.

## **XIII. PREVENTION AND AWARENESS EDUCATION PROGRAMS**

To promote and maintain a safe and respectful environment, the College engages in comprehensive educational programming. The College provides prevention and awareness programs for all incoming students and employees, and ongoing prevention and awareness campaigns for all students and employees. Student leaders and officers of student organizations recognized by or registered with the College and those seeking recognition by the College, as well as student-athletes, must complete certain training prior to receiving recognition from the College or participating in intercollegiate athletic competition. The College educates the student community about sexual misconduct through its mandatory freshman orientation program, certain required courses, and ongoing program initiatives throughout the students' time at the College.

As a condition of continued employment with the College, every employee must participate in and complete annual sexual misconduct prevention training. New hires must complete this training within 30 days of hire, unless they received training within the same annual cycle from a prior employer. For information about the College's sexual misconduct prevention, training, and awareness programming, please contact the Title IX Coordinator.

#### **XIV. REVISIONS AND DESIGNATION**

The most current revision of this Policy supersedes all previously issued revisions and inconsistent verbal or written policy statements. The College reserves the right at any time to change, modify, delete, or add to any of the provisions of this Policy. The College may, at its discretion, designate a trained and experienced individual(s) to act in the place of the Title IX Coordinator, Investigators, Hearing Officers, Appeals Panel members, and/or facilitators. If there is such a designation, the Parties involved will be promptly informed.

#### **XV. INVESTIGATIONS, FORMAL GRIEVANCE PROCESS, AND RESOLUTION PROCESSES, GENERALLY**

The provisions in this section of the Policy apply to all investigations, the formal grievance process (Process A), and the resolution processes (Process B), as well as all appeals.

##### **a. Standard of Evidence, Presumption of Non-Responsibility, and Burdens of Proof and Gathering Evidence**

The standard for decisions under this Policy is a preponderance of the evidence, meaning that it is more likely than not that a violation of this Policy occurred. There is a presumption that a Respondent is not responsible for the alleged sexual misconduct until a determination of responsibility is made. The burden of proof and of gathering evidence sufficient to reach a determination regarding responsibility rests on the College and not the Parties.

Members of the College community are expected to cooperate and be honest in their interactions with the College under this Policy. In this regard, community members are expected to acknowledge and respond to requests for information from College officials or their designees in a timely fashion and be available for discussions with such individuals.

##### **b. Promptness, Notice, and Timeframes**

The College will promptly resolve all reports, complaints, formal complaints, investigations, grievance and resolution processes, excluding appeal, within 60 to 90 business days of the filing of a report, complaint, or formal complaint of



sexual misconduct with the Title IX Coordinator, unless the College has good cause for any temporary delays or limited extensions. Good causes may include, but are not limited to, absence of a party, advisor, or witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. In the case of any delays past the timeframes set forth in this Policy, the College will provide written notice to the Parties of the delay, the cause of the delay, and a calculation of the additional time that the College expects is necessary resulting from the delay.

The College will provide clear written notice to the Parties before every interview or other meeting to which they are invited or expected to attend, including the date, time, location, participants, and purpose of the investigative interview, hearing or meeting. Through the notice, the College will provide sufficient time for the party to prepare to participate.

### **c. Advisor of Choice**

The Parties may have an advisor present during any grievance process or resolution process, including the opportunity to be accompanied to any related meeting, interview, or hearing by the advisor of their choice who may advise and assist the Parties. A party's advisor of choice may be, but is not required to be, an attorney. Each party is permitted one advisor who must sign an advisor acknowledgement form and comply with the College's advisor rules.

Throughout the process, the role of the advisor is narrow: they may attend meetings or interviews at which the party is entitled to be present, and may help the party prepare for each meeting, however, the Parties should anticipate asking and responding to questions on their own account. Except for cross-examination during a hearing in Process A, as described below, advisors cannot actively participate or speak on behalf of the Parties or act as a proxy for any party, though, as reasonably needed, they may confer privately with the party during the proceedings. Accommodations, including scheduling of interviews or reviews, generally will not be made for any advisors if they unduly delay the process, as determined by the Title IX Coordinator. The College reserves the right to take appropriate action regarding any advisor who disrupts the process, or who does not abide by the restrictions on their participation as determined in the sole discretion of the Title IX Coordinator.

### **d. Conflicts of Interest, Bias, and Training**

The College's Title IX Coordinator, Investigators, Hearing Officers, Appeal Panel members, and any person who facilitates an informal process, are trained to serve impartially and must be free from conflicts of interest and bias against Complainants or Respondents generally or an individual Complainant or Respondent. These individuals also receive training on, inter alia, topics set forth

in Article 129-B (N.Y. Educ. Law § 6444(5)(c)(ii)) and Title IX (34 C.F.R. § 106.45 (b)(1)(iii)).

**e. General Disciplinary Considerations**

The College policies or contracts may require the College to use additional processes before taking certain employment-related actions with respect to faculty and certain other employees. Where a person covered by such a policy or contract has allegedly engaged in conduct prohibited by this Policy, the investigation and formal grievance process or resolution process will proceed in accordance with the procedures set forth herein, except that the Hearing Officer will not impose any discipline that would require the use of additional processes. Instead, the Hearing Officer will impose all appropriate discipline that does not require the use of additional processes and then refer the matter, if appropriate, for action under the additional process. The College's disciplinary action will be considered complete with the Hearing Officer's imposition of discipline and referral, subject to any appeals. For information, please contact the Title IX Coordinator.

**f. Disciplinary Sanctions and Remedies**

There is a broad range of possible disciplinary sanctions and remedies that the College may implement as part of a determination of responsibility. All remedies are designed to restore or preserve equal access to the College's education programs or activities and may include the same individualized services as supportive measures, described herein. However, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Hearing Officer may also identify additional remedies to address the effects of the conduct on the Complainant. Thus, the range of remedies is broad and may include supportive measures as described in Section XI of Part I of this Policy, as well as remedial sanctions, as described in Section XV of Part I of this Policy. If a Complainant declined or did not take advantage of a specific service or resource previously offered, the College may re-offer the service as applicable or necessary. The Title IX Coordinator may also consider broader remedial action for the campus community, such as increased supervision or monitoring, targeted or increased education and prevention efforts, and review of policies and procedures. The Title IX Coordinator is responsible for effective implementation of any remedies.

The range of disciplinary sanctions that the Hearing Officer may consider for any individual found responsible for a violation of this Policy span from a warning up to and including expulsion or termination or revocation of a student's degree. The Hearing Officer may impose any of the following disciplinary sanctions that are determined to be fair and proportionate to the violation of the Policy under Process A or Process B:

- Reprimand or warning;
- Changing the Respondent's work or academic schedule;
- Disciplinary probation;
- Revocation of honors or awards or a degree;
- Community service and/or training;
- Restricting the Respondent's access to College facilities or activities;
- Issuing a no-contact order or requiring that such an order remain in place;
- Changing the Respondent's work or housing assignment;
- Dismissal from or restricting or reassignment of College employment;
- Removing the Respondent from student housing;
- Suspension (limited time or indefinite);
- Forfeiture of a benefit, honor, leadership position, promotion, or other privilege enjoyed by virtue of the person's membership as adjunct faculty, staff, or administration;
- Reassignment of College employment;
- Respondents who are non-student employees may also be placed on administrative leave during the pendency of a formal grievance process or resolution process;
- Expulsion or termination; and/or
- Any other actions deemed appropriate by the Title IX Coordinator.<sup>21</sup>

In addition, the College reserves the right to withhold a student's diploma where a report of sexual misconduct is pending. It may also revoke any degree awarded for an individual who is found to have engaged in sexual misconduct prior to conferral of the degree.

In determining appropriate disciplinary sanctions, the Hearing Officer may consider any record of past violations of College policies, including the nature and severity of such past violation(s),<sup>22</sup> as well as previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate disciplinary sanction upon a determination of responsibility. This information is only considered at the disciplinary sanction stage of the process. As part of the deliberations, the Hearing Officer will also consider whether the Respondent poses a continued risk to the Complainant and/or the College community. The College will implement disciplinary sanctions and remedies when the determination of responsibility becomes a final determination, as defined above.

## **g. Transcript Notations**

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<sup>21</sup> Please note that this is a non-exhaustive list.

<sup>22</sup> Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines disciplinary sanctions. N.Y. Educ. Law § 6444.

If a Respondent is found responsible through the College's conduct process for crime(s) of violence, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act established in 20 U.S.C. § 1092(f)(1)(F)(i)(I)-(VIII), the College will make one of the following notations on the transcript of such student:

- "Suspended after a finding of responsibility for a code of conduct violation"; or
- "Expelled after a finding of responsibility for a code of conduct violation"; or
- If a student withdraws from the College while such conduct charge(s) is pending and declines to complete the disciplinary process, the College will note on the student's transcript that they "withdrew with conduct charges pending."

For more information, please see the College's [Transcript Notation Policy](#).

## ***PART II: PROCESS A—FORMAL GRIEVANCE PROCESS FOR ALLEGATIONS OF TITLE IX SEXUAL HARASSMENT***

Process A applies only to qualifying allegations of Title IX sexual harassment as defined above in Section VI of Part I. If a dismissal of a formal complaint occurs under Process A, please see Process B, if applicable. Process B may also apply to Title IX sexual harassment if the Title IX Coordinator determines that the allegations fall outside the jurisdiction of Process A. Under Title IX, the College's response to reports or formal complaints of sexual harassment must treat Complainants and Respondents equitably by offering supportive measures to a Complainant, and by following a grievance process that complies with Title IX before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a Respondent.

### **I. FORMAL COMPLAINTS**

Reports of Title IX sexual harassment may be made using any of the following options as set forth in Section IX of Part I.

A formal complaint, as defined herein, may be filed with the Title IX Coordinator at any time (even during non-business hours) in person, by mail, or by electronic mail, by using the contact information in Section I of Part I. The College will promptly investigate formal complaints and follow a formal grievance process that complies with 34 C.F.R. § 106.45 before the imposition of any disciplinary sanctions or other actions that are not supportive measures as defined in 34 C.F.R. § 106.30, against a Respondent. The Complainant must be participating in or attempting to participate in the College's education program or activity at the time the formal complaint is filed alleging Title IX sexual harassment against a Respondent and requesting that the College investigate the allegations.

If the Complainant files the formal complaint, the formal complaint must contain the Complainant's physical or digital signature or provide an indication that the Complainant is the individual filing the formal complaint. The Title IX Coordinator may also sign a formal complaint. However, where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or otherwise a party to the formal complaint.

#### **a. Dismissal of Formal Complaints**

The College must dismiss a formal complaint or any allegation therein, if, at any time during the investigation or hearing, it is determined that: (1) the conduct alleged in the formal complaint would not constitute Title IX sexual harassment as defined in 34 C.F.R. § 106.30, even if proved; (2) the conduct did not occur in the College's education program or activity; (3) the conduct did not occur against a person in the United States; or (4) at the time of filing a formal complaint, the Complainant is not participating in or attempting to participate in the education program or activity of the College. Such dismissal does not preclude the College from acting under Process B of this Policy or other College policy. The Title IX

Coordinator will determine whether a formal complaint must be dismissed in accordance with this section.

The College *may*, in its discretion, dismiss a formal complaint or any allegations therein, if at any time during the investigation or hearing the: (1) Complainant notifies the Title IX Coordinator, in writing, that they would like to withdraw the formal complaint or any allegation therein; (2) Respondent is no longer enrolled at or employed by the College; or (3) specific circumstances prevent the College from gathering sufficient evidence to reach a determination as to the formal complaint or allegations therein.

In the event of the dismissal of a formal complaint, the Title IX Coordinator will promptly and simultaneously send the Parties written notice of the dismissal and the reasons for such dismissal. Both Parties may appeal the decision to dismiss a formal complaint or any allegation therein under the procedures for appeal below.

**b. Consolidation of Formal Complaints**

The College may consolidate formal complaints regarding allegations of Title IX sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Title IX sexual harassment arise out of the same facts or circumstances.

**II. INITIAL NOTICE OF ALLEGATIONS**

Upon receipt of a formal complaint of Title IX sexual harassment, the Title IX Coordinator will provide written notice to the Parties who are known. The notice will include:

- Notice of the formal grievance process, including any informal resolution process;
- Notice of the allegations of sexual harassment potentially constituting Title IX sexual harassment, as well as sufficient details known at the time and with sufficient time to prepare a response before any initial interview;
  - Sufficient details include the identities of the Parties involved in the incident, if known, the conduct allegedly constituting Title IX sexual harassment under 34 C.F.R. § 106.30, and the date, time, location, and factual allegations of the alleged incident, if known;
- A statement about the College's prohibition on retaliation;
- A description of the range of possible disciplinary sanctions and remedies, or a list the possible disciplinary sanctions and remedies that the College may implement following any determination of responsibility;
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the process;

- A statement that informs the Parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney;
- A statement informing the Parties that they may inspect and review the evidence collected in an investigation; and
- A statement informing the Parties that this Policy prohibits knowingly making false statements or knowingly submitting false information during the grievance process. During the course of the investigation, the College may investigate allegations about the Parties that are not included in the initial written notice of allegations. If this is the case, the College will provide additional allegations to the Parties whose identities are known.

### **III. INFORMAL GRIEVANCE PROCESS**

At any time after the filing of a formal complaint (for Title IX sexual harassment allegations), or at any time after the reporting of a non-Title IX sexual harassment allegation, and prior to reaching a determination of responsibility, the College may offer the Parties the option to resolve the formal complaint through an informal grievance process, without completing a full formal grievance process. However, the College will only offer an informal grievance process if it determines, in its sole discretion, that such informal grievance process may be appropriate, and after the College has obtained the Parties' voluntary, written consent to an informal grievance process. The informal grievance process may encompass a broad range of conflict resolution strategies, including, but not limited to, arbitration, mediation, or restorative justice. The Title IX Coordinator will be responsible for determining whether an informal grievance process is appropriate by assessing the totality of the circumstances including, but not limited to, the severity of the alleged Title IX sexual harassment, the Parties' wishes, and the potential risks to the St. Thomas Aquinas College community. The College will promptly resolve an informal grievance process within 30 business days of the filing of a formal complaint of Title IX sexual harassment with the Title IX Coordinator.

The informal grievance process may not be used to: (i) resolve an allegation of Title IX sexual harassment unless a formal complaint is filed, or (ii) to resolve an allegation of Title IX sexual harassment against a College employee where the Complainant is a student.

In order to proceed with an informal grievance process, the Title IX Coordinator must provide the Parties with written notice disclosing: (i) the allegations; (ii) the requirements of the informal grievance process, including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal grievance process and resume the formal grievance process with respect to the formal complaint; and (iii) any consequences resulting from participating in the informal grievance process, including the records that will be maintained or could be shared.

The Title IX Coordinator or their designee will serve as the facilitator(s) of the informal grievance process and may elect to be assisted by another member of the senior staff of the College or a trained outside expert. The informal grievance process is designed to obtain an expedient, mutually acceptable solution, which may include an acceptance of responsibility and disciplinary sanctions by the Respondent, without the necessity of conducting a formal grievance process. The informal grievance process may result in the imposition of protective actions agreed upon by the Parties, or (with or without such agreement) based on information derived from the informal grievance process taken together with any other relevant information known to the College at the time of the informal grievance process.

Participation in the informal grievance process is voluntary. The College will not compel the Parties to engage in an informal grievance process and will allow the Parties to withdraw from the informal grievance process at any time and resume the investigation and formal grievance process with respect to the formal complaint. There is no appeal option after the Parties reach a resolution through informal means.

#### **IV. INVESTIGATION OF FORMAL COMPLAINTS**

The Title IX Coordinator will appoint a trained investigator(s) to conduct the investigation (the “Investigator”). A party wishing to challenge the selection of the Investigator must notify the Title IX Coordinator, in writing, within 3 business days of receipt of the name and contact information of the Investigator, stating the specific reason(s) for the party’s objection. The Title IX Coordinator will determine whether the challenge has merit, and reserves discretion to make changes to the individual assigned as the Investigator(s) at any time.

Formal complaints of Title IX sexual harassment will be investigated promptly, thoroughly, and impartially by the Investigator, and normally within 30 business days of filing a formal complaint with the Title IX Coordinator.

Investigations generally entail interviews with relevant Parties and witnesses and follow up interviews, if necessary. The Parties will have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, such as documents, communications, photographs, and other evidence. Parties and witnesses are expected to provide all available relevant evidence to the Investigator during the investigation. The Parties will have the ability to discuss the allegations under investigation and gather and present relevant evidence. The Parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint.

Unless the Investigator obtains a party’s voluntary, written consent, the Investigator will not access, consider, disclose or otherwise use a party’s records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in such capacity, and which are made or maintained



in the connection with the provision of treatment to the party. In addition, the College will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognizable privilege, unless the person holding such privilege has waived the privilege.

At the conclusion of the investigation, the Investigator will prepare a case file, which will include all collected evidence that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination of responsibility and any inculpatory or exculpatory evidence, whether obtained from a party or other source as part of the investigation. The Investigator will also prepare an investigative report that fairly summarizes the investigation and all relevant evidence. Prior to completion of the investigative report, the Investigator will send to each party and party's advisor, if any, the case file, for review in an electronic format or hardcopy.<sup>23</sup> The Parties will have 10 business days to submit a written response. The Investigator will consider the written responses before completing the investigative report.

The Investigator will finalize the investigative report that summarizes relevant evidence and, at least 10 business days prior to the hearing, send the investigative report to each party and the party's advisor, if any, in an electronic format or hard copy, for their review and written response. The Parties and their advisors, if any, will be provided with the other party's written response to the investigative report, if any, in electronic format or hard copy prior to the hearing.

## **V. THE HEARING**

### **a. Hearing Officer**

After the investigative report is shared with the Parties, the Title IX Coordinator will assign the matter to be heard by the Hearing Officer selected from a group of specially trained College personnel. The Title IX Coordinator may determine that a trained individual who is external to the College will be assigned as the Hearing Officer. The assigned Hearing Officer will not participate in the grievance process until this stage of the proceeding.

### **b. Hearing Process**

The hearing cannot be scheduled for a date that is less than 10 business days from the conclusion of the investigation, which is when the final investigative report is transmitted to the Parties. The Title IX Coordinator will provide written

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<sup>23</sup> Whether included as relevant in the investigative report or not, the College will make all directly related evidence subject to the Parties' inspection and review available at any hearing to give each party an equal opportunity to refer to the evidence during the hearing, including for purposes of cross-examination.

notice at least 5 business days before the hearing date to the Parties. The written notice will include:

- The date, time, and place of the hearing;
- The participants in the hearing (including, but not limited to the Parties, witnesses, etc.);
- The purpose of the hearing; and
- The name and contact information of the Hearing Officer. A party wishing to challenge the participation of the Hearing Officer must notify the Title IX Coordinator, in writing, within 3 business days of receipt of the notice of hearing, stating the specific reason(s) for the party's objection. The Title IX Coordinator will determine whether the challenge has merit, and reserves discretion to make changes to the Hearing Officer at any time.

i. Conduct of the Hearing

The hearing will take place on the date and time specified in the notice of hearing. If circumstances arise that require a change in the hearing date or time, the College will provide the Parties with written notice explaining the reason for such change. The College will create an audio or audiovisual recording, or transcript, of all live hearings under this Policy and will make it available to the Parties for inspection and review.

The Hearing Officer may consider all evidence that they determine is relevant. The Hearing Officer is responsible for maintaining an orderly, fair, and respectful hearing and will have broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding the offending individual, including a party, witness, or advisor. During the hearing, the Parties may: speak on their own behalf, including providing an opening and closing statement; be accompanied by an advisor, who may be, but is not required to be, an attorney; have an advisor ask question the other party and any witness; and be given the opportunity to attend the entire hearing or proceeding, except for the deliberation phase. The Hearing Officer will determine the order of witnesses and answer any procedural questions. During any hearing, the College will make all directly related evidence available for the Parties' inspection and review to give each party an equal opportunity to refer to the evidence during the hearing.

Live hearings may be conducted with all Parties physically present in the same geographic location, or under the discretion of the College, any or all Parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants to simultaneously see and hear each other. At the request of either party, the College will provide for the live hearing to occur with the parties located in separate

rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions.

ii. Cross Examination

During the live hearing, cross-examination will be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally. At no point shall the Parties be entitled to question each other. If a party does not have an advisor present at the live hearing, the College will provide to that party, without fee or charge, an advisor of the College's choice, who may be but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

At the live hearing, the Hearing Officer must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including questions challenging credibility of the opposing party or any witnesses. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Hearing Officer shall determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Hearing Officer may invite explanations regarding relevance with the advisors if they so choose. Once the Hearing Officer determines the relevance of the question, the Hearing Officer will allow or preclude the question.

The Hearing Officer will limit or preclude any irrelevant questions. The Hearing Officer's determination that a question is not relevant is made by applying logic and common sense. The Hearing-Officer is not required to give a lengthy or complicated explanation; it is sufficient, for example, for a Hearing Officer to explain that a question is irrelevant because the question calls for prior sexual behavior information without meeting one of the two exceptions outlined below, is duplicative, or because the question asks about a detail that is not probative of any material fact.

The Parties have the right to exclude their own mental health diagnosis and/or treatment from admittance in the hearing. Both parties also have the right to exclude their own prior sexual history subject to the exceptions in 34 C.F.R. § 106.45(6)(i), which states that questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant unless such questions and evidence about the Complainant's prior sexual behavior are (1) offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or (2) if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

If a party or witness does not submit to cross-examination at the live hearing, the Hearing Officer shall not rely on any statement of that party or witness in reaching a determination regarding responsibility. The Hearing Officer shall not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

iii. Impact Statements

The Parties will be offered an opportunity to provide impact statements to the Hearing Officer while they are deliberating on appropriate disciplinary sanctions, if any. The impact statements must be provided to the Title IX Coordinator. The Title IX Coordinator will provide the impact statements to the Hearing Officer only after the Hearing Officer is deliberating on appropriate disciplinary sanctions. Impact Statements cannot and will not be considered by the Hearing Officer when reaching a determination regarding responsibility. The impact statement may be up to five (5) pages single spaced.

**C. Determinations Regarding Responsibility**

The Hearing Officer will evaluate the allegations under a “preponderance of the evidence” standard. The Respondent will be found to be responsible for the alleged Title IX sexual harassment if the Hearing Officer concludes, based upon careful review of all information presented, that such Title IX sexual harassment more likely than not occurred. The Hearing Officer will determine any disciplinary sanctions imposed on the Respondent, and the Title IX Coordinator will implement any remedies. Please see above Section XV of Part I of this Policy, which sets forth the non-exhaustive range of possible disciplinary sanctions and remedies that may be implemented.

i. Written Notice of Determination

Within 7 business days from the hearing, the Hearing Officer will simultaneously issue a written notice of its determination regarding responsibility to the Parties. The written notice of determination will contain the following information:

- Identification of the conduct constituting Title IX sexual harassment under this Policy as defined in 34 C.F.R. § 106.30;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the Parties, interviews with Parties and witnesses,

site visits, methods used to gather other evidence, and hearings held;

- Findings of fact supporting the determination;
- Conclusions regarding the application of the Policy to the facts;
- A statement of, and rationale for, the result as to each allegation, including:
  - A determination regarding responsibility;
  - Any disciplinary sanctions the College will impose on the Respondent; and
- Whether remedies will be provided to the Complainant; The College's procedures and permissible bases for the Parties to appeal.
- The College will implement disciplinary sanctions and remedies when the determination becomes final. The determination regarding responsibility becomes final either on the date that the College provides the Parties with the written determination of the result of the appeal, as described below, or if an appeal is not filed, the date on which an appeal would no longer be considered timely. For the appeal process, please see *Part IV of this Policy*.

### *PART III: PROCESS B—RESOLUTION PROCESSES FOR ALL OTHER ALLEGATIONS OF SEXUAL MISCONDUCT*

Process B is a prompt and equitable resolution process, which is applicable when the Title IX Coordinator determines that Process A does not apply, or when alleged offenses subject to Process A have been dismissed.<sup>24</sup> If the Title IX Coordinator determines that Process A applies, then Process A must be applied and not Process B. Process B applies to all allegations of sexual misconduct that do not constitute Title IX sexual harassment, including allegations of sex/gender-based discrimination or harassment that does not qualify as Title IX sexual harassment, and other alleged misconduct prohibited by this Policy, involving students, employees, or third parties. Process B also applies to all allegations of retaliation covered by this Policy.

#### **I. INITIAL STEPS**

##### **a. Intake Meeting with Complainant**

As stated in Section IX of Part I of this Policy, upon filing of a complaint of any allegation of sexual misconduct and/or retaliation, the Title IX Coordinator will promptly contact the Complainant and provide the Complainant with a general understanding of this Policy, and identify the Complainant's rights and any available supportive measures and inform the Complainant that they may have an advisor of their choice, who may be, but is not required to be, an attorney. The Title IX Coordinator will also advise the Complaint of the importance of preserving pertinent evidence. Such evidence could include, but not be limited to, pertinent emails, text messages, and social media postings. At the initial intake meeting or at a subsequent time thereafter, the Title IX Coordinator will seek to determine how the Complainant wishes to proceed; in other words, whether the Complainant wishes to pursue formal resolution, informal resolution, or does not wish to pursue resolution of any kind.

The Title IX Coordinator will also take any interim action as appropriate.

If the Complainant does not wish to pursue formal resolution or informal resolution, and either requests that their complaint remain confidential, or refuses to participate in the initial intake meeting with the Title IX Coordinator, the Title IX Coordinator will inform the Complainant that the College's ability to respond may be limited. In such scenarios, the College will nonetheless evaluate the Complainant's request(s) for no action in the context of the College's commitment to provide a safe and non-discriminatory environment for the entire College community.

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<sup>24</sup> The provisions of Article 129-B apply regardless of whether the conduct occurs on campus, or off campus, or while studying abroad. N.Y. Educ. Law § 6440(6).

If the College determines that an investigation is required, it shall notify the Complainant, and take immediate action as necessary to protect and assist them. As indicated in Section IX of Part I of this Policy, the College will seek the Complainant's consent prior to initiating an investigation and the Complainant's decline to consent will be honored unless the College determines in good faith that failure to investigate does not adequately mitigate a potential risk of harm to the Complainant or to other members of the St. Thomas Aquinas College community.

## **b. Complaints**

Reports may be made using any of the options set forth in Section IX of Part I. A Complaint means a document filed by the Complainant or signed by the Title IX Coordinator alleging sexual misconduct by a Respondent, and requesting that the College investigate the allegation(s). If a Complainant files, or the Title IX Coordinator signs, a complaint, the College will initiate its complaint process, including investigation into the Complainant's allegations. A complaint may be filed with the Title IX Coordinator at any time (including non-business hours) in person, by mail, or by electronic mail, by using the contact information in Section I of Part I. If the Complainant is filing the complaint, it must contain the Complainant's physical or digital signature, or otherwise indicate that the Complainant is the person filing the complaint. The Title IX Coordinator does not become the Complainant if they sign the complaint.

The Complainant has the right to withdraw a complaint at any time by providing the Title IX Coordinator a written notice of such withdrawal. The Complainant also has the right to withdraw their involvement in the College's investigation or process at any time. However, in such instances, the College's ability to respond will be limited and the College may, nevertheless, complete the investigation processes.

Dismissal of a complaint from the Process B grievance process does not preclude action under another provision of the College's policies and/or handbooks. If a complaint and/or any allegation therein is dismissed, the Title IX Coordinator will promptly and simultaneously send written notice of the dismissal and the reasons therefore to the Parties.

The College may consolidate complaints regarding allegations of sexual misconduct against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual misconduct arise out of the same facts or circumstances.

## **c. Notice and Intake Meeting with Respondent**

If the Complainant wishes to proceed with either formal or informal resolution, or the College believes it is otherwise necessary, the Title IX Coordinator will schedule an individual intake meeting with the Respondent, if known. The College will notify the Respondent that a complaint has been filed and provide the date, time, location, and factual allegations concerning the alleged violation, a reference to the specific Policy provisions alleged to have been violated, and possible disciplinary sanctions. The Title IX Coordinator will provide the Respondent with a general understanding of this Policy, identify any available supportive measures, and inform the Respondent that they may have an advisor of their choice, who may be, but is not required to be, an attorney.

## **II. INFORMAL RESOLUTION PROCESS**

If all Parties voluntarily agree to participate in an informal resolution process, and the College determines that the complaint is appropriate for such a process, the College may facilitate an informal resolution of the complaint. While the informal resolution process is not as structured as the formal resolution process, it can be an effective and appropriate means to deal with certain complaints. Informal resolution is applicable when the Parties voluntarily agree to resolve the matters through alternative resolution (e.g. mediation, restorative practices, arbitration), or when the Respondent accepts responsibility for violating the Policy, or when the Title IX Coordinator can resolve the matter informally by providing remedies and supportive measures to resolve the situation.

The Parties may each bring an advisor to any meeting that is held pursuant to the informal resolution process, subject to the same restrictions set forth herein. During all phases of the informal resolution process, the Parties will be provided with advance notice of any meeting to which they are required or eligible to attend.

The Title IX Coordinator or designee will preside over the informal resolution and may elect to be assisted by another member of the senior staff of the College or an outside trained official. Informal resolution is designed to obtain an expedient, mutually acceptable solution, which may include an acceptance of responsibility and disciplinary sanctions by the Respondent, without the necessity for conducting further investigation or hearing.

If, in the course of the informal resolution, the Respondent admits to violating this Policy, that admission will serve as a finding of responsibility after an assessment into the matter by the College. The Title IX Coordinator will recommend one or more disciplinary sanctions, which the Respondent can accept or reject. If the Title IX Coordinator's recommended disciplinary sanction is accepted, the process is concluded. If it is rejected, the complaint will proceed to the formal resolution process for a determination as to an appropriate disciplinary sanction. Informal resolution may result in the imposition of remedies agreed upon by the Parties, or (with or without such agreement) based on information derived from the informal resolution taken together



with any other relevant information known to the College at the time of the informal resolution.

Participation in the informal resolution process is voluntary. The College will not compel the Parties to engage in informal resolution and will allow the Parties to withdraw from the informal resolution process at any time. The College may, at any time, elect to end such proceedings and initiate formal resolution instead. Pursuing informal resolution does not preclude later use of formal resolution if the informal resolution fails to achieve a resolution acceptable to the Parties and the College. Statements or disclosures made by the Parties in the course of the informal resolution may be considered in the formal resolution. There is no appeal if a resolution is achieved using the Informal Resolution Process.

### **III. FORMAL RESOLUTION PROCESS**

#### **a. Investigation**

Once the decision to commence a resolution process is made and the Parties have received notice, the Title IX Coordinator will determine whether the Title IX Coordinator, or their designee, will act as the investigator. The Title IX Coordinator may also designate a specially trained investigator or investigators to conduct the interviews and/or investigation (collectively, the “Investigator”). A party wishing to challenge the selection of the Investigator must notify the Title IX Coordinator, in writing, within 3 business days of receipt of the name and contact information of the Investigator, stating the specific reason(s) for the party’s objection. The Title IX Coordinator will determine whether the challenge has merit, and reserves discretion to make changes to the individual assigned as the Investigator at any time. If the Investigator being challenged is the Title IX Coordinator, the party may contact Maria Coupe, Director of Human Resources and Strategic Services at [mcoupe@stac.edu](mailto:mcoupe@stac.edu) or (845)398-4044.

Complaints of sexual misconduct will be investigated promptly, thoroughly, and impartially by the Investigator, normally within 30 business days of notice filing a complaint with the Title IX Coordinator. The College will make a good faith effort to complete investigations as promptly as possible and will communicate regularly with the Parties to update them on progress, the timing of the investigation and delay for good cause, if necessary.

The Investigator will collect, and review evidence deemed necessary or helpful to the investigation. The investigation will include individual interviews with the Parties involved and with individuals who may have observed the alleged conduct or may have any other relevant knowledge. The investigation may also include examination of medical records, surveillance video, cell phone and other electronic records, and other evidence. The Complainant and the Respondent will be given an equal opportunity to present information in the context of the

investigation, the opportunity to suggest witnesses and review and present available evidence in the case file.

The Investigator will document the investigation (such as a letter, memo, or email) which contains the following:

- A list of all documents reviewed, along with a detailed summary of relevant documents;
- A list of names of those interviewed, along with a detailed summary of their statements;
- A timeline of events; and
- A summary of prior relevant incidents, reported or unreported.

At the conclusion of the investigation, the Investigator will prepare an investigative report that fairly summarizes the investigation and all relevant evidence. The Investigator makes no conclusions, engages in no policy analysis, and renders no recommendations as part of their report. The Investigator will provide a copy of the investigative report to the Parties for their review and written response. In their response to the investigation report, both the Complainant and the Respondent will be given the opportunity to submit a written statement and a list of proposed witnesses for the hearing. The written statement and list of proposed witnesses will be provided to the Title IX Coordinator, the opposing party, and the Hearing Officer.

## **b. The Hearing**

### **i. Hearing Officer**

After the investigation is complete, the Title IX Coordinator will promptly prepare a formal letter to the Hearing Officer notifying the Hearing Officer of the matter. The letter will provide the names of the Complainant and Respondent and the date, location, and nature of the alleged sexual misconduct. The Hearing Officer is selected from a pool of specially trained College personnel. The Title IX Coordinator may determine that a Hearing Officer external to the College will be assigned. The Hearing Officer receives training, at least annually, on the issues relating to sexual misconduct. The Hearing Officer will also be trained on how to conduct an investigation and on a hearing process that promotes accountability and protects the safety and rights of the Parties; including the right to a presumption that the Respondent is not responsible until a finding of responsibility is made under this Policy.

### **ii. Notice of the Hearing**

The College will provide written notice at least 5 business days before the hearing date to the Parties stating the date, time, and place of the

hearing and the name and contact information of the Hearing Officer. A party wishing to challenge the participation of the Hearing Officer must notify the Title IX Coordinator, in writing, within 3 business days of receipt of the notice of hearing, stating the specific reason(s) for the party's objection. The Title IX Coordinator will determine whether the challenge has merit, and reserves discretion to make changes to the assigned Hearing Officer. The notice will also inform the Parties that they may have the assistance of an advisor of their choosing at the hearing and may request to see and review evidence collected in the investigation.

iii. Conduct of the Hearing

The hearing will be conducted within 10 business days from the conclusion of the investigation. The hearing will take place on the date and time specified in the notice of hearing. If circumstances arise that require a change in the hearing date or time, the College will provide the Parties with written notice explaining the reason for such change. The College will arrange for the hearing to be recorded and may arrange for the preparation of any transcript of the recording that the College deems appropriate.

As a non-adversarial process, the hearing will not follow a courtroom model, and formal rules of evidence will not be observed. The Parties will have the opportunity to present evidence and testimony during the hearing. This may be done as necessary to accommodate a witness who cannot be present or whom the Hearing Officer determines may remain anonymous.

Only the Hearing Officer may question the individual Parties and any witnesses, unless permission is granted to modify the questioning process. After all witnesses have been questioned, each party may make a closing statement.

In order to comply with FERPA and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the hearing process is not open to the general public. Accordingly, the College will not disclose documents prepared in anticipation of the hearing, documents, testimony, or other information introduced at the hearing, and any transcript of the hearing itself may not be disclosed outside of the hearing proceedings, except as may be required or authorized by law and/or College policy.

The Parties may have advisors present to support and assist them during any meeting, and during the hearing, and appeal stages of the formal resolution process. An advisor may not direct questions to the Hearing

Officer or witnesses at the hearing. The Hearing Officer will not allow an advisor's presence to inhibit the Parties' sharing of information or the conduct of the hearing.

The Parties are expected to cooperate at the hearing. If either party fails to appear at the scheduled hearing, the Hearing Officer may postpone the proceedings if there is a documented reason supported by good cause for the absence, or proceed and determine the complaint on the basis of the evidence available, provided the absent party was duly notified of the scheduled hearing date.

In general, any information or questioning about the prior sexual history of the Complainant or Respondent with individuals other than the other party is precluded and will not be admitted at the hearing. Additionally, any information or questioning about either party's mental health history diagnosis, and/or treatment is precluded and will not be admitted at the hearing. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the stage that determines disciplinary sanctions.

If the Hearing Officer determines that unresolved issues exist that would be clarified by the presentation of additional information, the Hearing Officer may suspend the hearing and reconvene it in a timely manner to receive such information. A delay may not be based on the failure of witnesses to appear without good cause or on the proposed introduction of documents, which were readily available at the time of the hearing.

iv. Determination Regarding Responsibility

The Respondent will be found to be responsible for the alleged sexual misconduct if the Hearing Officer concludes, based upon careful review of all information presented, that under a preponderance of the evidence standard, such sexual misconduct more likely than not occurred in violation of the Policy. The Hearing Officer will determine any disciplinary sanctions imposed on the Respondent and the Title IX Coordinator will implement any remedies. Please see above Section XV of Part I of this Policy which sets forth the range of possible disciplinary sanctions and remedies that may be implemented.

v. Impact Statements

The Parties will be offered an opportunity to provide impact statements to the Hearing Officer while the Hearing Officer is deliberating appropriate disciplinary sanctions, if any. The impact statements must be provided to the Title IX Coordinator. The Title IX Coordinator will provide

the impact statements to the Hearing Officer only after the Hearing Officer is deliberating on appropriate disciplinary sanctions. Impact Statements cannot and will not be considered by the Hearing Officer when reaching a determination of responsibility. The impact statement may be up to five (5) pages single spaced.

vi. Notice of Determination

Within 5 business days from receipt of the impact statements, the Hearing Officer will simultaneously issue written or electronic notice of its decision to the Parties. The notice of determination will detail the factual findings supporting the determination, the rationale for the disciplinary sanction(s) imposed or any remedies provided, if any, and appeal procedures. The College will implement disciplinary sanctions and remedies when the determination becomes final. The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely. *For the appeal process, please see Part IV of this Policy.*

*PART IV: APPEALS PROCESS FOR DETERMINATIONS REGARDING RESPONSIBILITY (PROCESS A OR PROCESS B), DISMISSAL OF A COMPLAINT OR FORMAL COMPLAINT, OR ANY ALLEGATIONS THEREIN*

Either party may appeal a determination regarding responsibility reached under Process A or Process B, a dismissal of a complaint or formal complaint, or any allegations therein, on any of the following bases: (1) a procedural irregularity that affected the outcome of the matter; (2) new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; and/or (3) the Title IX Coordinator, Investigator, and/or Hearing Officer had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

Within 5 business days of the delivery of the written determination of responsibility or from dismissal of the complaint or formal complaint, or of any allegations therein, the Respondent and/or Complainant may file a notice of intent to appeal. The notice of intent to appeal must be submitted in writing (either email or hard copy) to the Title IX Coordinator. The notice of intent to appeal must contain the party's grounds for the appeal. The Title IX Coordinator will notify the non-appealing party about the notice of intent to appeal in writing and will implement appeal procedures equally to the Parties.

If the appeal is accepted, within 7 business days of the filing a notice of intent to appeal, the party's formal appeal must be filed with the Title IX Coordinator stating why the party requesting the appeal believes the dismissal, or determination of responsibility, was inappropriate. The appealing party must set forth, in detail, the grounds for review and must attach all materials that they wish to have considered in the appeal process. The Title IX Coordinator will notify the non-appealing party of the appeal and of the grounds for the appeal, in writing and that party will have 7 business days from the date of notification to submit a written statement

An Appeals Committee will review the formal appeal. The Appeals Committee shall not include the Title IX Coordinator, the Hearing Officer, or Investigator. The Appeals Committee shall be fair and impartial and will not have any conflicts of interest. The Appeals Committee will simultaneously issue a written decision to the Parties describing the result of the appeal and the rationale for the result within 20 business days of receipt of receipt of the complete record, including the Parties' written submissions. This decision is final.

## **Appendix A STUDENTS' BILL OF RIGHTS<sup>25</sup>**

Under this Policy, all students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the institution, any student, the accused and/or the Respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or Respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.

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<sup>25</sup> To the extent applicable, students maintain the rights set forth in the Students' Bill of Rights during resolution of a complaint or formal complaint under Process A or Process B. N.Y. Educ. Law § 6440(6).

## **Appendix B    EMPLOYEE COMPLAINT FORM FOR REPORTING SEXUAL HARASSMENT**

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form for employees and covered non-employees to report in writing alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to the Title IX Coordinator. You will not be retaliated against for filing a complaint

If you are more comfortable reporting verbally or in another manner, the College is still required to follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

For additional resources, visit:

<https://www.ny.gov/programs/combating-sexual-harassment-workplace>

### **COMPLAINANT INFORMATION**

Name:

Department:

Home Address:

Work Phone:

Home Phone:

Job Title:

Email:

Select Preferred Communication Method:    Email    Work    Home    In person

### **SUPERVISORY INFORMATION**

Immediate Supervisor's Name:

Title:

Work Phone:

Department:

### **COMPLAINT INFORMATION**

1. Your complaint of Sexual Harassment is made about:

Name:

Title:

Department:

Work Phone:



Relationship to you:      Supervisor      Subordinate      Co-Worker      Other

2. Date(s) sexual harassment occurred:

Is the sexual harassment continuing?      Yes      No

3. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

4. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint:

If you have retained legal counsel and would like us to work with them, please provide their contact information.

I request that St. Thomas Aquinas College investigate this complaint of sexual harassment in a timely manner as outlined in the College's policy, and advise me of the results of the investigation.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **RULES AND REGULATIONS FOR THE MAINTENANCE OF ORDER**

St. Thomas Aquinas College has established regulations on campus conduct, to include:

### **Tradition of Academic Freedom**

The tradition of the College as a sanctuary of academic freedom and center of informed discussion is an honored one, to be guarded vigilantly. The basic significance of that sanctuary lies in the protection of intellectual freedoms: the rights of professors to teach, or scholars to engage in the advancement of knowledge, of students to learn and express their views, free from external pressures or interference.

### **Self-restraint and Reciprocity**

These freedoms can flourish only in an atmosphere of mutual respect, civility and trust among teachers and students, only when members of the College Community are willing to accept self-restraint and reciprocity as the condition upon which they share in its intellectual autonomy.

### **College's Right to Defend Itself**

Academic freedom and the sanctuary of the College campus extend to all who share these aims and responsibilities. They cannot be invoked by those who would subordinate intellectual freedom to political ends, or who violate the norms of conduct established to protect that freedom. Against such offenders, the College has the right, and indeed the obligation, to defend itself.

## **GUIDELINES FOR RETURN TO CAMPUS FOLLOWING A MEDICAL/PSYCHOLOGICAL WITHDRAWAL**

Occasionally a student withdraws from college for medical/psychological reasons. Students who do so and wish to return to the college should obtain the "Guidelines for Return to Campus," which are available in the Office for Student Development.

## **NOTIFICATION OF RIGHTS UNDER FERPA FOR POST-SECONDARY INSTITUTIONS**

The Family Education Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day St. Thomas Aquinas College (hereafter known as the College) receives a request for access. Students should submit to the registrar, dean, department chair, or other appropriate college official, written requests that identify the record(s) they wish to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request is submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.
3. The right to consent to disclosure of information to third parties. Students must submit a

signed, dated written release providing the College permission to disclose specific information for a stated purpose. Exceptions to this are the disclosure of information without the written consent of the student:

- a. to school officials
- b. to federal, state and local authorities involving an audit of evaluation of compliance with educational programs,
- c. in connection with Financial Aid,
- d. to state and local authorities pursuant to a state law adopted before 1974 requiring the disclosure,
- e. to organizations conducting studies for or on behalf of educational institutions
- f. to accrediting organizations
- g. to comply with a lawfully issued judicial order or subpoena by a judge or attorney
- h. in a health or safety emergency
- i. directory information
- j. results of disciplinary hearing to an alleged victim of crime of violence
- k. parents of students with an established dependent status pursuant to Internal Revenue Code of 1986, Section 152.

4. The right to file a written request to the College (Records Office) to restrict the printing of directory information in the printed and electronic address directory. St. Thomas Aquinas College considers the following information to be Directory Information: Name, photo, home address, residence life or local address, email address, home and residence life phone number and voice mailbox, class year, and enrollment status.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by St. Thomas Aquinas College in New York to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue, SW, Washington, DC 20202-4605.

The parent(s) of a dependent student as defined in Title 26 U.S.C.S.S. 152 Internal Revenue Code, also has the right to inspect records which are maintained by the College on behalf of the student. Proof of dependency must be on record with the College or provided to the office responsible for maintaining records prior to reviewing the records.

The College does not discriminate against students, faculty, staff, and other beneficiaries on the basis of race, color, national origin, gender, age, disability, marital or veteran status, or religious

affiliation in admission to, or in the provision of its programs and services. The Section 504 Coordinator and Age Act Coordinator is the Director of Human Resources, Marian Hall 216, ext. 4044.

## **TELEPHONE DIRECTORY**

Main Number 845-398-4000

Mr. Kenneth Daly President	845-398-4012
Mr. Joseph Donini Senior Vice President of Administration & Financial Affairs	845-398-4040
Dr. Robert Murray Provost & Vice President for Academic Affairs	845-398-4147
Mr. Kevin Nesbitt Vice President & Dean for Student Development	845-398-4052
Mr. Norman Huling Associate Dean for Student Development & Title Coordinator	845-398-4068
Ms. Anne Walsh Director of Health & Wellness Services	845-398-4242
Ms. Cindy Garvey Interim Director of Student Financial Services	845-398-4098
Ms. Eileen Murphy Registrar	845-398-4310
Ms. Nicole Ryan Director of Athletics	845-398-4163

## **Miscellaneous**

<b><i>ON CAMPUS EMERGENCY</i></b>	<b><i>845-398-4080</i></b>
Office of Annual Giving & Alumni Affairs	845-398-4284
Office of Campus Safety & Security	845-398-4080
Office of Student Development	845-398-4051
Office of Foundations, Government & Community Relations	845-398-4018
Office of Student Engagement	845-398-4084
Office of Student Financial Services	845-398-4042
Office of Residence Life	845-398-4227
Campus Services Office (Dining & Cleaning)	845-398-4244

Club Sports & Intramurals	845-398-4153
Health Services	845-398-4242
Spartan Grille	845-398-4213
WSTK Radio Station   Request	845-398-4281
Business	845-398-4070
Student Government Office	845-398-4074
The Thomist Yearbook Office	845-398-4076
The Thoma Newspaper Office	845-398-4075
Communications Center	845-398-4050
Center for Academic Excellence	845-398-4090
Maintenance Office	845-398-4395