# TABLE OF CONTENTS

**Mercy College**
- A Message from the President ............................................ 2
- History .............................................................................. 3
- Objectives ......................................................................... 4
- Accreditation and Memberships .......................................... 4
- Disclaimer .......................................................................... 5

**Statements on Non-Discrimination and Access to Student Records**
- Non-Discrimination, Individual Rights and Equal Education Policy Statement ........ 6
- Title IX Gender Discrimination ......................................... 6
- Disability Discrimination and Rights ................................... 6
- Policy on Access to Student Records Under FERPA ........... 6

**Academic Support and Other College Services**
- Academic Advising ............................................................. 12
- Center for Student Success and Engagement ................. 12
- PACT Program ................................................................... 12
- Student Activities ............................................................... 13
- Residential Life ................................................................. 13
- Career Services .................................................................. 14
- International Student Advising .......................................... 15
- Learning and Assessment Services ..................................... 15
- Center for Academic Excellence ........................................ 16
- Testing Office ..................................................................... 16
- Campus Safety ................................................................... 17
- Campus Safety Tips ............................................................. 17
- Campus Security and College Crime Statistics ................. 18
- Health Information and Services ......................................... 18
- Health Insurance ............................................................... 18
- Immunizations ................................................................... 18
- Counseling and Similar Support Systems ........................ 19
- Athletics and Recreation .................................................... 20
- Federal Work Study Program ............................................ 21
- Faculty Office Hours .......................................................... 21

**General Campus Information**
- New Student Orientation ................................................... 22
- Student Identification Cards .............................................. 22
- Cancellation of On-Campus Classes .................................... 22
- Automobiles ...................................................................... 23
- Follett Bookstores ............................................................. 23
- Campus Email and Intranet ................................................ 23
- Elevators .......................................................................... 23

**Fire Alarms ........................................................................ 24**
- Smoking Policy .................................................................. 24
- Visitors on Campus ............................................................ 24
- Recording Devices in Classes ............................................. 24
- Materials Distribution and Postings ................................... 24
- Solicitation or Commercial Activities ............................... 24

**General Standards of Conduct and Disciplinary Processes** ................................................... 25

**Academic Integrity and Acceptable Academic Conduct**
- Academic Conduct, Generally ......................................... 25
- Academic Integrity ............................................................ 25
- Cheating and Plagiarism ..................................................... 26

**Code of Student Conduct**
- General Standards of Conduct ............................................. 27
- Policy on Illegal Drugs and Alcohol .................................... 29
- Policy on Discrimination and Harassment .......................... 33
- Policy Statement on Sexual Assault and Aid to Victims of Sexual Violence ........... 36
- Policy Statement Regarding Order of Protection and Stalking ................. 39
- Policy Statement Regarding Bias Related Crimes ........................ 39
- Policy on Hazing and Reckless Endangerment ..................... 40
- Policy on Student Demonstrations ...................................... 41
- Policy on Acceptable Use of College Information Technology Resources .......................... 42
- Policy on Peer-to-Peer File Sharing ................................... 43
- Statement on Socializing Safely on the Internet ................. 44

**Code of Conduct for Residential Life Students**
- Code of Conduct for Residential Life Students ......................... 45
- Residential Area Guest Policy ............................................. 47
- Quiet Hours Policy ............................................................. 48
- Inspections ...................................................................... 48
- Fire Safety ........................................................................ 48

**Non-Academic Disciplinary Process**
- General Procedures .......................................................... 50
- Undergraduate Student Academic Appeals Policy ................. 54
- Graduate Student Academic Appeals Policy ....................... 56
Dear Mercy College Student,

Whether this is your first semester at Mercy College or your final semester before graduation day, you will find that the faculty and staff of Mercy College are here to support the achievement of your personal academic goals. Your selection of Mercy College demonstrates that you are dedicated to attaining academic success and that you are prepared to make your studies a priority.

Throughout your matriculation at Mercy College, the education you receive will prepare you for your first job, for advancement in your chosen profession, or to continue studies at the graduate school of your choice. Equally as important, your education and experience from Mercy College will help you meet all of life’s opportunities and challenges as you grow as a person and develop intellectually.

I encourage you to take full advantage of all that Mercy College offers and to participate in activities beyond the classroom that will complement your academic experience. The Mercy College community is proud to carry on a tradition of giving back. Find a way during this academic year to give back to the community through a volunteer project, alternative spring break trip or helping out a neighbor.

This Student Handbook provides you with important information about services available at Mercy College as well as policies and procedures of our College community. Please take the time to familiarize yourself with the information in this helpful guide.

Best wishes for a rewarding academic year.

Concetta M. Stewart, Ph.D.
Interim President
Founded by the Sisters of Mercy in 1950, Mercy College became a four-year college offering programs leading to the baccalaureate degree in 1961. The College was accredited by the Middle States Association’s Commission on Higher Education in 1968. In the next half-decade, Mercy College boldly set a course for its future with a series of actions including declaring itself independent and co-educational. In addition, it doubled the size of the existing physical plant and initiated the first of many community outreach efforts.

Mercy College’s innovative spirit soared in the 1970s when it broadened its outreach through the establishment of extension centers and branch campuses throughout communities in Westchester County and New York City. This expansion enhanced the College’s reach to the traditional college market and positioned the College on the leading edge of higher education for those who were the first generation in their families to seek college degrees and the adult student market.

Always seeking ways to expand academic and career opportunities for its students, Mercy College was authorized to offer its first graduate program (in nursing) in 1981. Since then, 30 diverse graduate programs have been introduced, and in 2006, the College was granted authorization to offer its first doctoral program (in physical therapy). Mercy College has become one of the regional leaders in the preparation of health care professions as well as a leading provider of teacher education preparation for the New York City Schools and the surrounding communities.

The College expanded its offerings to include online programs in the late 1980s, and was soon granted the ability to offer entire degree programs online. Thousands of Mercy College students take one or all of their courses online through the more than 40 undergraduate and graduate programs offered.

Always responsive to growing workforce needs and student expectations, the College has, in recent years, added new academic programs in areas including Corporate and Homeland Security, Cybersecurity, Computer Arts and Design, Exercise Science, International Relations and Diplomacy, and Sport Management.

In 2009, the College launched its innovative Personalized Achievement Contract (PACT) program, which provides students with a highly trained professional mentor to provide them with personalized mentoring throughout their College experience. In 2010, the Rotary Club received its official charter from Rotary International; participating students collectively contributed over 3,500 hours of service to the local community.

Throughout its history, Mercy College has remained dedicated to its mission - to make available the transformational power of a college education. The College’s commitment to quality, student support and affordability - as well as innovation - remains as strong today as ever.
OBJECTIVES

A core value of a Mercy College education is to provide students with opportunities to transform their lives through quality education. This value defines Mercy College and guides the growth and development of the institution. Many Mercy College students are the first in their families to earn a college degree. Others attend to complete a degree or to change and advance careers. Success for many Mercy College students requires adaptation to a new learning environment or living away from home for the first time. For others, it requires balancing academic responsibilities while working or having family responsibilities. Therefore, the opportunities Mercy College strives to provide require multiple locations, online access, varied program options, affordable tuition, and seamless support services. The College encourages the formation and ongoing programming of student groups which enrich campus life and enable students to form new bonds or friendships, and gain leadership experience. By addressing these issues, Mercy College enables students to meet their obligations, complete a challenging academic program, and be prepared for career success.

Mercy College’s undergraduate and graduate programs are relevant and rigorous. New programs are developed in response to strategic opportunities, student demand, and workforce needs.

The quality of academics at Mercy College is reflective of a highly credentialed faculty who have a passion for teaching, and who are committed to student success. Mercy College faculty members are experts in their fields and, while many engage in research or professional practice, their primary activity is teaching.

ACCREDITATION AND MEMBERSHIPS

American Council for Business Schools and Programs
Accreditation Council for Occupational Therapy Education
American Assembly of Collegiate Schools of Business
American Association for Higher Education
American Association for Paralegal Education
American Association of Colleges for Teacher Education
American Association of Colleges of Nursing Mercy College
American Association of Collegiate Registrars & Admissions Officers
American Council on Education
American Physical Therapy Association
American Speech, Language and Hearing Association
American Veterinary Medicine Association
Association for Institutional Research
Association of American Colleges and Universities
Association of Governing Boards of Colleges & Universities
Association of Schools of Allied Health Professions
College Entrance Examination Board
Commission on Accreditation in Physical Therapy Education
Commission on Collegiate Nursing Education
Commission on Independent Colleges and Universities of the State of New York
Council for the Advancement & Support of Education
Council of Colleges of Arts and Sciences
Council of Independent Colleges
Council on Social Work Education
Council on Undergraduate Research
EDUCAUSE
Environmental Consortium of Hudson Valley Colleges and Universities
Hispanic Association of Colleges and Universities
International Assembly for Collegiate Business Education
NAFSA: Association of International Educators
National Association of College and University Attorney
Middle States Commission on Higher Education
Middle States Association of Collegiate Registrars & Officers of Admission
National Association of College & University Business Officers
National Association of College and University Attorneys
National Association of Schools of Art and Design
National Association of Student Personnel Administrators
North American Association of Summer Sessions
NorthEast Regional Computing Program (NERCOMP)
Regents Accreditation of Teacher Education
Service-members Opportunity Colleges
Society of College and University Planners
Standing Committee on Paralegals of the American Bar Association

**DISCLAIMER**

The Student Handbook of Mercy College is prepared by the Center for Student Success and Engagement in consultation with other College departments. It is a compilation of the services, policies, practices, and procedures that are available at the College. Please read it and become familiar with its content. Together with other major College publications, such as the Catalogs, it provides answers to many questions, informs students of their rights and responsibilities, and establishes the College’s expectations of its student community.

The College reserves the right to modify, change, or eliminate any policy, practice or procedure described in this guide and to promulgate new policies and procedures as needed or in response to changes in applicable laws and regulations. Such changes may be of any nature, including but not limited to, the modification or elimination of policies, procedures, activities, services or programs. Students will be advised of changes as practical. By the act of enrolling at Mercy College, including registering for courses, attending classes, payment of tuition or fees, or participating in College activities, students consent to comply with the policies, procedures, and practices described in this publication and the College’s related rights. If you have any questions or need further clarification, please contact the Center for Student Success and Engagement.

The College has designated the Deputy Director of PACT, or a designee, as the official who can provide information on, or handle complaints regarding Title IX (gender rights and discrimination) and Section 504 of the Americans with Disabilities Act (rights and discriminatory practices involving individuals with disabilities).

Mercy College is committed to a policy of equal treatment and opportunity in every aspect of its relations with its students, faculty, staff, applicants, and members of the larger community. This includes the admissions process, access to programs, privileges, activities and services, without regard to age, race, color, creed, religion, national origin, citizenship status, gender, sexual orientation, marital status, disability, or status as a military veteran, or for any other category recognized by local, state or federal law.
STATEMENTS ON NON-DISCRIMINATION AND ACCESS TO STUDENT RECORDS

NON-DISCRIMINATION, INDIVIDUAL RIGHTS AND EQUAL EDUCATION POLICY STATEMENT

The policy of Mercy College is that discrimination against any individual for reasons of gender, race, creed, religion, national origin, sex, sexual orientation, age, marital or parental status, ethnicity, citizenship status, veteran or military status, disability or for any other legally protected basis is specifically prohibited. This includes discriminatory language, gestures, and written or electronic communication. Accordingly, equal access to educational programs, employment opportunities, and all other College activities is extended to all eligible persons.

Detailed information on the policy and procedure for pursuing a claim of discriminatory treatment or sexual harassment is explained in detail in a separate section of this Handbook.

TITLE IX AND GENDER DISCRIMINATION

It is the policy of Mercy College not to discriminate on the basis of sex in any of its programs or activities (particularly as required by Title IX of the Educational Amendments of 1972). This policy of non-discrimination includes but is not limited to the following areas: recruitment and appointment of personnel; terms and conditions of employment; access by students to educational programs; counseling services; course offerings, athletics and student activities.

The College official responsible for the coordination of activities relating to compliance with Title IX (including complaints of improper treatment) is the Deputy Director of PACT, Mercy College, 555 Broadway, Dobbs Ferry, NY, 10522, 914-674-7622. This official will provide information including complaint procedures to any student, employee, or employment applicant who maintains that his or her rights under Title IX have been violated by Mercy or its administration or faculty. Title IX grievances are handled pursuant to the grievance procedure set forth in this Handbook. Inquiries concerning the application of Title IX may also be directed to the U.S. Department of Education Office for Civil Rights.

DISABILITY DISCRIMINATION AND RIGHTS

Mercy College students are protected from discrimination under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, as amended. If you have a disability for which you are or may be requesting an accommodation, you are encouraged to contact the Office of Disability Services, Main Hall, Room 108, 914-674-7523 as early as possible in the term for which you are requesting such accommodations.

Mercy College has adopted this Non-Discrimination, Individual Rights and Equal Education Policy Statement to demonstrate its commitment to these important practices. A grievance procedure is included in this Handbook for individuals who believe that they may have been subjected to improper treatment that violates this Policy Statement and/or the law.

POLICY ON ACCESS TO STUDENT RECORDS UNDER THE FEDERAL FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, AS AMENDED (“FERPA”)

1. Scope of the Act

(a) General.

The federal Family Educational Rights and Privacy Act of 1974, as amended (“FERPA” or the “Act”) and its
implementing federal regulations affords to persons who are currently, or were formerly, in attendance at the College as registered students a right of access to their “educational records”. Persons who unsuccessfully applied for admission to the College or who are offered admission but never attended the College are not covered by the Act.

The Act also restricts the persons to whom the College may disclose a student’s education records without the student’s written permission and affords the student an opportunity to see amendment of records that the student believes are inaccurate or violate the student’s privacy rights.

(b) Records Covered

“Educational records” of a student are those records, files, documents, and other materials that are maintained by the College and contain information directly related to the student. Education records include traditional paper records as well as material that is maintained in digital, electronic, photographic, video, audio or any other form. “Education records” do not include:

1. Personal notes maintained by faculty members or other staff that are not available to others.
2. Records that are created or maintained by a physician, psychologist, or other recognized health or mental health professional or paraprofessional that are created, maintained, or used only in connection with the provision of treatment to the student and are not available to others except in connection with providing such treatment.
3. Records, such as those that might be maintained by the College’s legal counsel, the confidentiality of which is protected by law.
4. Records created and maintained by a campus law enforcement unit solely for law enforcement purposes.
5. Records containing financial information about his or her parents, such as information submitted in connection with an application for financial aid.
6. Grades or peer-graded papers before they are collected and recorded by an instructor.
7. Records that contain information about a person only after they are no longer students at the College.
8. Records of a student who is deceased.

II. Access Rights of Students

(a) Procedure

Students may obtain access to their education records by making application to the Registrar. The College is required to grant the request within forty-five (45) days. The Registrar will forward copies of the student’s request to the appropriate offices holding the requested files. These offices will contact the student with an invitation to inspect them.

If a student wishes to inspect an education record that also contains information regarding another student, such inspection is permissible only if (a) the information about the other student is inseparable from information about the requesting student, (b) any personally identifiable information about the other student is redacted prior to inspection by the requesting student, (c) the other student provides a prior, written consent, or (d) disclosure is otherwise permitted or required by law.

A student ordinarily will not be provided with copies of any part of his record other than his transcript, unless the inability to obtain copies would effectively prevent him from exercising his right to inspect and review his
education records. In cases where copies will be provided, the department or office of the College maintaining the record in question may impose a charge for making such copies at such uniform rates as it shall determine. In general, the charges imposed will not exceed $.10 per page. An exception is the case of transcripts, which are free. Students will not be permitted to remove the original record(s) from the record review office. At the conclusion of the review each record must be returned to the office that maintains it.

If a student is physically unable to come to the appropriate record review office, and if this inability would effectively deny the student access to the records, the student may obtain a record request form by calling or writing to the appropriate record review officer. The student should then return the completed request form by mail to the record review officer. The officer will make special arrangements for the review.

Generally, educational records of a student will be maintained by the Registrar, the office of the school in which the student is enrolled, and the office of the department of the student’s major field of study. In addition, the College Health Services Office and Counseling Office maintain records relating to students who have utilized its facilities. If a student has utilized a placement office at the College, such office may also maintain records relating to the student.

(b) Confidential Letters of Recommendation

In general, a student may have access to confidential letters and statements of recommendation that are part of the student’s education records. This right, however, does not apply to such letters and statements placed in the student’s education records prior to January 1, 1975, if such letters and statements are not used for purposes other than those for which they were specifically intended.

A student may, by signing a written waiver, relinquish his or her right to inspect confidential recommendations placed in the student’s education records on or after January 1, 1975, respecting (1) admission to any educational institution; (2) an application for employment; or (3) the receipt of an honor or honorary recognition.

In no case will any student be required by the College to waive his or her rights to access of confidential recommendations. A student may find it appropriate to do so for a number of reasons. For example, the student may feel that his or her professors will write more candid and helpful letters of recommendation if the letters are not available to the student. A number of schools and departments have waiver forms available.

(c) Amendment of Records

If a student believes that any of the education records relating to her or him contain information that is inaccurate, misleading, or in violation of her or his rights of privacy, he or she may ask the College to correct or delete such information. The student may also ask that additional explanatory material be inserted in the record. Requests for amendment of a record or the addition of explanatory material should be submitted, in writing, within a reasonable amount of time after the conclusion of the record review. The reasons for the request should be set forth and should clearly identify the part of the record the student wants changed and specify why it is inaccurate or misleading. There is no obligation on the part of the College to grant such a request. If the College declines to amend the records as requested by the student, it will so inform the student, and the student may request a hearing to appeal the decision. The right to challenge the contents of an educational record may not be used to question substantive educational judgments that have been correctly recorded. For example, a hearing may not be requested to contest the assignment of a grade. Grades given in the course of study include written evaluations that reflect institutional judgment of the quality of a student’s academic performance.

Hearing requests must be made in writing, to the Provost regarding academic records or the Deputy Director of PACT regarding non-academic records, within thirty (30) days of being informed of the decision to decline the
request for amendment. Within a reasonable period of time after receiving such request, the Provost will inform the student of the date, place and time of the hearing. The hearing will take place before the Academic Standing Committee, which is composed of faculty and staff members who do not have a direct interest in the outcome of the hearing. The student may present evidence relevant to the issues raised and may be assisted or represented at the hearing by one or more persons of the student’s choice, including an attorney, at the student’s sole expense. The Committee must issue a written decision that contains a summary of the evidence and a statement of the basis for the decision. The decision of the Committee is final and must be based solely on the evidence presented at the hearing. If the decision is in the student’s favor, the education records will be amended in accordance with the Committee’s decision. If the decision is unfavorable to the student, the student may prepare a statement commenting on the contested information in the education record or stating why the student disagrees with the decision not to amend the record, or both. The College must maintain any such statement along with the contested part of the record for as long as the College maintains that record and the College must disclose the statement whenever it discloses the portion of the record to which the statement relates.

III. Access by or Release to Others

(a) General

The College will not generally permit access to, or release of, educational records or personally identifiable information contained therein to any party without the written consent of the student. The College may, however, as provided in the Act, release such data to certain persons including but not limited to:

- Officials of the College who have a legitimate educational interest (including persons with whom the College has contracted) in obtaining access to the records. Such access will be granted if the official needs to review an educational record in order to fulfill his or her professional responsibility.
- Persons who require access in connection with the student’s application for, or receipt of, financial aid.
- Parents of a student, provided the student is a “dependent” of the parents for federal income tax purposes. In general, the College does not make education records available to a student’s parents. However, where the College believes that it is in a dependent student’s interest, information from the student’s educational records may be released to the parents of such a dependent student.
- The College may release such information in compliance with a judicial order or pursuant to any lawfully issued subpoena. As a general policy, before any information is so released the College will first notify the student at the student’s most recent address as shown in the records maintained by the Registrar. However, in compliance with the Act, some judicial orders and subpoenas issued for law enforcement purposes specify that the College cannot disclose to any person the existence or contents of the order or subpoena or the information furnished in compliance with it.
- The College may release information about certain conduct violations to a student’s parent or others.
- In connection with an emergency, the College may release information from educational records to appropriate persons if the knowledge of such information is necessary to protect the health or safety of a student or other persons. The College is required to maintain in the student’s file a record of the situation that prompted such disclosure and a list of individuals to whom disclosure was made.

(b) Release with the Student’s Consent

Upon written consent or request by a student, the College will release information from the student’s educational records to third parties. The student should make a request for such release to the department or office having custody of the record involved. The College may impose a charge for copying a student’s records in connection with such release.
(c) Release of Information to Parents and Guardians of Mercy College Students.

Subject to the limitations set out in Section III(a), where parents or guardians claim their students as dependents for tax purposes, the College may notify such parents or guardians when there is a change in the student’s status (e.g. being placed on or removed from academic probation) or if there is a change in enrollment as a consequence of a student being barred for failure to meet the terms of academic probation or for disciplinary reasons. In order to be notified of the changes of status and enrollment listed above, parents and guardians must make a request to the College along with a copy of their previous year’s federal tax return demonstrating the student’s dependent status.

Alternatively, any student—whether considered a dependent or not—who wishes that his or her parents, guardians or other family members be notified of status changes or grades may complete and return to the Registrar a consent form.

(d) Transfer of Information to Third Parties

It shall be a condition of the release by the College of any personal information on a student to a third party that the party to which the information is released will not permit any other party to have access to such information without the written consent of the student. An institution to which such information is released may permit its officers, employees, and agents to use such information but only for the purposes for which the disclosure was made. These restrictions do not apply to certain subpoenas and court orders.

(e) Directory Information

The College may, at its discretion, release “directory information” with respect to a student for any purpose without the student’s consent. The College has designated the following categories of information as directory information with respect to each student: name, local and permanent address, electronic mail address, telephone listing; age; photograph; major field of study; participation in officially recognized activities and sports; weight and height of members in athletic teams; enrollment status; dates of attendance at Mercy College; degrees, honors and awards received, and their dates; and most recent educational institution attended.

A student in attendance at the College who does not want to have directory information relating to himself released should complete an Authorization to Withhold Directory Information form and return it to the Registrar.

A student may not use the withholding of directory information to prevent the College from disclosing or requiring the student to disclose his or her name, identifier, or institutional e-mail address in a class in which the student is enrolled.

Students should consider very carefully the effect of a decision to withhold directory information. If that decision is made, any requests during that academic year for such information from non-College persons or organizations will be refused (subject to the exceptions stated in Section III(a) above or unless the student has subsequently removed the hold by notifying the Registrar in writing). If a student does not specifically request the withholding of directory information by filing the Authorization to Withhold Directory Information form, as indicated above, the College assumes that he or she approves of the disclosure of such information.

(f) Review by Government Agencies

Authorized representatives of government agencies may occasionally ask to see a student’s education records. Such requests are usually made when a student or former student has applied for a government job. The government agent will be referred to the appropriate record review officer, as indicated in Section II(a) above. Generally, the College will handle such requests in the same manner as other requests for access to student records by third parties, provided that the government agent shows official identification and provides a signed release from the student, a copy of which will be retained by the College.
If a government agent has a subpoena, he or she should be referred to the General Counsel. Under the FERPA regulations, the College is required to make a reasonable attempt to notify the student prior to complying with the subpoena unless, in the case of a subpoena issued for law enforcement purposes, the subpoena orders that such notification not be made.

**IV. Maintenance of College Records**

FERPA does not impose an obligation on College officials to create or maintain particular education records, except that the College cannot discard an education record as to which a request for inspection is pending. However, the College is required to maintain a record, kept with the education records of each student, indicating all individuals, agencies or organizations that have requested or obtained access to a student’s education records and indicating specifically the legitimate interest that each has in obtaining the information. This requirement does not extend to requests made by College officials with legitimate educational interests and to certain requests made in the context of ongoing terrorist investigations and prosecutions.

**V. General**


The College will inform students of the guidelines in this Policy and of their rights under FERPA and the Department of Education’s FERPA regulations by placing a notice about them in the Mercy College Student Handbook each year and on the College’s Intranet.

(b) Each office of the College that maintains educational records should keep with each student’s file a permanent record of all parties who have requested access to the student’s records, other than custodians of such files, College officials normally dealing with such files in performance of their duties, College officials who have been determined to have a legitimate educational interest in obtaining access to the records, parents of a dependent student, parties who have received directory information, parties who have received records or information pursuant to the student’s written consent, and the recipient of records or information pursuant to certain subpoenas and court orders. Such records of access should indicate specifically the legitimate interest that each such party had in obtaining access to the student’s records and whether or not the request was granted. A student may inspect such records relating to his education records.

(c) Questions about the interpretation of this policy should be referred to the College’s General Counsel.

(d) Complaints regarding the Act may be filed with:

**Family Policy Compliance Office**
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, DC 20202-5920
Telephone: 202-260-3887
Fax: 202-260-9001
ACADEMIC SUPPORT AND OTHER COLLEGE SERVICES

ACADEMIC ADVISING

To assist students with planning a program of study that meets their individual needs and interests, academic advising is available to all students at Mercy College through the Office of Student Services, the College Opportunity Program, and the PACT program. Ultimately, students are responsible for determining schedules and meeting degree requirements as outlined in the College Catalogs, but since the Mercy College believes that student service counselors and PACT mentors can help students make well-informed choices, students are strongly encouraged to meet with a student service counselor or PACT mentor prior to registering each semester. Students are also encouraged to review their degree audit through Mercy Connect each semester to ensure they are meeting the degree requirements and are on track for timely graduation. Because Mercy College operates at several locations, each student must declare a home campus and is assigned a student service counselor or PACT mentor based on the home campus location.

CENTER FOR STUDENT SUCCESS AND ENGAGEMENT

The professional staff of the Center for Student Success and Engagement seeks to enhance the total growth of the individual and to help make the student experience at Mercy College one of educational, social, and emotional achievement. To this end, the Center provides services and programs that will enrich students’ intellectual, social and personal lives. The staff is always available to assist students and welcomes their contributions and opinions. The Center for Student Success and Engagement’s main office is located at the Dobbs Ferry Campus in Main Hall, Rm. 235 and is open each week from 9 a.m. to 7 p.m. Monday through Thursday and 9 a.m. to 5 p.m. on Friday, except during official break periods and College holidays.

PACT PROGRAM

Mercy College believes in a student-first philosophy, which means individualized attention, uniquely tailored opportunities, and innovative educational programs. The Mercy College Personalized Achievement Contract (PACT) is a visionary program that exemplifies the College’s commitment to its students; programs are structured to be individualized, customized, integrated and focused for each student. PACT students are provided professional mentors who facilitate integrated support for academic, career, and personal growth and whose sole purpose is to meet the interests, needs, and goals of the student. Each mentor is trained in the areas of academic advising, student life, financial aid, career preparation, and leadership skills. Together, students and their mentors create a customized plan designed to enhance the student’s overall long-term success.

From the start, PACT mentors contact accepted students and their families to assist with the enrollment process, including financial aid, course registration, housing, and other forms of assistance to foster a seamless transition to college. The mentor continues to form a close relationship with the student, serving as the student’s point person for all aspects of campus life, from enrollment to employment, knowing the student’s story and taking personal advising to unprecedented
levels. The customized plan and personalized guidance focuses on academic achievement, career readiness and placement, preparing each PACT student to be the best candidate for graduate school or the career of his choice.

**Highlights of the Mercy College PACT Program include:**

- an exceptional level of one-on-one engagement with Mercy PACT mentors who are cross-trained to guide students toward academic achievement, work-life skills, and a successful career trajectory;
- Multiple opportunities to hone workplace readiness through training in communication skills, public speaking, and leadership; and
- Structured guidance to and through college, preparing students to successfully navigate their entire college experience.

To learn more, call a PACT representative at 914-674-PACT (7228) or visit www.mercy.edu/pact.

**STUDENT ACTIVITIES**

The Office of Student Activities serves as a catalyst for student growth. Programs are designed to enhance the educational process and provide a positive atmosphere on campus while meeting the varied needs of Mercy College students.

Mercy College staff implements the various orientation programs and also develops student leadership workshops and training sessions for students. Students interested in information about college extracurricular activities or interested in forming a new club on campus should contact PACT/Student Activities at 914-674-7303.

**RESIDENTIAL LIFE**

The Residential Life Program is designed to provide students with living facilities and activities that enhance and extend formal classroom education. The program is structured to promote students’ social, cultural, personal, and intellectual development. Living in a residence hall offers a structured environment in which students can live independently and develop a greater sense of personal identity within a community setting. The Mercy College Residential Area is composed of a traditional residence hall on the Dobbs Ferry campus, as well as several off-campus locations contracted by the College. Each room is furnished and sleeps one to four students. The Residential Area houses students from across the country and around the world.

**Residential Life Office**

The Residential Life Office, located in Room 3 of the Residence Hall at Mercy College, is responsible for staffing, programming and assorted services in the Residential Areas. The Residential Life staff is available to assist students with their living and learning experiences and works to maintain a positive community atmosphere in all Mercy College Residential Areas.

**Resident Director**

The Resident Director supervises the Resident Assistants and is very familiar with student needs and concerns.
in a community living environment. Students should feel free to speak with the Resident Director about any problems or concerns they have.

**Resident Assistants**
Resident Assistants are students living in the residential areas who serve on the Residential Life staff as resources to answer questions about the campus, explain and enforce college policies, sponsor floor and/or hall activities, and promote a sense of community on the floor and in the building. Resident Assistants complete an extensive training program and can help residents with many concerns, such as roommate conflicts and personal, social or academic problems.

**Residence Hall Council**
The Residence Hall Council acts as the organized representative of the resident students and organizes, promotes and directs academic, social, cultural and recreational activities for the general welfare of the residents. All resident students are automatically members of their Residence Hall Council and are urged to take an active part in the Council. All resident students are eligible for election as Council representatives on the Residence Hall Council Board.

**Credit Hours and Academic Good Standing**
Residential students must register for twelve (12) credit hours each semester. Residential students who do not attend class, who register for fewer than twelve (12) credit hours or withdraw from all classes, or who do not maintain minimum Satisfactory Academic Progress (SAP), as defined by the Department of Education and set out in the Undergraduate and Graduate Catalogues, may forfeit their right to remain in the Residential Life Program.

**CAREER SERVICES**
Career Services at Mercy College teaches career readiness with the goal of each student developing lifelong, self-directed, career management skills. We provide the tools, training, and exposure to opportunities that empower you to take ownership of your career success.

Through workshops, on-line resources, career events and individualized counseling, we empower you to thrive in an ever changing and exciting workplace. Open to all students across all campuses, our programs leverage the most advanced technologies available through our state-of-the-art Vitale Life Skills Lab, providing you access to information and opportunities from across the world and around the clock.

From the day you enroll at Mercy College, our PACT Mentors and career professionals begin the career-readiness program with you in mind. As an incoming freshman, you’ll draft an initial resume that will evolve and grow as you evolve and grow throughout your collegiate career. We will work with you to expand your professional portfolio, first pinpointing your passions, and then building career-relevant experiences through internships, externships, guest speakers and more. And when you graduate, we’ll be there to guide you in launching your career with your job of choice.

Services available to Mercy College students include, but are not limited to:

- Major and career exploration – through the use of interactive career and educational planning tools, select a major that supports career goals
- Resume building – work with your PACT mentor or Career Counselor to develop a professional and competitive resume that stands apart from the crowd
- Interview skills – conduct live mock interviews, or practice at home with a virtual mock interview tool
• Job and Internship search – we’ll help you develop a strategy to efficiently and effectively identify and pursue the career opportunity of your choice
• Graduate School counseling – develop a plan to continue your education upon graduation from Mercy College

Career Maverick
Mercy College’s Career Maverick system is your online gateway to a host of tools and resources that will be of value to you throughout your college career and beyond. Registration is free and available exclusively to members of the Mercy College community at https://mercy-csm.symplicity.com. Through Career Maverick you will gain access to exclusive full-time and part-time job and internship opportunities specifically targeting members of the Mercy College community. You will also be able to access the NACElink Network, the largest career network of career services and recruiting professionals in the world.

Career Fairs, Workshops, Lecture Series, Networking, and other Experiential opportunities
Numerous workshops (including webinars and virtual workshops that can be accessed online, on demand, 24/7) are conducted throughout each academic year for developing life skills that enhance career readiness. Additionally, there is a robust calendar of events both on and off campus to network with prospective employers. Your PACT Mentor and the Career Services staff are committed to helping you put your best foot forward in pursuit of your ideal career path.

Academic Internships
Mercy College students who have successfully completed forty-five (45) or more credits may be eligible to pursue internships for academic credit. The Career Development staff will work with you to identify opportunities that may allow you to earn up to six (6) elective credits. The Mercy College Academic Internship Program provides students an opportunity to gain meaningful career experience while simultaneously pursuing their undergraduate studies.

INTERNATIONAL STUDENT ADVISING
The International Students Office assists members of the Mercy College international community by providing direct support with academic, immigration, cross-cultural, personal and financial matters.

In addition, the International Students Office will advise on immigration matters including general information on students’ rights and responsibilities and assistance with procedures in accordance with immigration regulations for F-I international students. The Office seeks to help international students adjust to life in a new country and make a smooth transition to an academic career at Mercy College. International applicants who plan to attend Mercy College under the F-I student status should contact the International Students Office and request the I-20 Eligibility Form, other immigration related materials, and assistance with visa procedures.

Students may contact the International Students Office at (914) 674-7284 or international@mercy.edu.

All international students are encouraged to obtain a free copy of the Federal Guide to United States Government Regulations for International Students available in the International Students Office.

LEARNING AND ASSESSMENT SERVICES
Learning and Assessment Services is the umbrella for the Center for Academic Excellence and the Testing Office. The overall purpose of these services is to provide Mercy College students with the academic support necessary to meet the challenges of higher education.

The Learning and Assessment Services are an outgrowth of Mercy College’s mission to support the academic
development of students with their full range of diversity in language, scholastic background, levels of communications skills, and general academic sophistication. The services of the Center for Academic Excellence are available to all undergraduate students who wants to improve or enhance their learning skills. The services of the Testing Office are available to all Mercy students. Students are encouraged to take full advantage of the available resources; faculty and staff are encouraged to discuss related issues with their classes.

THE CENTER FOR ACADEMIC EXCELLENCE

The Center for Academic Excellence is composed of four campus learning centers designed to support teaching and learning at the College.

The centers offer assistance and tutoring in communications skills (reading, writing, speaking and listening), as well as in the full range of academic subject matter, most significantly, in mathematics and the sciences.

Many qualified peers, graduate students, and faculty members are on staff to help students succeed. Group, supplemental instruction and individual tutoring are available, as well as workshops on a variety of life and study skills.

Hours of offerings vary at each location. Mercy College students have access to all Center for Academic Excellences regardless of home campus.

TESTING OFFICE

The Testing Office offers a variety of services to potential and current Mercy College students. It coordinates all placement examinations to incoming new and transfer students. The examinations are administered by proctors and are offered at all campuses. Accuplacer is used to evaluate reading comprehension, sentence structure and arithmetic skills and elementary algebra skills. Writing skills are assessed through an essay writing using WritePlacer, part of the College Board’s Accuplacer program.

CISC120 Waiver Test
The Department of Math and Computer Information Science developed waiver exam to ascertain if a student knows enough about Microsoft Word, Excel and PowerPoint to work at a professional full-time job. This test also ascertain a student’s knowledge of basic computer concepts, such as basic hardware (input devices, output devices, communications devices, storage devices), basic software, basic communications and networking concepts, computer privacy, security and ethics. The test requires knowledge equivalent to someone who has completed CISC/MATH120 with an acceptable grade.

To assist students for this exam, copies of MATH/CISC 120 books have been placed on reserve in all libraries. Reserved books may not be removed from the library.

CLEP Exam
The College Level Examination Program (CLEP) allows students to earn credit for subjects in which they are already knowledgeable enabling them to accelerate degree completion.

A total of thirty (30) credits can be earned through CLEP’s General Examinations. Awarded CLEP credits are considered similar to transfer credits: they do not count toward the minimum residency requirement, and they appear on a transcript with no effect on the GPA or the calculation of graduation honors.

Students interested in the CLEP examination should consult with their student services counselor or PACT mentor. For further information, contact CLEP at www.collegeboard.com/clep or the Testing Office at 914-674-7358.
Students may also obtain advanced placement by achieving satisfactory scores on tests administered by the Regents College Exam (RCE). For more information on the RCE, call the Admissions Office at 914-674-7324.

Proctoring Services are available to Mercy College students and to non-Mercy students who are enrolled in distance learning courses sponsored by other colleges and universities, or those who need to take certification or other examinations.

**CAMPUS SAFETY**

Mercy College takes its obligation to provide a safe environment for the entire College community very seriously, and the safety and well being of students, faculty, staff and visitors is of the highest priority. The Dobbs Ferry campus, which includes a residence hall, is regularly patrolled by twenty-four (24) hour security. Uniformed Campus Safety Officers are located in the lobby of each of the Bronx, Manhattan, and Yorktown campuses. Officers are on site during hours of campus operation set for each semester for each campus. A uniformed security guard is stationed on the floor of each off-campus, College-sponsored Residential Area from 8:00 p.m. to 8:00 a.m., daily.

The main office of the Office of Campus Safety is located at the Dobbs Ferry campus, Main Hall, Room 234, and is staffed seven (7) days a week from 7:30 a.m. to midnight. The Residence Hall Safety/Reception Desk, located in the residence hall, is staffed twenty-four (24) hours a day, seven (7) days a week, by either uniformed security officers or residence hall staff. The Office of Campus Safety can assist with any questions related to personal safety, protecting property, identity theft, or other safety or security concerns.

**IMPORTANT PHONE NUMBERS**

| POLICE, FIRE, MEDICAL EMERGENCY .......................................................... 911 |
| **MERCY COLLEGE CAMPUS SAFETY:**  |
| DOBBS FERRY (MAIN OFFICE – 24 HOURS)...........................................914-674-7225 - INTERNAL 7225 |
| BRONX ........................................................................................................ 718-678-8983 – INTERNAL 8983 |
| MANHATTAN .......................................................................................212-615-3319 – INTERNAL 6319 |
| YORKTOWN ..........................................................................................914-455-2174 |
| RESIDENCE HALL SAFETY/RECEPTION DESK ...........................................914-674-7277 |

**CAMPUS SAFETY TIPS**

Students are expected to report safety hazards, crimes, loss of property, illness, or injury to the Office of Campus Safety. Proper reporting facilitates an appropriate response and helps keep the community safe. In the case of an emergency, including injury or medical emergency, call the Office of Campus Safety immediately, followed by 911 when necessary.

Students are solely responsible for the security and safety of personal property brought to Mercy College facilities. Mercy assumes no responsibility or liability for any personal property that is damaged, lost or reported stolen. Students are responsible for exercising appropriate caution about their personal belongings.

Although not an exhaustive list, the Office of Campus Safety offers the following tips to help protect you from crime:

- Emergency blue-light phones are located outdoors throughout the Dobbs Ferry campus; emergency phones dial directly to the Office of Campus Safety.
• Notify the Office of Campus Safety of anything suspicious; the office will gladly respond and investigate.
• Walk in well-lit areas.
• Know where to obtain help when you need it.
• Place items left in your car inside your out of view or in the trunk and keep the automobile locked.
• Keep all valuables under your direct control: do not leave them unattended.
• Maintain safety in numbers: walk with a friend or use the Mercy Campus shuttle, when possible.
• In the Residential Area, keep doors and windows locked; do not allow or encourage unauthorized visitors in your hall or room.
• Know the location of fire extinguishers and alarms.
• Mark your personal equipment using an identifier and keep a record of all serial numbers.
• Use a cable locking device to secure computers, television sets, VCRs, etc.
• Be cautious in displaying personal information, including your social security number and campus-wide identification number (CWID).
• Provide updated emergency-contact information on the emergency notification system available through Mercy Connect.

CAMPUS SECURITY AND COLLEGE CRIME STATISTICS
The Crime Awareness and Campus Security Act require that educational institutions report certain campus crime statistics. Statistics reflecting incidents reported by all Mercy College Campuses (Bronx, Dobbs Ferry, Manhattan, and Yorktown) to the Office of Campus Safety, during the past three years are available on the College website at https://www.mercy.edu/PDFFiles/campussafetyreport.pdf.

HEALTH INFORMATION AND SERVICES
On the Dobbs Ferry Campus, the Health Services Office is located in Room 127f the Main Hall. The Office is staffed by a nurse who serves students with health problems, illnesses, and/or accidents during its posted hours. The office also provides information on family planning, weight control, sexually transmitted diseases, blood pressure, and similar routine matters.

There are no fees for the services of the Health Services Office. If the services of a physician are necessary, and the student does not have a family physician, the nurse can provide a referral to a physician or to a community health agency. Students are urged to consult the nurse before serious symptoms of illness develop and before their schoolwork is affected by problems with their health. Students with medical problems that require special attention or care are also urged to contact the nurse. At campuses other than Dobbs Ferry, medical referral information is available. Personally identifiable health information is treated as confidential in compliance with the law. For more information, please contact the Deputy Director of PACT at 914-674-7622.

HEALTH INSURANCE
The College does not offer students a voluntary student health plan, but has provided resources on the Mercy College website concerning insurance resources for New York, Connecticut and New Jersey residents.

IMMUNIZATION
All students, including on-line students, attending colleges and universities in New York State are required to show proof of immunity against measles, mumps and rubella. Students born before January 1, 1957 are exempt from
this requirement. Failure to show proof of compliance with this regulation will prevent students from attending classes. In addition, students are required to submit a record of meningococcal meningitis immunization within the past ten years, or a signed acknowledgement of meningococcal disease risks and refusal of the immunization.

For further information on the New York State Department of Health Immunization requirements, please contact the Office of Student Services.

**COUNSELING AND SIMILAR SUPPORT SYSTEMS**

Mercy College Student Counseling Services offers psychological evaluation and brief treatment lasting one to four sessions. Students in need of more intensive treatment will be referred to local hospitals and clinics for long-term psychotherapy and/or medication, if necessary.

Students may come to the Counseling Services with mental health issues including increased stress, depression and anxiety, as well as concerns about their academic progress, daily living, adjustment to college, or relationships. Counseling can be an opportunity to talk about issues that are of concern with an objective person who can help develop skills and view situations in ways that may enable students to be more effective in managing life’s challenges.

The office hours vary, Monday through Friday during the regular school year. Appointments can be made by email, phone, or in person with Dr. Ori Shinar, Psy.D., Director of Student Counseling Services (oshinar@mercy.edu, 914-674-7233), or Gabriella Chesneau, Ph.D., LMSW, Social Worker/Psychologist (gchesneau@mercy.edu, 718-678-8775)

Additional Mental Health or Counseling Services in the area at locations unaffiliated with the College include:

**Bronx and Queens**
- Jacobi Hospital Psych. Emergency 718-918-4850
- Madeleine Borg Community Services / Pelham Pkwy South 718-435-5700
- Montefiore Hospital Psychiatric Outpatient 718-920-4295
- Manhattan Multi Cultural Counseling Services 212-388-8191 or 646-420-6633
- Elmherst Mobile Crisis Unit 718-334-3443
- Our Lady of Mercy Psychiatric Outpatient 718-304-700
- Pelham Bay Family Counseling 718-409-1047
- Queens Mobile Crisis Teams 718-334-3443
- Riverdale Marriage/Family Counseling 718-432-1780
- Throgs Neck Family Counseling 718-792-4178

**Manhattan**
- Domestic Violence Hotline 800-621-4673
- Lifenet 800-543-3638
- NYSPI Depression Evaluation Service 212-543-5734
- United Way of New York City 212-251-2500

**Westchester**
- Echo Hills Community Counseling Center (Hastings) 914-478-0633
- Family Abuse Hotline 914-347-4558
ATHLETICS AND RECREATION

Athletics and recreation are viewed as important aspects of extra-curricular life for spectator and participant alike. The College’s athletic program serves to spotlight the rich talent of the student body, while the intramural and recreation activities provide opportunities for all students to develop skills for lifelong enjoyment.

Intercollegiate Sports

Team Name: Mavericks

Team Colors: Navy Blue and White

Mercy College offers intercollegiate competition in men’s basketball, baseball, lacrosse and soccer. Women’s intercollegiate competition is offered in basketball, field hockey, lacrosse, soccer, softball, and volleyball. The College is a member of the East Coast Conference (ECC) and the National Collegiate Athletic Association (NCAA), Division II.

All full-time students (who register for at least twelve (12) credits per semester) in good academic standing (2.0 cumulative GPA) are eligible to try out for college teams. Baseball, lacrosse, softball, and soccer are played at the Mavericks Field-the brand-new state-of-the-art Turf Field at the Dobbs Ferry campus. Basketball games and volleyball matches are played in the Gymnasium at Mercy College.
The College provides opportunities for athletic participation and support for its athletic program consistent with the applicable rules and regulations for the athletic conferences and associations and with Title IX, which prohibits differential treatment in athletic participation and opportunities based on gender. Freshmen who qualify under NCAA eligibility rules are immediately eligible for varsity competition, and transfer students are welcomed pursuant to NCAA regulations.

**Recreation**

Both individual and group athletic activities are encouraged to make use of the varied athletic facilities at the Dobbs Ferry Campus, which include:

- Baseball field
- Fitness Center
- Gymnasium
- Outdoor basketball courts
- Outdoor handball courts
- Soccer/Lacrosse/Field Hockey turf field
- Softball diamond
- Tennis courts

A valid Mercy I.D. card is required to use these facilities. Use of any athletic facilities during the day or evening requires permission from the Intercollegiate Athletics & Recreation Department.

**FEDERAL WORK STUDY PROGRAM**

The Federal Work Study Program provides eligible students the opportunity to apply for on-campus or off-campus community service throughout their college years. The program is designed to give eligible students opportunities to gain practical experience working in an academic environment or community service organization throughout Westchester and the New York metro area.

**Process for Application to the Federal Work Study Program**

Students eligible to participate in the Federal Work Study Program need to have completed their FASA form and check to see if they are eligible on their financial aid letter. Students interested must register on Career Maverick where jobs will be posted in mid-August. Eligible students need to upload their resume and work study application to Career Maverick. Once the student has an approved resume and application on Career Maverick, they will be able to apply to the Federal Work Study positions posted on Career Maverick—the on-line electronic job board. The hiring process is competitive and hiring managers will select and interview the candidate whose qualifications and work hours meet the requirements they are seeking for the positions.

The Federal Work Study program runs through the Academic year, beginning the first day of class in September and ending on the final day of class in May.

Mercy College has a limited number of student worker positions outside of the Federal Work Study Program and students are welcome to review the Career Maverick job board for positions posted there.

The link below gives an in-depth review of the program which is located and managed in the Office of Student Services, Mercy Hall Room 25. You may email kfinneran@mercy.edu or call 914-674-3084 for additional information.

[https://www.mercy.edu/student-life/career-services/student-worker-program](https://www.mercy.edu/student-life/career-services/student-worker-program)

**FACULTY OFFICE HOURS**

Faculty office hours are available through each School or individual instructor. Students who wish to contact their faculty advisors can e-mail them or can make appointments by calling the faculty member’s school office.
NEW STUDENT ORIENTATION

Students entering Mercy College for the first time are invited to an orientation held prior to the start of the fall semester. Separate orientation programs are generally planned for first year students, transfer students and residence hall students. At orientation, new students meet members of the administration and staff, and learn about services and opportunities that are vital elements of life at Mercy College. For online students, there is an online orientation that walks the student through taking an online course. Transfer students who have previously participated in the collegiate experience are given information about those programs and services that are unique to Mercy College.

STUDENT IDENTIFICATION CARDS

Mercy College student identification cards must be carried at all times on all Mercy College premises, including the Residential Areas. Lending an I.D. card to anyone or failing to present it when requested by College faculty or staff members is a violation of regulations and subjects the holder to disciplinary action. I.D. cards should be obtained by the first day of class of a student’s first semester from the Center for Student Success and Engagement. The loss of a Mercy College I.D. card should be reported immediately to the Center for Student Success and Engagement; a replacement fee of $10 is to be paid at the Office of Student Services.

CANCELLATION OF ON-CAMPUS CLASSES

In the event of inclement or severe weather or any other emergency situations, the College may choose to close or delay its operations in whole or in part. Because weather conditions and other emergencies may not affect all campuses equally, this decision may be made on a campus-by-campus basis.

The decision to close or delay day classes for weather-related reasons will be made by 6:00 a.m. and evening classes by 2:00 p.m. on the day of closing. The decision to cease operations for other emergencies may be made at any time during the day, depending on conditions.

Students, faculty and staff can obtain information about closure and delay via:

• The Mercy College Information / Weather line 914-674 -7777
• Mercy Web site – www.mercy.edu
• Radio Stations/Cable TV: WFAS 1230 AM; WFAS 103.9 FM; WHUD 100.7 FM; WOR 710 AM; WCBS 880 AM; CHANNEL 12 NEWS (Cable TV)
Students are encouraged to sign-up for emergency alerts through Mercy Connect.

In the case of a required absence by an instructor for illness or otherwise, the College will post a notice on the classroom door of each class cancelled by that instructor. On occasions when a faculty member is unavoidably delayed and no such notice is posted, students should wait at least one-half hour before leaving. In Dobbs Ferry, a representative of the class should then inform the Center for Student Success and Engagement that the instructor has not appeared. On all other campuses, a representative of the class should inform the Office of Student Services of the instructor’s absence. In addition, the representative should provide the office with a list of all students in attendance at the class.

AUTOMOBILES

A campus-parking permit is required for all students who use Mercy College’s parking facilities at the Dobbs Ferry or Bronx Campuses. Parking permits can be obtained through the Office of Student Services at the Bronx and Dobbs Ferry campuses. Guests should obtain a temporary permit.

Residential Life students who have vehicles on campus are required to have the proper parking permit for overnight parking. Residential Life students are required to park their vehicle in the lot designated as Residential Life parking. Students are not permitted to park their vehicles in the parking area outside of the Residential Life building.

Mercy College does not issue special parking permits for handicapped individuals, but will honor all official handicapped permits issued by state departments of motor vehicles and appropriately placed in the vehicle. Handicapped students must also acquire a regular Mercy College parking permit. Students with a temporary need for special parking (due to accident or injury) must secure a temporary handicapped permit from a local authorized agency and make appropriate arrangements with the Office of Campus Safety.

FOLLETT BOOKSTORES

Mercy College students can purchase textbooks, supplies, College apparel, alumni gifts, graduation regalia and snacks at the Campus Bookstore. The Campus Bookstore is located in Main Hall (next to the cafeteria) on the Dobbs Ferry campus and on the third floor of the Bronx campus. On the Dobbs Ferry campus, the Textbook Store is located on the lower level at G-1 Main Hall. In addition, students may purchase textbooks and course materials online at www.efollett.com or directly from the Bookstore’s website (www.mercy-dobbs.bkstr.com) for Dobbs Ferry, Manhattan, Yorktown and Online students; (www.mercy-bronx.bkstr.com) for Bronx students. Textbook rental and digital textbook options are available to students through Rent-A-Text (www.rent-a-text.com) and Café Scribe (www.cafescribe.com).

Textbook and course materials pricing information, for required and recommended items for each course, are available on the bookstore website.

CAMPUS E-MAIL AND INTRANET

Mercy Connect is the College’s online portal where students can register for classes, check e-mail, view grades, and find campus news and announcements. The student email domain is @mercymavericks.edu, and address is username@mercymavericks.edu. One of the features of the portal is that it offers single-sign-on for a variety of resources, so you do not need a separate password to access your email. Students may also auto-forward their @mercymavericks.edu email to their personal email account.

ELEVATORS

Handicapped accessible elevators are available. Check with the Center for Student Success and Engagement for locations at the specific campuses.
FIRE ALARMS

In case of fire, pull the nearest alarm. This will activate an audible and/or visual alarm within the building, which dials directly into the College’s alarm central station monitoring facility. The fire department will be notified advising them of the fire location. When a fire alarm sounds, evacuate the building immediately. Walk – do not run, and do not use elevators. Close doors to classrooms and offices, leaving lights on, and exit from the nearest passable stairwell. Take your belongings with you. Do not try to fight the fire. Everyone who has exited the building should stay at least 100 feet away from building entrances, out of the roadways, until an “all clear” is announced by the fire department. Tampering with or misusing fire alarms, including sending a false alarm, is a criminal act, and a student may be subject to criminal prosecution as well as College discipline. Students who assist in this conduct or help conceal the identity of those who engage in this criminal conduct may also be subject to College discipline and criminal prosecution.

SMOKING POLICY

In accordance with New York State and New York City law and to protect the health of faculty, staff, students and visitors, smoking and tobacco chewing are prohibited inside all College buildings. Smoking on campus is only permitted outdoors at least twenty-five (25) feet away from any building.

VISITORS ON CAMPUS

Mercy College reserves the right to restrict visitors to the campus. All visitors to the campus and Mercy facilities must be prepared to provide identification when asked by College officials and must comply with College rules and regulations. Mercy College students and staff who have invited guests on campus may be held responsible for the conduct of their guests. Visitors under eighteen (18) must be accompanied by an adult at all times. Visitors may not attend any class without the prior approval of the course instructor.

RECORDING DEVICES IN CLASSES

No cameras, tape recorders, or other recording devices are permitted to be used in the classroom without the express consent of the instructor. Any student with a disability who seeks permission to use recording devices as a reasonable accommodation in accordance with ADA and Section 504 requirements should direct their request for reasonable accommodation to the Office of Disability Services 914-674-7523.

MATERIALS DISTRIBUTION AND POSTINGS

Permission to place posters and/or flyers anywhere on campus must be obtained from the Center for Student Success and Engagement. The circulation of handbills by individuals must have similar approval. Items must not be obscene, discriminatory, disruptive or offensive to the Mercy College community. In addition, all approved materials of any type must be posted on appropriate bulletin boards. Posting on doors, glass, cinder blocks, painted or marble surfaces is not permitted.

SOLICITING OR COMMERCIAL ACTIVITY

No soliciting or commercial activity by outside organizations or individuals is allowed on campus or in Mercy College facilities (including online or network facilities) without specific written authorization from the College. No soliciting or commercial activity by students is permitted on campus or in Mercy College facilities (including online or network facilities) without the prior specific written authorization from the Deputy Director of PACT. The advertising, marketing, soliciting or merchandising of credit cards to students is specifically prohibited.
GENERAL STANDARDS OF CONDUCT AND DISCIPLINARY PROCESSES

Enforcement of the General Standards of Conduct for the Mercy College Community is part of the total educational process. It not only protects the academic community, but also assists the student in personal development. The function of the student conduct process is to promote student learning by examining how a pattern of conduct may enhance – or detract from – the educational process. Each student is obligated to become familiar with the College’s rules, regulations and policies, and will be held accountable for conduct in conformity to them.

This Handbook cannot include an exhaustive list of every type of conduct that could violate Mercy College standards, and therefore students are expected to understand that similar, comparable, analogous or related conduct is also incorporated into and addressed by the College’s policies. All of Mercy College’s policies governing conduct apply to conduct on campus, at Mercy facilities and at Mercy-related events or activities, whether on- or off-campus, including in online communities and via electronic communication. Behavior that violates these general standards of conduct, which is brought to the attention of a College official, will be referred through the disciplinary and grievance processes outlined in this Handbook. In addition, Mercy College reserves the right to impose discipline upon students for conduct occurring off-campus that:

1. has a relationship to the College;
2. constitutes a violation of law (whether or not the charged conduct is related to the College);
3. affects the student’s ability to fulfill his or her responsibilities at Mercy; and/or
4. poses a risk of harm to the student or others.

Further, while the College and its faculty and staff do not monitor online communities and electronic communication—and the College does not forbid faculty, staff or students from joining and participating in online communities as individuals who are not acting as agents of the College—any behavior that violates these general standards of conduct, which is brought to the attention of a College official, will be treated as any other violation and will be referred through the disciplinary and grievance processes outlined in this Handbook.

The Chief Operating Officer reserves final authority to be involved in the process as he or she deems appropriate.

ACADEMIC INTEGRITY AND ACCEPTABLE ACADEMIC CONDUCT

ACADEMIC CONDUCT, GENERALLY

All students at Mercy College are expected to exhibit courteous behavior in the classroom and to show respect for their fellow students and for their instructors and professors. Students whose behavior is severely disruptive, or poses a threat to the safety or well-being of other students in class, may be required to leave for the remainder of that class period or longer, with or without prior notice by a faculty member. A student’s exclusion from class may be repeated or extended as appropriate.

ACADEMIC INTEGRITY

Students are expected to submit their own work for all course assignments. Academic integrity is of particular importance in the Mercy learning environment. For all data, texts, or other information reported, quoted, or otherwise used in student work, the sources from which the data, texts, or other information were obtained (including, but not limited to, persons, books, and articles) must be cited. Without appropriate citation, the use of
such data, texts, or other information is considered plagiarism and has serious consequences. These consequences include, but are not limited to, a failing grade for the assignment or course, as well as possible expulsion from the College.

All materials entered in public conferences and communication with College personnel should adhere to standards of civility. Any communication that embarrasses, harasses, or causes concern will be referred to the appropriate School Dean.

**CHEATING AND PLAGIARISM**

Cheating and plagiarism are contrary to the purpose of any educational institution and will be dealt with severely. An instructor who determines that a student has cheated on a test or assignment will at a minimum give a zero for that item and may give a failing grade for the course. Normally, the matter is handled between the instructor and the student, but the department chairperson and other school officials may be consulted by either party to ensure fairness.

Plagiarism, which is the appropriation of words or ideas of another without recognition of the source, is another form of cheating. An instructor who determines that a student has plagiarized will give a zero for the paper or project and may give a failing grade for the course.

Both cheating and plagiarism are grounds for dismissal from the College.

Mercy College subscribes to SafeAssign, an online service that checks for plagiarism. Students who have been found guilty of plagiarism will be reported to the appropriate academic unit head and the School Dean.

Students acting in contravention to this Code of Academic Integrity and Acceptable Academic Conduct will be subject to discipline in accordance with the Academic Appeals Process described in this Handbook.
Part of any educational process is instilling an understanding of civic values and of the standards of conduct and behavior that individuals expect of each other. These policies reflect the values of the College and also incorporate a number of legal requirements. These policies address many of the difficult intersections between private conduct and societal rules, including alcohol and drug use and abuse, sexual assault and harassment, discrimination and hate crimes and public speech. In developing policies that deal with these areas, the College seeks to educate students as well as regulate activity. The responsibility for understanding and abiding by these policies, and any related laws, rests within each individual student. Students have the obligation to become familiar with the College’s policies and should reflect thoughtfully on their conduct in these areas.

A. GENERAL CODE OF STUDENT CONDUCT

In addition to the other policies set out in this Handbook, the following conduct is prohibited:

1. Any act of violence or physical harm, or any use of inappropriate language that would constitute verbal abuse, or threat of violence or physical harm against any person or property;

2. Threatening, harassing, or stalking behavior through any medium, including but not limited to email, instant messaging, social-networking websites, the Internet, computers, telephone, or letters;

3. Any act of coercion or threatened act of coercion against any person;

4. Seizure, theft, injury, damage to or destruction of any real or personal property of the College, including a building or facility, or of any member of the Mercy College Community, guest or vendor;

5. Furnishing false or incomplete documents, testimony or information, omitting or altering information, or providing misleading or false information, testimony or documents to members of the faculty or any College official; including but not limited to forgery, alteration, or illegal use of College or College related documents or instruments of identification;

6. Refusal to comply with directions of College officials acting in the performance of their duties and/or refusing to provide valid identification when requested to do so by a College staff member;

7. Any disruption or threat of disruption to, or obstruction of or interference with any of the normal processes or activities of the College or any member of the College community or with access to or egress from all or a portion of the College’s facilities;

8. Aiding, abetting or counseling another person to engage in any form of prohibited conduct or conspiring with another person(s) to engage in or to aid, abet or counsel engagement in any form of conduct prohibited by the College and committing any act in furtherance of prohibited conduct;

9. Any action that creates, or participates in the creation of, any situation which recklessly or intentionally
endangers the mental or physical health of Mercy community members, which includes, but is not limited to, actions that involve the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization as set forth in the hazing prohibition above;

10. Knowingly having in his or her possession upon any premises to which these rules apply firearms, knives, weapons, explosives, dangerous chemicals, or devices generally used to cause harm or damage;

11. Tampering with or misusing fire-fighting equipment or alarms on campus or in campus facilities;

12. Engaging or threatening to engage in behavior which poses a danger or risk of harm to any person or that interferes or threatens to interfere with the rights of others at the College;

13. Failure to cooperate with College investigations and disciplinary processes or retaliation against a member of the College community who cooperates with investigations or discipline;

14. Filing a false complaint or grievance with knowledge that it is false, or providing false testimony, with knowledge that it is false in connection with the College Disciplinary or Grievance Processes;

15. Use of vulgar, abusive and/or threatening language on Campus;

16. Written, verbal or electronic statements made about the College or a member of the College community that are not true or of a libelous or slanderous nature;

17. Participation in any form of gambling on campus property;

18. Not wearing footwear inside any Mercy College buildings or wherever food is being served on the College campus;

19. The circulation of handbills by students without prior approval or in prohibited areas;

20. The circulation of handbills by students that are obscene, discriminatory or offensive to the College community;

21. Soliciting or commercial activity by students on campus or in College facilities (including online or network facilities) without the prior specific written authorization from the Deputy Director of PACT;

22. Motorcades on campus roadways;

23. Loud music, excessive noise and/or boisterous, disruptive behavior;

24. Bringing pets or other animals onto any campus, unless they are service animals or a pet or other animal that is being used in connection with a class or demonstration with the approval of the instructor, and leaving pets in an automobile parked on campus.

25. Violating any local, state or federal law; and

26. Violating the policies of the College related to academic and classroom conduct, including, but not limited to, policies on cell phone use in class.
B. POLICY ON ILLEGAL DRUGS AND ALCOHOL

The abuse of alcohol and use of illegal drugs can have a significant adverse effect upon the Mercy College community, compromising interpersonal relationships and undermining the educational mission of the College. In response to these concerns, and pursuant to the Drug-Free Schools and Communities Act Amendments of 1989, the College has developed a comprehensive program to prevent the use of illegal drugs and the abuse of alcohol. The College reviews its program biennially to determine its effectiveness, to implement any necessary changes, and to ensure that the required disciplinary sanctions are consistently enforced.

Mercy College’s basic policies on illegal drugs and on alcoholic beverages are stated below together with related information on College sanctions for violation of these policies.

1. Illegal Drugs and Drug Paraphernalia

The possession, use, or distribution of illegal drugs or drug paraphernalia is prohibited on all Mercy College property, in any Residential Area (which includes the Mercy College Residence Hall and the off-campus hotels) and at any off-campus College activity or event. Throughout this Handbook, the term illegal drug includes, without limitation, prescription medications or other drugs that are being used, possessed or distributed illegally. Such conduct may also violate a number of state and federal criminal laws that may subject violators to fines or terms of imprisonment.

Students will be ineligible for financial aid if they are convicted of an offense under federal or state law involving possession or sale of a controlled substance, provided that the conduct occurred while the student was enrolled and receiving federal financial aid. Ineligibility for financial aid will run from the date of conviction for the following periods: (a) for drug possession: a first offense carries a one-year disqualification, a second offense carries a two-year disqualification, and a third offense makes the student ineligible indefinitely, and (b) for sale of a controlled substance: a first offense carries a two-year disqualification, and a second offense makes the student ineligible indefinitely.

A student can regain eligibility by successfully completing an approved drug rehabilitation program.

Mercy College has the obligation to protect the interests and rights of students as well as those of the College community as a whole. At the same time, the College understands that drug abuse may be a symptom of deeper personal and emotional problems. The College may also offer assistance to students in such circumstances and emphasizes the reciprocal responsibility of the individual to seek such help.

Violations of the Illegal Drugs and Drug Paraphernalia policy include, but are not limited to, the following behaviors by students:

- **Level I**: (a) Smell of marijuana smoke or any other illegal drug in a room in the Residential Area or any other location on the College Campus, or (b) possession or use of drug paraphernalia.
- **Level II**: (a) Possession or use of illegal drugs, or (b) the second instance of a Level I violation.
- **Level III**: (a) Sale, manufacture or distribution of illegal drugs, or (b) the second instance of a Level II violation.

Upon finding credible evidence of the above listed violations by any student, the College will take appropriate disciplinary action, as set out in this Handbook, and may impose sanctions up to and including probation, suspension or expulsion and as set out in Section 3 of this Policy. Mercy College will also cooperate fully with law enforcement agencies in the investigation and prosecution of drug-related crimes that occur on College premises or at College-related events and activities or that otherwise affect the College community.
2. **Alcoholic Beverages**

The possession, use, service or consumption of alcoholic beverages is prohibited on all Mercy College property, in any Residential Area (which includes the Mercy College Residence Hall and the off-campus hotels) and at any off-campus College activity or event, including student-centered special events sponsored off campus by the College. These guidelines are intended to discourage the irresponsible distribution and consumption of alcoholic beverages as well as underage access to alcoholic beverages. Students also have the personal responsibility of discouraging drunkenness. At all staff functions and/or academic division events that students may attend, the organization sponsoring the activity is responsible for enforcing strict adherence to New York State Alcohol Beverage Control Laws and other laws of the State of New York. At certain College-sponsored events, the responsible use of alcohol on campus in moderation by persons who are not students at the College, and who are of legal drinking age, will be permitted.

In the State of New York, it is illegal for any person under the age of 21 to possess or consume alcohol. It is also illegal to obtain or use false or fraudulent proof of age obtained for the purpose of purchasing or consuming alcohol, to misrepresent one’s age or the age of another as being under 21, to drive while ability impaired or while intoxicated, or to drink and drive under or over the age of 21. Any such behavior by a student, which is brought to the attention of a College official, will be treated as a violation of this policy.

Violations of the Alcoholic Beverages policy include, but are not limited to, the following behaviors by students:

- **Level I**: Student is found in the presence of alcohol or empty alcohol containers in any campus location, including any Residential Area.

- **Level II**: (a) Possession or consumption of alcohol in any campus location, including any Residential Area, (b) presence at or hosting of a large or disruptive gathering where alcohol is present, or (c) the second instance of a Level I violation.

- **Level III**: (a) Visible intoxication in any campus location, including any Residential Area, (b) participation in or presence at contests involving the consumption of alcohol or the possession of any paraphernalia related to such contests. This will also include the playing of water pong, when alcohol is also found in the student’s room at the time of water pong activity, or (c) the second instance of a Level II violation.

- **Level IV**: (a) Possession of kegs, grain alcohol or common source containers, (b) possession or use of funnels, (c) the third instance of a Level II violation or (d) the second instance of a Level III violation.

Upon finding credible evidence of the above listed violations by any student, the College will take appropriate disciplinary action, as set out in this Handbook, and may impose sanctions up to and including probation, suspension or expulsion and as set out in Section 3 of this Policy. Mercy College will also cooperate fully with law enforcement agencies in the investigation and prosecution of drug-related crimes that occur on College premises or at College-related events and activities or that otherwise affect the College community.

3. **College Sanctions for Violations of the Policy on Illegal Drugs and Alcohol**

Any member of the faculty, administration or staff, or any student who knows or believes that a violation of the College’s policy on Illegal Drugs or Alcohol has taken place may file a complaint.
against such student, administrator, or staff or faculty member. In the case of a student, allegations will be investigated and adjudicated in accordance with the disciplinary procedures set out in this Handbook. If found to be in violation of this policy on illegal drugs and alcohol, students will be subject to the following sanctions:

- Minimum of a $25.00 fine, assigned community service, or a combination thereof, and letter of reprimand for a Level I alcohol violation.
- Minimum of a $100.00 fine, assigned community service, or a combination thereof, and disciplinary probation for a Level II alcohol violation or a Level I illegal drug violation.
- Minimum of a $200.00 fine, assigned community service, or a combination thereof, notice to the student’s parents, and disciplinary probation for a Level III alcohol violation.
- Minimum of a $300.00 fine, assigned community service, notice to the student’s parents, one (1) years’ disciplinary probation, possible removal from the Residential Area, possible suspension from the College, or a combination thereof, for a Level IV alcohol violation or a Level II illegal drug violation.
- Notice to the student’s parents, removal from the Residential Area, and possible suspension or expulsion from the College for a Level V alcohol violation or a Level III illegal drug violation.

4. Risks Associated with the Use of Illegal Drugs and Alcohol

Health Risks

The health consequences of alcohol and substance abuse may be immediate and unpredictable, such as fatalities associated with alcohol and drug overdoses, or more long-term, such as the liver and brain damage associated with the prolonged use of alcohol. The following are some of the health consequences of alcohol and other drug use:

**Alcohol** - Short term effects include depressed central nervous system, impeded attention and memory, impaired judgment, impaired vision, impairment of other senses, irregular sleep, impaired driving, unconsciousness, and, with excessive use, death. Long-term effects of heavy use include damage to the liver, heart and pancreas, irritation of the gastrointestinal system, high blood pressure, oral cancer, malnutrition and nutritional deficiencies and lowered resistance to disease. Use during pregnancy can cause severe damage to the developing fetus.

**Depressants** - Short-term effects include depressed central nervous system, mildly impaired coordination, impaired judgment and short-term memory, impaired driving, and reduced anxiety/lethargy. In high doses, short-term effects can include irregular breathing, impaired reflexes, coma and death. Long-term effects of heavy use include disturbed sleep, chronic fatigue, anxiety, restlessness and depression, slower reflexes and impaired coordination, reduced sex drive and/or impotence, menstrual irregularities, hostility and mood swings and cross-tolerance to other depressants. Use during pregnancy can harm the developing fetus.

**Hallucinogens** - Because some of these substances are synthetic, they may be particularly potent and may contain impurities. Short-term effects include changes in perception, mood, thought and brain function, loss of judgment, disorientation, mild confusion and/or hallucinations, visual disturbances, increased heart rate, blood pressure and body temperature, nausea, vomiting and/or abdominal discomfort. In high doses, some hallucinogens can cause death. Over the long term, heavy use can precipitate severe psychotic episodes. In addition, flashbacks can occur spontaneously. Their effects during pregnancy are not fully understood.
Opiates - Short-term effects include impaired driving. Higher doses can cause drowsiness, sedation, dizziness or euphoria. Some may have a stimulating effect, with increased heart rate, blood pressure, tremors and seizures. Very high doses can cause decreased heart rate and blood pressure, muscle construction, cyanosis and death. Over the long term, heavy use can result in impaired vision, chronic constipation, a higher risk of pulmonary complications, and mood swings. Needle use can lead to abscesses, collapsed veins and infections. Use during pregnancy can harm a developing fetus and create a higher risk of premature birth, miscarriage and stillbirth.

Marijuana - Short-term effects are the same as many of the short-term effects of depressants, stimulants and hallucinogens. They can include impaired judgment, short-term memory and intellectual performance, reddening of eyes, sensory distortion, impaired coordination, drowsiness, and impaired driving. Short-term use can also aggravate pre-existing heart problems and mental health problems. Over the long term, effects include respiratory damage, impairment of memory and concentration and interference with the physical, psychological and social development of young users. The effect of daily use during pregnancy may cause problems in the developing fetus, but the effect is not fully known.

Stimulants - Short-term effects include increased alertness and energy, impaired driving, impaired judgment, increased breathing, heart rate and heart palpitations, anxiety, restlessness, hostility, paranoia and confusion, and visual and auditory hallucinations. Overdose can lead to death. Over the long term, use of stimulants can cause severe anxiety and paranoia, impaired coordination, tremors, high blood pressure, malnutrition, chronic sleeplessness, and damage to internal organs, such as the brain, heart, lung, liver and kidneys. Chronic use can lead to death. Use during pregnancy can cause damage to the developing fetus.

In addition to health-related problems, alcohol and substance abuse are also linked with financial difficulties, interpersonal conflicts, domestic violence, deterioration of the family structure, accidental injuries or fatalities, and may have a significant impact upon academic performance.

5. Resources for Preventing, Counseling and Educating Yourself about Alcohol and Substance Abuse

A variety of resources exist for alcohol and substance abuse prevention, education, counseling and referral. For alcohol and drug-related information and resources:

- New York State Office of Alcoholism and Substance Abuse Services Hot Line: 1-800-522-5353
- New York City Department of Mental Health, Mental Retardation and Alcoholism Services: 212-219-5380
- Westchester County Department of Community Mental Health, Office of Alcohol and Substance Abuse: 914-995-5220

For confidential counseling, referral, treatment, or recovery information:

The Counseling Center is located at the Dobbs Ferry Campus in Room 108 of Main Hall and is open weekdays from 9 a.m. to 5 p.m. Short-term personal counseling and crisis intervention is available for alcohol and substance abuse, and counselors can refer students to licensed professionals who can provide alcohol and substance abuse treatment or recovery information. Students may meet with counseling staff on the Dobbs Ferry campus, including Dr. Ori Shinar, who can be contacted at 914-674-7233. Dr. Shinar also takes appointments at the Manhattan Campus. Dr. Gabriella Chesneau takes appointments at the Bronx Campus, Room 2205, 718-678-8775
• Harrison Youth Council - 914-835-7500
• Hastings Youth Advocate Program - 914-478-2471
• Larchmont/Mamaroneck Community Counseling Center - 914-698-7549
• Pelham Guidance Council - 914-738-5653
• LIFENET: 1-800-LIFENET (1-800-543-3638) or in Spanish at 1-877-AYUDESE (1-877-298-3373)
• The Alcoholism Council of New York Help Line: 212-252-7022
• Alcoholics Anonymous - Information regarding meetings can be found at http://www.aaseny.org
• Al-Anon Info-center: 212-254-7320/6 or 800-344-2666
• Cocaine Anonymous: 212-262-2463 (212-COCAINE)
• Narcotics Anonymous: 212-929-6262
• Pills Anonymous: 212-874-0700

C. POLICY ON DISCRIMINATION AND HARASSMENT

It is the policy of Mercy College to prohibit harassment of any student, faculty member, staff member or other member of the College community on the basis of race, color, national origin, ancestry, religion or religious creed, sex, sexual orientation, age, physical or mental disability, medical condition, genetic information or any other characteristic protected by federal, state or local law or by College policy. The College has adopted the following policy to foster responsible behavior and to ensure that the College’s academic and working environment is free from discrimination or harassment. Conduct that the College deems to be discrimination or harassment may also be a violation of state or federal law. Mercy College will respond promptly to complaints of discrimination or sexual harassment by conducting an investigation pursuant to the Disciplinary Process set forth in this Handbook. Where it is determined that such inappropriate conduct has occurred, the College will act promptly to put a stop to the conduct and impose corrective action as appropriate and in accordance with its disciplinary procedures for students, faculty and staff.

Sexual assault is not only a violation of College policy, but it is also a form of gender-based harassment that is prohibited by Title IX of the Educational Amendments of 1972; Title VII of the Civil Rights Acts of 1964 and 1990; and the New York State and New York City Human Rights Laws. Sexual assault and sexual harassment can occur between persons of the same or opposite gender and can include, but is not limited to, rape, stalking, unwanted touching, other unwanted verbal or physical conduct, and adverse conduct based on a person’s sexual orientation.

The prohibition on sexual discrimination covers sexual harassment, including sexual violence. The College recognizes that sometimes in the conduct of college courses and events there may be controversial or uncomfortable material presented that is appropriate in the context of the course or the event. The College also reminds students that an isolated or stray remark or incident may be unwelcome but may not rise to the level of harassment or discrimination, although it is important to communicate that even stray remarks may be unwelcome and hurtful.

This policy applies to conduct wherever and however it occurs. It applies not only to conduct that occurs on the College campus, but also off-campus. It applies not only to conduct that occurs in-person, but also to conduct that occurs over the telephone, by email, through online social networking sites and by any other means or method of any kind. The College encourages everyone to report incidents of discrimination and harassment promptly regardless of who is the harasser and regardless of whether the person making the report has merely observed the discrimination and harassment or has been the victim of the conduct.
DEFINITION OF PROHIBITED HARASSMENT

I. Sexual Harassment

A. “Sexual harassment” includes sexual advances, requests for sexual favors and any other verbal or physical conduct of a sexual nature when:

1. a person’s submission to such advances, requests or conduct is, either explicitly or implicitly, made a term or condition of any educational status or opportunity;
2. a person’s submission to or rejection of such advances, requests or conduct is, either explicitly or implicitly, used as a basis for any educational decision; or
3. such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s education by creating an intimidating, hostile, humiliating or sexually offensive environment.

B. Although it is not possible to list every conduct that constitutes sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances, including the persistence and severity of the conduct and its pervasiveness:

1. Sexual advances, whether verbal or physical.
2. Sexual epithets, jokes, references to sexual activity, comments on an individual’s body, or comments about an individual’s sexual activity, deficiencies, or prowess.
3. Displaying sexually suggestive objects, pictures, cartoons or other images.
4. E-mail, instant messaging, voicemail messages or postings on social networking sites, blogs or other websites containing sexual content or references.
5. Leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments of a sexual nature.
6. Inquiries into one’s sexual experiences.
7. Discussion of one’s sexual activities.

II. Other Forms of Harassment and Discrimination

A. Discriminatory harassment refers to severe, persistent and pervasive derogatory and offensive comments, and conduct directed at an individual because that individual belongs to a certain ethnic, racial or religious group, or any other protected category.

B. Although it is not possible to list all examples of conduct, which constitutes other forms of discriminatory harassment, the following are some examples of such conduct:

1. Unwelcome jokes, epithets, slurs, teasing, insults, mocking, ridiculing or other remarks based on an individual’s ethnic group, race, religion or other legally protected status.
2. Displaying cartoons, pictures or statements that demean, disparage or belittle an individual or group based on ethnicity, race, religion or other legally protected status.
3. E-mail, instant messages, voicemail messages, or postings on social networking sites, blogs or other websites containing derogatory statements regarding a particular ethnic group, race, religion or other legally protected status.
III. General Harassment

In addition to harassment on the basis of legally protected status, Mercy College prohibits harassment on any basis, which the College defines to include persistent, severe, pervasive, unwelcome, or inappropriate conduct that actually or potentially interferes with a student’s ability to work or learn. Such conduct may be considered harassment if it takes place off campus or through electronic communications and harms another student on campus. The College reserves the right to take disciplinary action based on such conduct whether or not it meets with the legal standards of discrimination or harassment.

REPORING HARASSMENT AND DISCRIMINATION COMPLAINTS

I. Responsibility to Report

All members of the College community should report incidents of harassment or discrimination in order to support the College policy. In order to assure the College is free of prohibited harassment and discrimination, College officers, deans, department heads, faculty members, directors, and supervisors are required to report all incidents of harassment that they may have witnessed or have been advised of. The most appropriate recipient of such reports are the Deputy Director of PACT, pchristiano@mercy.edu and the Executive Director for Student Life, kjoyce@mercy.edu. It is not always easy to interpret words or actions that may be ambiguous and that someone may think are inappropriate. Therefore, the offices noted above are available to discuss the circumstances and address matters before they become severe or pervasive.

If a report is made to any of these offices, and that is not the appropriate office to receive the report, it becomes the responsibility of that office to forward the report to the appropriate office. If any of the persons at these offices is implicated in the harassment, or if a conflict of interest arises, the report should be made to the Provost.

II. How to Report a Harassment Complaint

Any student who believes he or she has been harassed, whether by a College employee, another student, or third parties, should file a complaint with the appropriate offices cited above. Verbal complaints should be reduced to writing by either the complainant or the individual who receives the complaint in order to preserve an accurate record. The written complaint should identify the parties involved; describe the harassing behavior; when and where it occurred; and identify by name or description any witnesses.

A complaint should be promptly reported so that appropriate action may be taken in a timely manner. However, the mere timing of the reporting of a complaint will not prevent appropriate remedial action.

Any credible report of conduct that may be in violation of this policy will be investigated, regardless of whether a complaint is filed, and appropriate remedial action will be initiated.

Effort shall be made to complete the investigation of a complaint within thirty (30) days of the report of the harassment. Extensions of the time frame may be necessary in some circumstances. The complainant and alleged harasser will be notified of the extension.

III. Confidentiality

The College will maintain the confidentiality of the complaint to the greatest extent consistent with its goal of conducting a thorough and complete investigation. Efforts will be made to safeguard the privacy and rights of all persons involved. However, sometimes during the course of an investigation, complete confidentiality may not be possible.
RESPONDING TO COMPLAINTS OF HARASSMENT OR DISCRIMINATION

1. When investigating a complaint, the College will follow the investigative process set forth in the Non-Academic Disciplinary Process outlined in this Handbook.

2. The College will handle any complaint of harassment or discrimination in as confidential a manner as is possible consistent with the ability for a full fact finding investigation and the College’s obligation to protect the safety and well-being of the other members of the College community. Full confidentiality may not be possible when investigating complaints. Everyone involved in the process is required to cooperate with the fact finding and disciplinary process and to respect the sensitive nature of the process. The College reserves the right to proceed with investigation and fact finding, to the extent feasible, if it learns of an incident even if no complaint has been formally filed.

3. Retaliation against anyone who has filed a discrimination or sexual harassment complaint, or who has participated in the investigation, is prohibited, may constitute illegal conduct, and will be considered an additional violation of College policy and result in disciplinary action. Intimidation, coercion, threats, reprisals or discrimination against any student or employee for complaining about harassment or discrimination or participating in an investigation of alleged harassment or discrimination constitute prohibited retaliatory conduct.

4. Any student who believes that he or she has been unjustly charged with sexual harassment will have an appropriate opportunity to present information in defense of the charge. Such information will be treated as confidential to the extent feasible with an investigation and will be considered in making a final determination.

5. Nothing in this policy should be construed as in any way limiting students’ rights to utilize College grievance procedures, or to file complaints with any governmental agency, including the New York State Division of Human Rights or the United States Department of Education or to take any legal action which the individual may deem advisable.

CONSENSUAL RELATIONSHIPS

Sexual harassment may be at issue even in relationships that begin as consensual ones. In particular, such relationships can be problematic when one person in the relationship is, or could be perceived to be, in a position of institutional authority relative to the other person. Any relationship that exploits a person’s position of institutional authority is inappropriate. In order to avoid that possibility, it is the policy of the College that any relationship in which one person has, or reasonably could be perceived to have, institutional authority over another member of the College community must be disclosed as follows, so that the matter may be addressed as appropriate under the circumstances. Any faculty member who is or becomes a party to a consensual relationship with a student – regardless of whether the student is in the faculty member’s class – must disclose that relationship to the Associate Provost or their School Dean. Any non-faculty College employee who is or becomes a party to a consensual relationship with any student must disclose that relationship to Human Resources.

D. POLICY STATEMENT ON SEXUAL ASSAULT AND AID TO VICTIMS OF SEXUAL VIOLENCE

The College will not tolerate sexual abuse, rape or other sexual assaults against students, faculty, staff or visitors by College employees, other students or third parties. Any student, visitor or faculty or staff member who is a victim of sexual assault or a sexual offense is encouraged to report the incident to the Office of Campus Safety at 914-674-7225 and the local police at 911 and to seek immediate medical care. The Office of Campus Safety generally
cannot investigate an incident as a crime unless the victim files an actual report. Reporting a crime to the Office of Campus Safety, or another campus office, does not necessarily obligate the victim to follow through with criminal prosecution. A victim can also initiate a complaint against a member of the College community who may have committed sexual assault, using the grievance process described in this Handbook. The College will investigate all reports of sexual assaults and will take appropriate disciplinary action in accordance with the Disciplinary Process set forth elsewhere in this Handbook. The College supports a complete program for the education of its community with respect to the meaning and implementation of this policy. Training will be scheduled accordingly.

I. State Law Regarding Sexual Offenses

Sexual offenses are defined in the New York State Penal Code, Sections 130.00 to 130.96. Sexual offenses include rape, criminal sexual acts, sexual abuse, aggravated sexual abuse, forcible touching, sexual misconduct and facilitating a sex offense with a controlled substance.

1. SEXUAL MISCONDUCT includes sexual intercourse, oral sexual conduct or anal sexual conduct with another person without such other person’s consent.

2. RAPE includes sexual intercourse by forcible compulsion or with another person who is mentally disabled, mentally incapacitated or incapable of consent because of age, being physically helpless or other factors.

3. CRIMINAL SEXUAL ACTS include when a person engages in oral or anal sexual conduct by forcible compulsion, or with a person who is incapable of consent because of being physically helpless, mentally disabled, incapacitated, or due to other factors, or with a person who is below a certain age.

4. FORCIBLE TOUCHING occurs when a person intentionally, and for no legitimate purpose, touches sexual or intimate parts of another person for the purpose of degrading or abusing such person or for the purpose of gratifying the actor’s sexual desire.

5. SEXUAL ABUSE includes sexual contact with another person by forcible compulsion, or without such other person’s consent, or when the other person is incapable of consent by reason of being physically helpless or below a certain age.

6. AGGRAVATED SEXUAL ABUSE includes when a person inserts a finger or foreign object into the vagina, urethra, penis or rectum of another person, and/or causes physical injury to such person, by forcible compulsion; when the other person is incapable of consent by reason of being physically helpless, mentally disabled or mentally incapacitated or other factors; or when the person is below a certain age.

Penalties for Commission of Sexual Offenses:

Penal Law Offense Classification Penalty

130.20 Sexual Misconduct — Class A Misdemeanor; term of imprisonment not to exceed 1yr

130.25 Rape 3rd Degree – Class E Felony; term of imprisonment not to exceed 4 yrs

130.30 Rape 2nd Degree – Class D Felony; term of imprisonment not to exceed 7 yrs

130.35 Rape 1st Degree – Class B Felony; term of imprisonment not to exceed 25 yrs

130.40 Criminal Sexual Act 3rd – Class E Felony; term of imprisonment not to exceed 4 yrs

130.45 Criminal Sexual Act 2nd – Class D Felony; term of imprisonment not to exceed 7 yrs
130.50 Criminal Sexual Act 1st – Class B Felony; term of imprisonment not to exceed 25 yrs
130.52 Forcible Touching – Class A misdemeanor; term of imprisonment not to exceed 1 yr
130.55 Sexual Abuse 3rd – Class B misdemeanor; term of imprisonment not to exceed 3 mos.
130.60 Sexual Abuse 2nd – Class A misdemeanor; term of imprisonment not to exceed 1 yr
130.65 Sexual Abuse 1st – Class D Felony; term of imprisonment not to exceed 7 yrs
130.65A Aggravated Sexual Abuse 4th – Class E Felony; term of imprisonment not to exceed 4 yrs
130.66 Aggravated Sexual Abuse 3rd – Class D Felony; term of imprisonment not to exceed 7 yrs
130.67 Aggravated Sexual Abuse 2nd – Class C Felony; term of imprisonment not to exceed 15 yrs
130.70 Aggravated Sexual Abuse 1st – Class B Felony; term of imprisonment not to exceed 25 yrs

The sexual offenses outlined in the New York Penal Law call for a specific penalty for anyone convicted of one of these offenses as noted above. Depending on the offense committed, sentences can range from a minimum of fifteen (15) days to a maximum of twenty-five (25) years in confinement.

II. Advice to Victims of Sexual Assault

If you are a victim of a sexual assault at this institution, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. A victim of sexual assault should report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to a College officer or to a Residential Life representative.

Reporting a sexual assault does not obligate a victim to file criminal charges or pursue other legal action. However, prompt reporting and a comprehensive forensic examination completed at a hospital emergency department within ninety-six (96) hours of the assault will better enable the victim to file criminal charges at a later date if he or she chooses to do so.

A forensic examination will include a general examination, testing and treatment for sexually transmitted infections, and emergency contraception. It will also include the collection of evidence. Therefore, it is best not to shower, wash, douche, eat or drink after a sexual assault. It is also important to bring the clothes that were worn at the time of the assault with you in a paper bag. The hospital will store the forensic evidence for thirty (30) days which allows time for the victim to decide whether he or she will report the sexual assault to the police. Financial assistance for any expenses incurred at the hospital that are not covered by the victim’s insurance may be covered by the New York State Crime Victim’s Board.

Testing for the presence of date drugs can be done at a hospital emergency department up to ninety-six (96) hours after a sexual assault, however a police report must be filed immediately when date drugs are involved.

No matter when or where the assault occurred, support and referral resources are available at the following College offices: Center for Student Success and Engagement, Counseling, Safety, Student Affairs, or Residential Life. These offices can also put victims in contact with other agencies that are trained to provide support to the victims of sexual assault.

Statement of Victim’s Rights

1. Victims have the right to seek counseling and medical treatment.
2. Victims have the right to prosecute and report the alleged crime through the College judicial system and/or to seek criminal prosecution under the New York State Penal Law. They also have the right to refuse all these options without reproach from any College personnel.

3. Victims have the right to be treated with dignity and seriousness by campus personnel.

4. Victims have the right to be free from intimidation and harm.

5. Victims are entitled to the same opportunities available to the accused to have others present in a campus disciplinary proceeding.

6. Victims have the right to be notified of options for changing academic or living situations.

7. The victim has the right to information regarding the status of his/her legal case or disciplinary proceeding.

III. Statement on Change in Living or Academic Situation

Student victims have the option to change their academic and/or on-campus living situations after an alleged sexual assault, if such changes are reasonably available.

IV. Reporting Sexual Assault

It is the responsibility of all members of the Mercy College community to report incidents of sexual assault. Victims of a sexual assault or witnesses to such an assault should report the incident immediately pursuant to the statements above.

Report the incident to the Office of Safety, which will respond and advise the victim of his or her options regarding the criminal justice system and assist the victim in filing a police report, if the victim chooses to do so.

E. POLICY STATEMENT REGARDING ORDER OF PROTECTION AND STALKING

Students who have obtained an Order of Protection or who believe that they are being or may be stalked while on any of Mercy College’s campuses should advise the Office of Safety. If possible, in addition to any Order of Protection, the student should provide the Office of Safety with a photo, description, and the vehicle information of the person(s) whose conduct is at issue. Such students will be given information on personal security and the phone number of the Office of Safety and the Center for Student Success and Engagement to be utilized if the student feels threatened while on campus. Additional measures may be utilized to assist with safety for the student in such instances, as deemed feasible by the Director of Safety. The College will advise local police and cooperate with them if the person named in an Order of Protection or identified as a stalker appears on campus.

F. POLICY STATEMENT REGARDING BIAS–RELATED CRIMES

Bias-related crimes and incidents, commonly referred to as “hate crimes,” will not be tolerated at Mercy College.

Bias-related conduct is prohibited by laws that include, but are not limited to, Title VI and Title VII of the Civil Rights Act of 1964; Title IX of the Educational Amendments of 1972; the Americans with Disabilities Act of 1990; Section 504 of the Rehabilitation Act of 1973; the Civil Rights Restoration Act of 1988; and the New York State and New York City Human Rights Laws.

Under the Higher Education Opportunity Act (HEOA) (Public Law 110-315), a hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias. Bias is a
preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin.

A bias-related crime occurs under the New York State Hate Crimes Act of 2000 (New York State Penal Code § 485.05) when a person commits a specified criminal offense and:

1. intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct; or

2. intentionally commits the criminal act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

It is the responsibility of all members of the Mercy College community to report bias-related incidents or crimes. Victims of a bias-related incident or witnesses to such an incident should report the incident promptly to the Office of Campus Safety, the Deputy Director of PACT, or any other College official. Even if an individual does not want to pursue a complaint, the College should be notified of bias-related offenses. If the College becomes aware of an allegation of bias-related crime, it may elect to take disciplinary action even in the absence of a formal complaint from the victim. Reporting a bias-related crime to the College does not prevent an individual from pursuing other legal remedies, and the College will, if requested, assist the individual with a report to the police.

Counseling and referral resources for victims of bias-related crimes are available at the following College offices: Center for Student Success and Engagement, Counseling, Safety, or Residential Life. These offices can also put victims of bias-related crime in contact with other agencies that are trained to provide counseling and support.

G. POLICY ON HAZING AND RECKLESS ENDANGERMENT

Mercy College, in accordance with New York State law, is committed to eliminating and preventing hazing behavior and/or inappropriate team, group, club or student organization bonding or initiation activities which humiliate, demean or devalue the worth of another individual. The College supports only those activities which are constructive, educational, and inspirational and that contribute to the intellectual and personal development and well-being of students. Therefore, any hazing, initiation or team, group, club or organization bonding activities that subject student-athletes or others to mental or physical discomfort, embarrassment, harassment or ridicule or other conduct which recklessly endangers or threatens the health, safety, or welfare of any person on College-owned or operated property or at College-sponsored activities.

The College defines hazing and inappropriate team, group, club or organization initiation or bonding activities as any action, whether physical, mental, emotional or psychological, which subjects another person, voluntarily or involuntarily, to anything that has the intended or unintended effect of abusing, mistreating, degrading, humiliating, harassing or intimidating the person, or which may in any fashion compromise the inherent dignity of the person, for the purpose of association with or induction to a particular team, group, club or organization. In addition, any requirements by any member of a team, group, club or organization which compels another member or prospective member to participate in any activity which is against college policy or state/federal law will be defined as hazing. All campus clubs and organizations shall incorporate this policy into their club constitutions or bylaws.
Specific actions and activities which are prohibited, include, but are not limited to, the following:

- Any type of initiation or other activity where there is an expectation of individuals joining a particular team, group, club or organization to participate in behavior designed to humiliate, degrade or abuse them regardless of the person’s willingness to participate.
- Forcing, requiring or pressuring an individual to consume alcohol or any other substance.
- Forcing, requiring or pressuring an individual to shave any part of the body, including hair on the head.
- Any requirement or pressure put on an individual to participate in any activity which is illegal, perverse, publicly indecent, contrary to genuine morals and/or beliefs, e.g., public profanity, indecent or lewd conduct or sexual gestures in public.
- Forcing, requiring or pressuring an individual to perform tasks of servitude including errands and cleaning.
- Forcing, requiring or pressuring an individual to be exposed to the elements.
- Required eating of anything an individual would refuse to eat otherwise.
- Any activity or action that creates a risk to the health, safety or property of the College or any member of its community.
- Forcing or requiring calisthenics, such as push-ups, sit-ups and running, when these activities are not part of the normal and standard conditioning requirements for a particular athletic or physical training activity, taking place within the appropriate practice, training or competition venues and supervised by qualified professionals.
- Assigning or endorsing pranks such as stealing or harassment of another group or individual.
- Awakening or disturbing individuals during normal sleeping hours.
- Expecting or pressuring individuals to participate in an activity in which the full membership is not willing to participate.
- Physical abuse of any kind.
- Forcing, encouraging or pressuring someone to wear in public apparel which is conspicuous and not within the norm of what is considered to be in good taste.
- Engaging in public stunts and buffoonery.
- Forcing, requiring or pressuring an individual to be excluded from social contact.
- Nudity at any time or forced reading or viewing of pornographic material.
- Paddling, beating or otherwise permitting a member to hit other members.
- Having substances, including but not limited to, oil, eggs, mud, paint, cream and honey thrown at, poured on or otherwise applied to the body of a member of the team.
- Harassment or morally degrading/humiliating games or other activity that makes a member the object of amusement, ridicule or intimidation.
- Subjecting a member to cruel and unusual psychological conditions.

This College policy is applicable to and governs the conduct of students, faculty, staff, visitors and other licensees on Mercy College campuses and property. Administrators, coaches, team captains, student-athletes, student leaders, club/organization officers and all students shall be expected to accept responsibility and act with integrity and civility regarding this issue. This includes not only refraining from engaging in activities such as those described above, but also reporting any questionable activities to advisors, coaches or administrators.

Failure to comply with both the letter and the spirit of this policy may result in disciplinary action in accordance with the procedures set forth below and may subject students to sanctions up to and including expulsion from the College, as well as criminal or civil prosecution.
H. POLICY ON STUDENT DEMONSTRATIONS

1. The College believes that students or members of groups within the Mercy College community should have the right to engage in individual or organized activity to express their views on a particular issue or cause, whether against the College or society. Demonstration and rallies, however, should not interfere with the operation of the institution. The College has an obligation to protect the safety and welfare of its students, faculty, and staff, and to insure that its academic mission is not compromised. Therefore, demonstrations and rallies must be nonviolent, considerate of the rights of all members of the College community, and may not involve disruptive conduct. It will be considered disruptive conduct under this policy for participants to: Gather in such a fashion as to physically hinder entrances to, exits from, or passage ways within any College building or other structure, or hinder the normal flow of pedestrian or vehicular traffic on or to any campus.

2. Create a volume of noise that prevents members of the College from carrying on their normal activities.

3. Employ force or violence, or constitute an immediate threat of force or violence, against persons or property.

4. Congregate, or assemble within any College building or on College property in such a fashion as to disrupt the College’s normal functions or violate the following rules:
   a. No group may be admitted into a private office unless invited, and then not in excess of the number designated or invited by the occupant. Passage through reception areas leading to a private office must not be obstructed.
   b. Corridors, stairways, doorways, and building entrances may not be blocked or obstructed in violation of the regulations of the New York City Fire Department or of the College. Clear and unimpeded passageways must be maintained at all times.
   c. Space may be occupied only when assigned through established College procedures.
   d. Any noise which interferes with the work or study of persons in a building will not be permitted.
   e. Buildings must be cleared at normal closing time for each building unless other arrangements are approved in advance.

Permission for organized demonstrations on College property or in College facilities must be obtained in advance and in writing from the Deputy Director of PACT. In the event that a request is not approved, the organizer of the group may appeal the decision in writing to the Chief Operating Officer.

Once approval is granted for a demonstration or rally, individuals organizing the event are responsible for insuring that it is conducted in a responsible manner. The College reserves the right to take steps to address inappropriate conduct. The location of a demonstration or rally will be clearly defined by the Deputy Director of PACT. The College also reserves the right to notify the local police in advance of a demonstration or rally to be on call to prevent any infraction of local laws.

I. POLICY ON THE ACCEPTABLE USE OF COLLEGE INFORMATION TECHNOLOGY RESOURCES

Mercy College offers its Information Technology (IT) resources and services to assist members of the College community to achieve their educational goals. Use of these resources in a way that interferes with these goals is impermissible and will subject the offender to discipline in accordance with the disciplinary procedures set forth.
below. All Mercy College students are expected to comply with all local, state, federal and international laws regarding IT use, including, but not limited to, those dealing with copyright and intellectual property, and with all software license agreements acquired by the College.

Abuse of telecommunications (telephone, email, internet, television) and information services will not be tolerated and may result in appropriate disciplinary action. Students are expected to comply with all relevant laws and College policies which govern access to and use of these services.

Students who identify themselves as a student of the College, whether explicitly or impliedly or a member of a College organization (e.g. a club or athletic team) on the internet or through electronic social networks (e.g. Facebook, Myspace, LinkedIn, Twitter, YouTube and blogs) assume the responsibility for the content posted. Any such behavior that violates these general standards of conduct, which is brought to the attention of a College official, will be treated as any other violation and will be referred through the disciplinary and grievance processes outlined in this Handbook.

The following uses of College IT resources are prohibited:

- Giving unauthorized access to electronic records, files or systems maintained by the College, including the records, files or systems of members of the faculty, staff or students;
- Unauthorized entry into a file for any purpose, including using a file, reading a file, changing its contents;
- Using someone else’s ID or password;
- Using or attempting to use an unauthorized account;
- Unauthorized transfer of a file;
- Downloading and sharing protected material, including songs, movies, games and other computer programs through means including Peer-to-Peer (P2P) file sharing applications that are used to connect you directly to another person’s computer in order to transfer files between the two computers. P2P file sharing applications include, but are not limited to, Kazaa, iMesh, LimeWire, Gnutella, Azureus, Frostwire, Poisoned, Shareaza, BitTorrent, uTorrent, and Vuze;
- Disguising or attempting to disguise the identity of a College computer or system being used;
- Initiating or participating in chain letters, spam, floods and other unauthorized mass mailings;
- Running or installing computer viruses, Trojan Horses, worms or any other program that damages, exposes or excessively taxes any IT resource;
- Using any College IT resource or communication service, including e-mail, to harass or intimidate others, to interfere with the work of another, to send obscene or abusive messages, or to create a hostile work and/or educational environment; and
- Engaging in conduct that intentionally interferes with or degrades network security performance.
- Unauthorized browsing of sexually explicit websites using College IT resources;

**J. POLICY ON PEER-TO-PEER FILE SHARING**

In addition to potentially violating College policy, the unauthorized distribution of copyrighted material, including
through peer-to-peer file sharing, may subject a student to criminal and civil penalties. The laws that govern copyright are not specific to any one technology. Students can violate the rights of a copyright holder using many different types of technology. Both uploading and downloading of files can pose a violation of the copyright law. Students should be cautious when obtaining any copyrighted material. As a rule of thumb, before a student receives anything for free, they should research whether that source provides material licensed by the copyright owner. A list of licensed sources at can be found at www.educause.edu/legalcontent.

Under the Digital Millennium Copyright Act (DMCA), the Recording Industry Association of America (RIAA) has begun issuing subpoenas to Internet Service Providers (ISPs) to obtain the identity of individual users who are committing such acts and has begun suing those individuals under the DMCA. Acting as an ISP, the College can be subpoenaed under the DMCA for the identity of users in the College community who are illegally distributing copyrighted material. Although the College will act in accordance with the Family Education Rights Privacy Act, it might be forced to comply with such subpoenas.

Individuals who violate copyright law by illegally uploading and downloading copyrighted files may be subject to civil penalties of between $750.00 and $150,000.00 per song. These penalties are established by federal law. In the past, pre-litigation settlements offered by copyright owners have ranged from $3,000 to $4,000 and up while juries have issued verdicts of hundreds of thousands and even millions of dollars. In addition, a court may, in its discretion, grant the copyright owner reasonable attorney fees. Although criminal prosecution of students for file sharing is extremely rare, federal law lays out criminal penalties for intentional copyright infringement which can include fines and jail time.

K. STATEMENT ON SOCIALIZING SAFELY ON THE INTERNET

Mercy College students are engaged in and involved in many co-curricular clubs, organizations and athletic teams. Students find many opportunities within the community to socialize with one another. Online communities such as Facebook, Myspace, LinkedIn, Twitter, YouTube and blogs have helped students at Mercy College and other schools connect in many ways. Through these online communities, students have met other students with similar interests, formed groups to explore and celebrate specific interests, and transformed communication. Students may be asked by the College to remove any inappropriate messages posted or actions taken on such online communities.

There are some cautionary lessons that have emerged from participating in online communities. Students are advised to use discretion when posting personal information on the internet. As a result, students should be aware of the following.

1. When posting to the internet, keep in mind that you cannot ensure who does and does not have access to your information.
2. Information you post on the web may remain there even after you erase or delete the information from your profile or blog.
3. Future employers, graduate schools and other organizations may consider information posted on the web in making employment, admission, or other similar decisions.
4. Anyone with an @mercymavericks.edu email address may gain access to the Mercy College Facebook.com community, including photos. Use the settings feature on these sites to limit who can access your information.
5. By agreeing to the terms of use, online communities have your permission to republish your content in other locations and share information with third parties, advertisers and law enforcement.
6. Your profile will be a part of how others know you—please keep that in mind as you use Facebook, MySpace, LinkedIn, Twitter, YouTube, blogs and other online communities.

*Helpful Hints*

- Avoid posting phone numbers and address information
- Avoid posting information regarding your whereabouts
- Be selective with the content of the information you post
- Make sure that the information and photos you post do not violate law or College policy
- Be advised that you should seek permission to post information and photos of other people and they should likewise seek permission from you to post information or photos of you
- Make sure you do not post slanderous or libelous information about others
- Be aware that information posted is available to anyone with internet access including potential employers

**CODE OF CONDUCT FOR RESIDENTIAL LIFE STUDENTS**

In addition to the student policies described elsewhere in this Handbook, resident students are expected to follow the standards of conduct set out below. The Deputy Director of PACT has authority to administer sanctions for violations of the rules and regulations by residential students in accordance with the disciplinary procedures set out in this Handbook.

**CODE OF CONDUCT FOR RESIDENTIAL LIFE STUDENTS:**

1. Adhere to the policies described in this Handbook.

2. Resident students are required to attend all Residential Life meetings called by the resident advisor or resident director. Meetings will be held once each month thereafter, or more frequently, if necessary. Meetings are an important way for students to hear about what is happening at Mercy College and in the residence hall.

3. No profanity, hurtful or offensive messages can be written on message board or displayed in any public viewing areas.

4. Music that contains profanity or is considered offensive should be restricted to a resident’s personal room.

5. Students should avoid using any profanity or offensive language when speaking on campus or in the Residential Areas.

6. Smoking is prohibited in all Residential Areas, including in front of the building and out of building windows. Smoking is only permitted outdoors at least twenty-five (25) feet away from any Residential Area building.

7. Adhere to the guest policy set out below.

8. Adhere to the quiet hours policy set out below.

9. Adhere to the drug and alcohol policy described in this Handbook.

10. All College-supplied furniture and furnishings—including bedframes, window screens, mattresses, desks, chairs, lamps—must be maintained and returned to their original condition, subject to reasonable wear and tear.
11. The following behaviors are also prohibited:
   a. Throwing or suspending anything from the windows or roof, including posters, banners or lighted cigarettes, cigars or matches.
   b. Entering restricted areas, including but not limited to the rooftop, offices, and or/storage and maintenance rooms.
   c. Climbing out of or into windows or onto the wall of the building.
   d. Removal of any College furniture or property from its designated area.
   e. Misuse, misappropriation, abuse, theft, or damage to any individual’s or College property.
   f. Cohabitation.
   g. Unauthorized room changes.
   h. Unauthorized possession, duplication, or use of keys.
   i. Changing or adding locks to doors, windows or furniture.
   j. Removal of screws from windows with access to the ground level.
   k. Physical, verbal or mental harassment, abuse or disrespect to any individual, including Residential Life staff members.
   l. Fighting with other students, visitors or College staff.
   m. Painting or construction work of any kind in rooms, or damaging walls or woodwork with tape, nails screws, stickers, poster “gum” or glue.

12. In order to maintain safety and security, the following items are prohibited from the Residential Areas:
   a. Cooking appliances of any kind (including, but not limited to, toasters, toaster ovens, hotplates, coffee pots, electric skillets, popcorn poppers and microwave ovens);
   b. Halogen bulbs or halogen lamps;
   c. Refrigerators;
   d. Electric blankets, electric heaters, and air conditioners;
   e. Incense, incense burners or candles;
   f. Archery equipment, air pistols, BB guns, firearms, or any other weapons.

13. In order to maintain safety and security, the following behaviors are required:
   a. Provide notice to a Resident Assistant or Resident Director of any expected absences of four (4) or more consecutive days when school is in session, along with information on how to be reached in case of an emergency.
   b. Do not prop open fire doors or any door which is a locked entrance.
   c. Do not exit through emergency doors unless there is an actual emergency.
   d. Lock room doors and windows before leaving.
   e. Do not remove or tamper with the window guard on any accessible window.
   f. Do not loan your room key to anyone and report lost or misplaced keys immediately.
   g. Report strangers or suspicious behavior in the building.
h. Do not leave backpacks, purses or briefcases unattended in common areas.

i. Do not keep large sums of money, jewelry or valuable items in your room, and record the serial numbers and descriptions of your valuables.

j. Blocking the entrance to a room with furniture; stacking college furniture; use of cinder blocks.

k. Use of faulty electrical equipment.

l. Plugging multiple extension cords together.

m. Cooking in rooms.

n. Do not touch or lean on the sprinkler system or use pipes to hang plants, clothes or any other objects.

o. Do not tamper with or misuse fire safety equipment such as smoke detectors, sprinklers, fire extinguishers, fire alarm pull boxes, fire alarms, or emergency exit routing signs.

p. Do not stay in the building during a fire drill, which is also a violation of New York State law.

RESIDENTIAL AREA GUEST POLICY

The purpose of the guest policy is to allow residents to host guests in a responsible manner. Any person who does not live in the Residential Area, which includes the Mercy College Residence Hall and the off-campus hotels, is considered a guest, even if the person is a Mercy College student. All guests must be registered at all times and must comply with all Residential Life rules and regulations. Resident hosts are fully responsible for the actions of their guests and will be held accountable for any inappropriate behavior a guest may exhibit while in any Residential Area or on campus. The Residence Life staff may have a guest removed from the Residential Area immediately for failing to meet this expectation.

Residents must abide the following visitation procedures:

a. All guests need to leave the residence hall and hotels by 8pm, Sunday-Thursday nights. A guest is anyone who is not a resident of that particular hotel or the residence hall. A resident may sign in no more than one (1) guests at a time from 8:00am-9:00pm on Friday and Saturday, unless prior approval is obtained from Residential Life Staff. If the host feels that their guest may be staying past 11:00pm on a Friday or Saturday night, they should sign in their guest as an overnight guest.

b. A resident may sign-in no more than one (1) overnight guest at a time. An overnight visit is defined as a stay which includes any of the hours between 11:00 p.m. and 8:00 a.m. on a Friday or Saturday night. Overnight guests are only permitted on Friday and Saturday nights and with prior approval from the resident’s roommate, if any, and either a Resident Advisor or Resident Director. The Resident Advisor or Resident Director will respond to requests made by the “Overnight Guest Request” form no later than 9:00 p.m. on the day the form is submitted.

c. Each guest must be escorted into the building by a resident host. A guest will not be permitted to enter the facility to wait for the resident host.

d. Every guest must register at the front desk by submitting valid photo identification, such as a driver’s license, New York State identification card or passport. The resident host must also submit a valid photo ID. Expired photo identification will not be permitted. The identification cards of both the guest and resident host will be held at the front desk until the guest departs. The resident host must escort a guest to the desk to retrieve their identification cards upon departure.
e. The resident host must stay in the building the entire time a guest is signed in. Guests are not allowed to roam the building unaccompanied by their resident host.

f. Guests must depart quietly before the end of guest hours.

g. Residents may not give permission to a friend to enter their room, nor may they give their keys to anyone.

h. Guests are not permitted in the Residential Areas during final exams.

i. Guests under the age of eighteen (18) are not permitted without the prior written approval of the Deputy Director of PACT.

**QUIET HOURS POLICY**

Unreasonable noise is never acceptable in any Residential Area. All residents are expected to be courteous with regard to noise at all times and to respond appropriately to requests for quiet. In addition to courtesy hours, quiet hours are in effect 8:00 p.m. to 8:00 a.m., Sunday through Thursday nights, and 1:00 a.m. to 10:00 a.m., Friday and Saturday nights inside the Residential Area. Noise from the Residential Areas that reaches the exterior of the Residential Area buildings must cease from 7:30 p.m. daily. During midterms and final exams, quiet hours are in effect twenty-four (24) hours a day and are strictly enforced. Violation of the quiet hours will subject a student to discipline and sanctions, including termination of the residential life contract.

During quiet hours, students should not hold conversations in the hallway, and the door to each room should remain closed. Sound carries very easily throughout the Residential Area. Voices, stereos, televisions and speakers can often be heard in other rooms or on a floor above or below. It is important to remember that residents should be able to sleep, study or listen to the music of their choice without being disturbed by other residents. In addition, the rooms MC2 and SW2 are located immediately above and near College offices; residents living in those rooms must be aware of their noise levels at all times. The Office of Residential Life will address all complaints made by College personnel.

**INSPECTIONS**

In order to protect the health and safety of resident students, keep rooms in good condition and avoid fire hazards, student rooms in the Residential Areas are subject to inspection by appropriate College officials at any time, with or without prior notice, and such inspections will be conducted on a periodic basis. During inspections, College staff will check for the following: (1) general condition and safety of the room; (2) cleanliness and condition of the furniture; and (3) the presence of prohibited items. In addition, College officials, including Residential Life or Office of Safety staff, may enter rooms at any time if there is a reason to believe that the room contains illegal drugs, alcohol or weapons of any kind, or there is any other reason to believe that entry is warranted in order to protect the safety or well-being of a resident student or others. Students who fail to cooperate with an inspection or whose rooms fail inspection will be subject to disciplinary action, and any prohibited items will be removed.

**FIRE SAFETY**

**Fire Safety Equipment**

Fire safety equipment such as smoke detectors, sprinklers, fire extinguishers, fire alarm pull boxes, and emergency exit routing signs have been installed in the Residence Hall. In the interest of safety, it is strictly against the rules to touch the sprinkler system; to use the pipes to hang plants, clothes, or any other objects; or to lean against or hang from the pipes, as the pipe system contains water under pressure.
Tampering with or misusing fire-fighting equipment or fire alarms on campus or in campus facilities is a violation of the student code of conduct and will subject students to discipline and sanctions up to and including expulsion from the College. Such conduct may also subject a residential life student to dismissal from the Residence Hall. In the event that a student’s actions damage a water pipe or release water, the student will be held responsible for the repair of the system and any consequent damage.

**Fire Drills**

College policy and New York State law require the College to conduct a number of fire drills in the Residence Hall each semester. It is a violation of both State law and College policy to remain in the building during a fire drill. Any time the alarm sounds, students and any guests must leave the building immediately, closing any doors behind them, and following the specified evacuation route.

Failure to vacate the building when the fire alarm sounds is a violation of the residential life rules that may subject students to discipline.

**Fires and Building Evacuation**

Resident Assistants will instruct students on proper evacuation procedures at the first floor meeting of the year. Students are encouraged to ask questions at any time if any procedure seems unclear. When evacuating the building, whether during a fire drill or otherwise, residents are reminded to use the stairways only. Do not use the elevators. Students should evacuate the building through the nearest exit. If flame or smoke is blocking the nearest exit, residents should be aware of the next available exit.

Exit the building completely; do not remain in the lobby. Move across the entrance path and wait on the lawn until the Fire Department has inspected the building and approves reentry to the building. Residents should be aware that the Dobbs Ferry Fire Department responds to all fire alarms and therefore fire lanes and the front of the entrance should remain clear at all times to provide the Fire Department with easy access to the building. The fire alarm sounds at the Dobbs Ferry Fire Department at the same time as the building alarm. Therefore, if everyone leaves the building immediately, the occupants should be out of the building before the Fire Department arrives at the scene.

In order to mitigate the risk of fire, students are prohibited from having the following items in their rooms: electric blankets, space heaters, sun and heat lamps, coffee pot, heating coils, halogen bulbs, halogen lamps, candles, incense, or incense paraphernalia, potpourri burners, charcoal grills, or any other open-flame devices. Prohibited items will be confiscated and students caught with such items will be subject to discipline.

Starting a fire is a violation of College policy and State law and will subject a student to discipline. The College will cooperate with local law enforcement authorities with respect to the investigation and prosecution of any such crime.
NON-ACADEMIC DISCIPLINARY PROCESS

The College has developed procedures that it follows to investigate potential violations of its policies, to adjudicate any such violations, and to impose sanctions for those violations found to have occurred. These procedures also set forth how students can appeal decisions of the College on disciplinary matters. Mercy reserves the right to adapt its procedures based on the circumstances of an individual case. The College also recognizes that any code of conduct cannot anticipate every situation; accordingly, the College may use the Disciplinary Process to investigate and sanction alleged conduct of any nature, including but not limited to conduct that is similar, comparable or analogous to conduct that is specifically proscribed by the College’s rules.

The Disciplinary Process set forth below addresses violations of the College’s non-academic policies and standards of conduct. The grievance procedure that applies to academic matters is set forth separately in this Handbook. When a violation raises both academic and non-academic issues, the determination about which College procedure shall apply will be made by the College, upon notice to the student, but in the College’s sole discretion.

The Deputy Director of PACT, who has been authorized to impose sanctions upon any student who is found to have violated the College’s Standards of Conduct, will handle the majority of violations of College rules administratively. A student may appeal any disciplinary determination and imposition of sanctions, according to the process set forth below.

Student, faculty or staff members of the College who believe that they have been subjected to, or have knowledge of, any acts that are in violation of College policies are encouraged to inform the Deputy Director of PACT and/or the Center for Student Success and Engagement. The Deputy Director of PACT may conduct an investigation to determine whether the charges have merit and/or to determine whether they can be resolved on an informal basis.

The College may pursue a violation under the College’s standards of conduct even where civil or criminal proceedings are underway and, in its sole discretion, the College may suspend a student or take other interim measures pending the outcome of the Disciplinary Process or external legal proceedings or as the College otherwise deems appropriate under the circumstances. When a student fails to cooperate with or participate in the Disciplinary Process, the College may proceed with the Disciplinary Process, reach a determination as to whether a violation occurred, and impose sanctions.

The steps in the Disciplinary Process are as follows:

I. Administrative Review

1. A student who is alleged to have violated College rules and whose conduct is the subject of a formal written complaint is entitled to receive written notice of the charges pending against him or her and shall be given an opportunity to explain the events and circumstances involving the charges. The Deputy Director of PACT or his or her designee shall meet with the charged student, who may submit documents or other information in support of his or her explanation. An adviser or supporter who is not an attorney may accompany the student. The student may also provide names of relevant witnesses or knowledgeable individuals. The finder of fact may gather additional appropriate information, conduct other interviews, and consider any other relevant information. The rules of evidence that are applicable in civil or criminal cases are not applicable to this Process. In all disciplinary proceedings, time frames may be extended as reasonably appropriate. The standard of proof that should be applied in determining whether a violation occurred is whether there is a good faith belief that it is more likely than not that the conduct occurred. The College shall maintain records of disciplinary action, and the College shall determine what information regarding discipline shall be made a part of a student’s transcript.
2. The Deputy Director of PACT shall inform the accused student of the determination. Such notice shall contain a brief statement of the factual findings and the sanction to be imposed. In addition to a specific disciplinary sanction, the Deputy Director of PACT also may require the student to participate in counseling, education, or community service, impose restitution, restrict the student’s interactions with Mercy faculty or students, or impose different or additional requirements as appropriate. The Deputy Director of PACT will ordinarily inform each victim or complainant of the outcome.

3. Where the Deputy Director of PACT determines that expulsion is the appropriate sanction, this determination shall be referred to the Chief Operating Officer of the College for a final review. The Chief Operating Officer may approve the expulsion, impose some other sanction or set of sanctions, or return the matter to the Deputy Director of PACT for such further action as the Chief Operating Officer deems appropriate.

4. Special guidelines for cases involving sexual misconduct: A complete investigation of complaints involving sexual misconduct will take place within thirty (30) calendar days following the receipt of the complaint. The accused and the victim will each be allowed to choose one person who has had no formal legal training to accompany them throughout any hearing. Both the victim and accused will be informed in writing of the outcome of the hearing within thirty (30) days following the conclusion of the hearing. A student found guilty of violating the College sexual harassment or sexual assault policy could be criminally prosecuted in the state courts and may be suspended or expelled from the College for the first offense. Student victims have the option to change their academic and/or on-campus living situations after an alleged sexual assault, if such changes are reasonably available.

II. Sanctions

The Deputy Director of PACT may impose the sanctions listed below individually or in combination based on the conduct involved upon any student found through the Disciplinary Process to have violated a College rule. In imposing a sanction, the College may take into account the disciplinary record of the student and related factors that aggravate or mitigate the circumstances.

1. Warning - Verbal or written notification to the student that continuation or repetition of conduct found wrongful may be cause for more severe disciplinary action.

2. Censure - Written reprimand for violation of specified regulations, including the possibility of more severe disciplinary sanction in the event of conviction for violation of any College regulation within a period of time stated in the letter of reprimand.

3. Fines - A sum of money to be paid by the defendant to the College or another specified person or body. Failure to pay fines may result in the denial of a final grade report, denial of registration for the subsequent semester (summer session included), and denial of diploma or transcript.

4. Restitution - Reimbursement for damage to or for misappropriation of property. This may take the form of appropriate services and/or actual compensation.

5. Disciplinary Probation - Written statement of restrictions on a student’s participation in College activities which may remain in effect for the period of time specified by the College. In addition to the provision that the probationer shall be guilty of no further violation of the spirit or letter of the rules, regulations, or conduct expectations of the College, the category of disciplinary probation may include one, several, or all of the following provisions:

   a. Ineligibility for election to any honor society during the period of probation, ineligibility to hold office therein, and resignation from such society or societies.
b. Ineligibility for nomination or election to student office — including office in any student organization during the period of probation; ineligibility to hold such office, and, if already holding such office, resignation.

c. Ineligibility to participate in student activities.

d. Required participation in a community work project or other activities to satisfy such other stipulations as may be imposed.

6. Suspension - Exclusion from class and revocation of other privileges or activities as set forth in the notice of suspension for a specified period of time. Students who are suspended are responsible for all institutional charges incurred and must reapply to return to the College.

7. Suspension from the Residential Area - Requires that a residential student temporarily be removed from the Residential Area for an assigned period; temporary housing must be secured without the assistance of any College department.

8. Suspension of Privileges - Specific privileges, such as guest privileges for residential students or network privileges for violations of the IT Acceptable Use policy, are revoked for an assigned period of time.

9. De-recognition of a student club or organization - the conditions of re-establishment, if determinable, shall be stated in the order of derecognition.

10. Separation from the Residential Area - Requires that a residential student and all belongings be permanently removed from the Residential Area; new housing accommodations must be secured without the assistance of any College department. In certain cases, the Deputy Director of PACT may ban the student from reentering any Residential Area at any time.

11. Expulsion - Termination of student from student status for an indefinite period. The conditions of readmission, if then determinable, shall be stated in the order of expulsion. Students who are expelled are responsible for all institutional charges incurred. This sanction may be imposed only with the consent of the Chief Operating Officer.

12. Other - Other sanctions as may be imposed by the College instead of or in addition to those specified above to achieve an appropriate result, including but not limited to, requirements for counseling, psychological or medical evaluation, participation in a program to educate a student about certain types of conduct, or community service.

III. Appeal

When a student is found to have violated a College policy or rule and a sanction is imposed, the student may appeal the determination and/or sanction. If the case involves a student’s complaint against another student or group of students for discrimination, bias, sexual assault, harassment or similar violations of individual rights, and the complainant does not agree with the final determination or believes that the sanction imposed against the student charged was inadequate, the complainant may also file an appeal challenging the determination and/or the sanction. An appeal should be filed with the Office of the Deputy Director of PACT within seven (7) days of the appellant’s receipt of the Deputy Director of PACT’s determination. The appeal must state the basis for the appeal, including whether the student believes that appropriate procedures were not followed or that the sanction is excessive. If the student believes that new information that was not previously available should be considered, the evidence should be detailed in writing in the request for an appeal.
The appeal panel will consist of three faculty and or staff members. The chairperson of the appeal panel shall be chosen by the panel and may vary from case to case. In the event of a vacancy, a replacement for the balance of the academic year will be appointed by the Deputy Director of PACT. In no event shall the Deputy Director of PACT be a member of the appeal panel.

The appeal ordinarily will be determined based on the application submitted by the student, any new evidence included in that submission, and the record before the Deputy Director of PACT; however, the appeal panel may seek additional information or clarification from any source as it deems appropriate. The appeal panel may consider whether the procedures followed by the Deputy Director of PACT was appropriate and fair, whether there is any credible evidence of bias on the part of the Deputy Director of PACT, whether there was sufficient evidence to support the finding reached by the Deputy Director of PACT, and whether the sanction is plainly excessive. The appeal panel may not substitute its judgment regarding the credibility of witnesses who testified before the initial finder of fact. The appeal panel can decide to sustain, modify or reverse the previous determination and/or the sanction in whole or in part. The appeal panel can also refer the matter back to the Deputy Director of PACT for further consideration. There is no right to appeal a decision of the appeal panel.

IV. Notification on Records

1. The penalties of suspension or expulsion can be permanently noted on the record of the student.

2. The Deputy Director of PACT may, at his/her sole discretion, in rare circumstances remove the notation of penalties other than suspension or expulsion from the general educational record of the student at any time six months after the final determination if the student complies with requirements established by the Deputy Director of PACT for removal. The record of disciplines and sanction will be maintained by the College, may be relied upon in assessing future discipline or sanctions, and may be disclosed under specific circumstances afterward.

3. Misuse of Disciplinary Process or Grievance Process
   A student who files a false complaint or grievance with knowledge that it is false, or a student who provides false testimony, with knowledge that it is false may be subject to discipline for abuse of the College’s process and violation of College standards of conduct.

4. Other Grievances
   If a student wishes to file a complaint under Title IX or any other state or federal statute not already specifically addressed in this Handbook, he or she should file the complaint with the Deputy Director of PACT, who is designated as the confidential officer for such matters. Students are free to communicate complaints to any senior administrator, but should be aware of this designation in particular. The Deputy Director of PACT will conduct a confidential investigation of the complaint following the guidelines set forth in Section B Other Forms of Harassment and Discrimination.
UNDERGRADUATE STUDENT ACADEMIC APPEALS POLICY

The purpose of the Academic Appeals Policy is to provide a process for the equitable resolution of formal complaints made by a student, faculty member or administrator over academic issues including grade disputes, cheating, plagiarism, and the application of academic policies, except for dismissal review. The following steps constitute the process, before proceeding to a higher-level step, all lower-level steps must first be completed and documented in some form. The college continues to recommend and encourage the informal resolution of complaints, believing that effective communication is also part of the educational process. To the extent that a faculty member, academic unit head or dean are unavailable, a designee may be appointed for purposes of resolving such issues in a timely manner.

Step One: Faculty

At this step the process remains informal. Within four weeks of the end of the semester, term, or quarter (the academic period) in which the disputed matter occurred, the student and faculty member must meet in person or by phone to discuss the issue. After the meeting, the faculty member must make a decision within one week and communicate it in writing to the student. If the student is dissatisfied with the outcome of this meeting, a formal written appeal must be submitted by the student to the relevant academic unit head.

Step Two: Academic Unit Head

Any formal written appeal of the decision in Step One must be filed with the academic unit head no later than six weeks after the end of the academic period in which the issue of the appeal occurred. Within two weeks of receipt of the formal written appeal, the academic unit head will, depending on the situation, meet separately or jointly with the student and faculty member involved. Meetings may be in person or via telephone. During these meetings each party will submit all information and supporting documentation to the academic unit head; a written decision should be sent to both parties within two weeks of the meeting. If the faculty member involved is also the academic unit head, the parties may agree to allow another faculty member in the department to review the appeal or proceed directly to Step Three.

Step Three: School Dean

Within one week of the decision in Step Two, an appeal may be made in writing by the student to the relevant school dean. The school dean will, depending on the situation, meet separately or jointly with the student and faculty member, and, as necessary, the academic unit head involved within two weeks of receipt of the formal written appeal. Meetings should be in person, to the extent practicable. The school dean will review the written appeal and previous actions on the appeal, along with any additional information and substantiation submitted by each party, and will render a decision in writing to all parties within two weeks of the meeting.

Step Four: Academic Appeals Committee

In the event that the issue has not been satisfactorily resolved in Steps One, Two or Three, a final appeal may be made to the Academic Appeals Committee. Such appeal must be made in writing to the Committee, to the attention of the Associate Provost, within four weeks of the decision by the school dean. Appeals should be accompanied by any substantiating documentation. The Academic Appeals Committee will hold a meeting as described below, and shall render a decision in writing to both parties within two weeks of the conclusion of the meeting.
The Undergraduate Academic Appeals Committee may consist of representatives from the Office of the Provost, the administration and the undergraduate student body. The chair of the Committee is the Associate Provost. The Committee meets at regular intervals.

All parties to the appeal will be permitted to participate in the meeting with the Committee. The student may be accompanied by one person who is not professional legal counsel. The Committee will hear from both parties and may call on any witnesses to the matter and review any supplementary documentation. The Committee may ask questions throughout the meeting and may, if necessary, adjourn the meeting to obtain additional information. The Committee will review whether it is more likely than not that the alleged conduct occurred. In the case of a grade dispute, the Committee does not have the authority to make a grade change; rather, the Committee will review whether it appears the original grade was fairly awarded.
GRADUATE STUDENT ACADEMIC APPEALS POLICY

The purpose of the Academic Appeals Policy is to provide a process for the equitable resolution of formal complaints made by a student, faculty member or administrator over academic issues including grade disputes, cheating, plagiarism, and the application of academic policies, except for dismissal review. The following steps constitute the process; before proceeding to a higher-level step, all lower-level steps must first be completed and documented in some form. The college continues to recommend and encourage the informal resolution of complaints, believing that effective communication is also part of the educational process. To the extent that a faculty member, academic unit head or dean are unavailable, a designee may be appointed for purposes of resolving such issues in a timely manner.

Step One: Faculty

At this step, the process remains informal. Within four weeks of the end of the semester, term or quarter (the “academic period”) in which the disputed matter occurred, the student and faculty member must meet in person or by phone to discuss the issue. After the meeting, the faculty member must make a decision within one week and communicate in writing to the student. If the student is dissatisfied with the outcome of this meeting, a formal written appeal must be submitted by the student to the relevant academic unit head.

Step Two: Academic Unit Head

Any formal written appeal of the decision in Step One must be filled with the academic unit head no later than six weeks after the end of the academic period in which the issue of the appeal occurred. Within two weeks of the receipt of the formal written appeal, the academic unit head will, depending on the situation, meet separately or jointly with the student and faculty member involved. Meetings may be in person or via telephone. During these meetings, each party will submit all information and supporting documentation to the academic unit head; a written decision should be sent to both parties within two weeks of the meeting. If the faculty member involved is also the academic unit head, the parties may agree to allow another faculty member in the department to review the appeal or proceed directly to Step Three.

Step Three: School Dean

Within one week of the decision in Step Two, an appeal may be made in writing by the student to the relevant school dean. The school dean will, depending on the situation, meet separately or jointly with the student or faculty member, and as necessary, the academic unit head involved within two weeks of receipt of the formal written appeal. Meetings should be in person, to the extent practicable. The school dean will review the written appeal and previous actions on the appeal, along with the additional information and substantiation submitted by each party, and will render a decision in writing to all parties within two weeks of the meeting.

Step Four: Academic Appeals Committee

In the event that the issue has not been satisfactorily resolved in Step One, Two or Three, a final appeal may be made to the Academic Appeals Committee. Such appeal must be made in writing to the Committee, to the attention of the Associate Provost, within four weeks of the decision by the school dean. Appeals should be accompanied by any substantiating documentation. The Academic Appeals Committee will hold a meeting, as described below, and shall render a decision in writing to both parties within two weeks of the conclusion of the meeting.
The Graduate Academic Appeals Committee may consist of representatives from the Office of the Provost, the faculty, the administration, and the graduate student body. The chair of the Committee is the Associate Provost. The Committee meets at regular intervals.

All parties to the appeal will be permitted to participate in the meeting with the Committee. The student may be accompanied by one person who is not professional legal counsel. The Committee will hear from both parties and may call on any witnesses to the matter and review any supplementary documentation. The Committee may ask questions throughout the meeting and may, if necessary, adjourn the meeting to obtain additional information. The Committee will review whether it is more likely than not that the alleged conduct occurred. In the care of a grade dispute, the Committee does not have the authority to make a grade change; rather, the Committee will review whether it appears the original grade was fairly awarded.

The decision rendered by the Academic Appeals Committee is final; no additional appeals will be permitted.