

# COLLEGE POLICIES

## Policy on Access to Student Records (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their educational records. An “eligible student” is a student who is 18 years of age or older, or who attends a postsecondary institution. The rights granted under FERPA include, among other things, that:

1. Students have the right to inspect and review their education records within 45 days of the day the College receives a request for access. Students wishing to review their record should submit to the Registrar, Dean, head of the academic department, or other appropriate official a written request that identifies the record(s) they wish to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. Students have the right to request the amendment of such records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student’s privacy or other rights. Students who believe their record is inaccurate or misleading may request that the College amend the record by writing to the College official responsible for the record. The request should clearly identify the part of the record to be changed, and specify why it is inaccurate or misleading. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. Students have the right to consent to disclosure of personally identifiable information contained in their education records, except for that information which FERPA authorizes disclosure without consent (a representative list of exceptions appears below).

The College may disclose educational records without written consent of students:

- To personnel within the College who maintain educational records and those with a legitimate educational interest, including faculty or staff who deal with the student and carry out education duties, and employees designated by them to assist in these tasks. St. Francis College defines “legitimate educational interest” as “needs the record(s) to carry out employment responsibilities.” Therefore, any College employee (or person acting on behalf of the College) may have access to student records without the student’s written consent if that person needs access to carry out his or her employment responsibilities.
- To officials at schools, colleges, or universities participating in cross-enrollment programs for the purposes stated in the bullet above. St. Francis College currently exchanges academic information with students cross-enrolled at St. Johns University and New York Methodist Hospital; if other institutions are added, this arrangement will be automatically extended to include them.
- To officials of other colleges or universities in which the student seeks to enroll.
- To accrediting organizations approved by the College carrying out their accrediting functions.

- To certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities in connection with certain state or federally supported education programs.
- In connection with a student’s request for or receipt of financial aid, as necessary to determine eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid as well as to organizations conducting studies approved by the College having educational value or concerning financial aid.
- To state and local authorities, within a juvenile justice system, if required pursuant to specific state law.
- To parents of an eligible student who claim the student as a dependent for income tax purposes. College officials whose employment duties permit them access to information from parents’ federal income tax returns may use those returns to determine whether students are dependent on a parent as defined by the Internal Revenue Service. In such cases, FERPA and College policy permit those officials to disclose information from those student’s education records to their parents without written student consent. The College is not required to notify students or maintain a record of these disclosures.
- To persons in compliance with a judicial order or a lawfully issued subpoena, with a notice of the disclosure being sent to the last known address of the student. The College will make a reasonable effort to notify the student of the order or subpoena in advance of compliance, unless otherwise directed by the order or subpoena.
- To persons in an emergency if, in the judgment of an official in charge of the records, knowledge of the information is necessary to protect the health or safety of the student or another person.

Students have the right to file, with the U.S. Department of Education, a complaint concerning alleged failure by the College to comply with FERPA to:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920

The College may deny access to the following classes of records:

- Financial information submitted by parents.
- Confidential letters or recommendations placed in the file prior to January 1, 1975.
- Confidential letters or recommendations to which the student has waived rights of inspection.
- Private records of instructors, counselors, or administrators kept for their own use.
- Medical, psychiatric, psychological, or similar records.

Students’ names and SFC email addresses will be available to faculty, staff, and other students on the College’s computer network, including the e-mail server and the Angel Learning Management system.

Certain state and federal laws modify some or all rights granted by FERPA. Such laws include SEVIS and INS compliance (Department of Homeland Security), Megan’s Law, the Solomon Amendment, and NCES/IPEDS/Student Right-to-Know compliance. St. Francis College releases education records as these laws require.

Student Directory information may be released without the student's prior consent. St. Francis College defines the following as Directory Information:

- student's name.
- College-assigned ID number.
- address, telephone numbers, and email addresses.
- age (or date of birth) and place of birth.
- photographs.
- major and minor fields of study.
- level (undergraduate/graduate) and class year.
- schedule(s) of classes, enrollment load(s) (full-time/part-time), and dates of attendance.
- matriculation status and date.
- honors and awards.
- degrees received (including date of award).
- previous institutions attended.
- participation in clubs, sports, or student activities.
- height and weight of members of athletic teams.

To withhold information, students must make a formal request by submitting a signed, dated letter to the Office of the Registrar. Students are advised that withholding information may carry certain consequences. For example, as long as a non-disclosure order is in effect, the student may not participate in intercollegiate athletics where team rosters are published or in commencement ceremonies. St. Francis College assumes no liability for honoring the student's instructions to withhold information.

For additional information, please contact the Office of the Registrar.

## Drug-Free Policy in Accordance with the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226)

The unlawful possession, use, or distribution of illicit drugs, prescription medication, and alcohol by students and employees of St. Francis College is prohibited on the College's property, student-occupied housing, or any other property on which a College activity takes place.

Allegations of any violation of this standard by a St. Francis College student shall be dealt with in accordance with the Judicial Process applicable to all alleged violations of the College's Standards of Conduct Expected of Students. Students are advised that disciplinary sanctions will be applied following a finding of guilt, and that these may include expulsion from the College. All members of the College community are further advised that the College may, in addition to imposing its own penalties, refer to appropriate authorities any case involving a violation of the standard of conduct pertaining to drug and alcohol abuse, wherein a finding of guilt is rendered.

## Drug and Alcohol Counseling Treatment and Rehabilitation Programs Available to Employees and Students

The resources listed below are agencies with which the College has developed a good working relationship. Students who believe that they might benefit from any of the services provided below should see the

Dean of Students, who will be glad to facilitate a referral, in confidence. Similarly, employees should contact the Director of Human Resources.

### 1. Daytop Village

500 8th Avenue  
New York, NY 10018  
(212) 904-1500

Services:

- a. Counseling, treatment, and rehabilitation for abusers of all drugs. (non methadone).
- b. In- and out-patient treatment.
- c. Job training.

### 2. Alcoholics Anonymous

Hotline: (718) 339-4777

### 3. Neighborhood Counseling Center

7701 13th Ave (Dyker Heights)  
(718) 232-1351

### 4. Community Affairs Liaison

84th Precinct, NYPD  
(718) 875-6850

### 5. SAFE Horizon

2 Lafayette Street  
New York, New York  
(212) 577-7700  
Hotline (24 hours a day) – (212) 577-7777

## Additional Resources

For additional information, please contact The National Institute on Drug Abuse Hotline, 1-800-662-4357, an information and referral service that distributes Department of Education publications about drug and alcohol prevention programs.

In addition, the College's Student Health Center, 718-489-5366, and Counseling Center, 718-489-5335, is stocked with literature and other materials concerning illicit drugs and alcohol abuse treatment resources frequently used by students in the vicinity of the College. Students and employees are encouraged to take advantage of this valuable in-house resource with the assurance that any inquiry will be treated in the strictest confidence.

## Legal Sanctions Concerning Alcohol and Drugs

1. Federal Law: The Federal Controlled Substances Act prohibits the knowing, intentional, and unauthorized manufacture, distribution, or dispensing of any controlled substance or the possession of any controlled substance with intent to manufacture, distribute, or dispense. Federal law also prohibits the knowing, intentional, and unauthorized creation, distribution, dispensing, or possession with intent to distribute or dispense a "counterfeit substance."

Simple possession carries a penalty of up to one (1) year imprisonment and a fine of not less than \$1,000. Maximum penalties for narcotic trafficking violations range from twenty (20) years to life imprisonment. Certain violations carry mandatory minimum prison sentences of either five (5) years or ten (10) years. For example, the possession with intent to distribute one kilogram or more of a substance containing a detectable amount of heroine carries a term of imprisonment of not less than ten (10) years and up to life imprisonment. Possession with intent to distribute five hundred (500) grams or more of a mixture or a substance containing a detectable

amount of cocaine carries a sentence of not less than five (5) years and not more than forty (40) years imprisonment.

Penalties are increased for certain specific drug crimes under federal law as follows:

- a. the distribution of narcotics to persons under 21 years of age;
- b. the distribution or manufacturing of narcotics near schools and colleges;
- c. the employment of juveniles under the age of 18 years in drug-trafficking operations;
- d. the distribution of controlled substances to pregnant women.

Penalties for the violation of federal narcotic statutes vary greatly and depend upon two principal factors: the type of drug involved and the quantity of the drug involved. More severe penalties are imposed if a firearm is used in the commission of a drug offense. If a drug offense results in death or serious bodily injury to a person who uses the drug, the penalties are increased.

2. New York Law: The use, possession, and sale of controlled substances are subject to severe sanctions under New York law. The specific criminal sanctions are set forth in the New York State Penal Law and the severity of each offense is contingent upon the type and quantity of the illegal substance as well as the intent of the holder, such as personal use or distribution. For example, knowingly and unlawfully possessing a narcotic drug is a class C felony subject to up to five and one-half (5 ½) years imprisonment. Knowingly and unlawfully possessing a narcotic drug with the intent to sell is a class B felony subject to up to nine (9) years imprisonment. Criminally using drug paraphernalia, including capsules, glassine envelopes, vials, or any other material suitable for the packaging of individual quantities of narcotic drugs or stimulants is considered a class A misdemeanor and is subject to up to one year imprisonment.

Additionally, under New York State laws, the sale or distribution of alcoholic beverages to a person under the age of 21 is deemed a misdemeanor and punishable by a fine of up to \$1,000 and imprisonment for up to one year. New York has a Zero Tolerance Law for individuals under the age of 21 who operate a motor vehicle after consuming alcohol, irrespective of whether the individual's blood alcohol content exceeds the legal limits for intoxication. Under the Zero Tolerance Law an individual can be subject to various penalties including fines and license revocation or suspension.

## Health Risks Concerning Alcohol and Drugs

1. Drugs and alcohol are toxic to the human body and can have catastrophic health consequences if abused. Some drugs are so toxic that even one use can be fatal. St. Francis College does not seek to give specific medical advice by disseminating this policy but offers the following information solely for its educational value.
2. Alcohol is the most widely used and abused drug in the United States. Alcohol consumption has acute effects on the body and causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car or operate machinery safely.
3. Low to moderate doses of alcohol increase the incidence of aggressive acts, including spouse and child abuse and dangerous risk-taking behavior. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses can cause respiratory depression and death.
4. If combined with other depressants of the central nervous system, even low doses of alcohol can be fatal.
5. Alcohol-related automobile accidents account for a significant number of deaths among people ages 15 to 24 years.
6. Repeated use of alcohol can lead to physical and psychological dependence.
7. Dependent persons who suddenly stop drinking are likely to suffer withdrawal symptoms, including severe anxiety, tremors, hallucinations, and seizures.
8. Alcohol withdrawal can be life-threatening. Long term consumption of large quantities of alcohol, especially when combined with poor nutrition, can lead to permanent damage of vital organs, such as the brain and the liver.
9. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants can have irreversible physical abnormalities, as well as learning, memory, attention span, communication, vision, or hearing problems.
10. Research also indicates that children of alcoholic parents are at increased risk to become alcoholics themselves.
11. Drugs interfere with the brain's ability to take in, sort, and synthesize information. They distort perception, which can lead users to harm themselves or others. Drugs also effect sensation and impair memory. In addition, there are specific health risks associated with particular types of drugs.
12. Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils and elevated blood pressure, heart rate, respiratory rate and body temperature. Occasional use can cause a stuffy or runny nose, while chronic use can ulcerate the mucus membrane of the nose. Injecting cocaine with contaminated equipment can cause AIDS, hepatitis, and other diseases. Preparation of free base, which involves the use of volatile solvents, can result in death or injury from fire or explosion.
13. Cocaine can produce psychological or physical dependency, a feeling that the user cannot function without the drug. In addition, tolerance develops rapidly, thus leading to higher and higher doses to produce the desired effect.
14. Crack or free base rock is a purified form of cocaine that is smoked. Crack is far more addictive than heroine or barbiturates. Repeated use of crack can lead to addiction within a few days. Once addicted, many users have turned to stealing, prostitution, and drug dealing in order to support the habit.
15. The effects of crack are felt within seconds. The physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia, and seizures. Continued use can produce violent behavior and a psychotic state similar to schizophrenia.
16. Cocaine in any form, but particularly in the purified form known as crack, can cause sudden death from cardiac arrest or respiratory failure.
17. Marijuana can cause:
  - a. Elevated blood pressure, coughing, dryness of the mouth and throat, decrease in body temperature, sudden increased appetite, and swollen red eyes;
  - b. A panic reaction or paranoia;
  - c. Distortions of time, reality, and perception, often impairing short term memory;

- d. Possible psychological dependence;
  - e. Dysfunctional thinking, learning, and recall;
  - f. Impaired ability to drive, operate machinery, or do other things that require physical and intellectual coordination;
  - g. Irritation of the lungs, aggravating asthma, bronchitis, or emphysema;
  - h. Listlessness, tiredness, inattention, carelessness about personal grooming, withdrawal, and apathy.
18. Narcotics such as heroin, codeine, and morphine can cause:
- a. Loss of appetite;
  - b. Addiction with severe withdrawal symptoms;
  - c. Drowsiness, clouding of the mental processes, apathy, slowing of the reflexes and physical activity;
  - d. Infection, hepatitis, or AIDS from contaminated needles;
  - e. Death from overdose.
19. Hallucinogens such as LSD, PCP, and angel dust can cause:
- a. Frightening hallucinations;
  - b. Worsening problems for a person who has a history of mental or emotional instability;
  - c. Distortions of reality, including the feeling that the frightening effects of the drug will last forever;
  - d. Tolerance from repeated use, leading to increased dosages to bring about the same effects;
  - e. Flashbacks, days or even weeks later;
  - f. Death from suicide or accident.
20. Amphetamines, methamphetamines, and other stimulants can cause:
- a. Elevated blood pressure, dilated pupils, and decreased appetite;
  - b. Sweating, headaches, blurred vision, dizziness, sleeplessness, and anxiety;
  - c. Rapid or irregular heartbeat, tremors, loss of coordination, and physical collapse;
  - d. Sudden increases in blood pressure that can cause a stroke, very high fever, or heart failure;
  - e. Restless, anxious, and moody feelings;
  - f. Amphetamine psychosis that includes hallucinations, delusions, and paranoia.
21. Barbiturates, Quaaludes, Valium, and other tranquilizers and depressants can cause:
- a. Many of the same effects as alcohol;
  - b. Calmness and relaxed muscles at smaller doses, but slurred speech, staggering, and altered perception with larger doses;
  - c. Respiratory depression, coma, and death;
  - d. Physical and psychological dependence;
  - e. Increased use as drug tolerance develops;
  - f. Withdrawal systems ranging from restlessness, insomnia, and anxiety to convulsions and death;
  - g. Birth defects and behavioral problems in the children of users;
  - h. Physical dependence and withdrawal symptoms in babies born to mothers who have used depressants during pregnancy.
22. Inhalants such as laughing gas and whippets can cause:
- a. Nausea, sneezing, coughing, nose bleeds, fatigue, lack of coordination, and loss of appetite;
  - b. Decreased heart and respiratory rate;
  - c. Impaired judgment;
  - d. Rapid pulse, headaches, and involuntary passing of urine and feces;
  - e. Brain damage from long term use;
  - f. Disorientation, violent behavior, unconsciousness, or death;
  - g. Weight loss, fatigue, electrolyte imbalance and muscle fatigue from long term use;
  - h. Permanent damage to the nervous system.
23. Anabolic steroids can cause:
- a. Liver disease;
  - b. Cancer;
  - c. Growth problems;
  - d. Testicular atrophy;
  - e. Bone fusions;
  - f. Acne;
  - g. Psychological problems;
  - h. Rage and uncontrollable anger;
  - i. AIDS from contaminated equipment;
  - j. Breast reduction;
  - k. Failure to develop secondary sex characteristics;
  - l. Sexual dysfunction, sterility, and impotence;
  - m. Fetal damage;
  - n. Jaundice, purple or red spots on the body, swelling of feet or lower legs, unexplained darkening of the skin, and persistent breath odor;
  - o. Heart attack;
  - p. Stroke.

## Policy for Bias-Related/Hate Crimes

St. Francis College believes that all members of the College should be part of a Franciscan campus environment that respects differences of culture, gender, religion, race, age, lifestyle, or ability. These expectations are communicated in our creed, Living the Franciscan Spirit. In accordance with this spirit, the College has established policies and procedures for preventing and prosecuting bias related crimes occurring on the College's property, including student occupied housing, or any other property on which a College activity takes place.

### Federal Law

Under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act), 20 U.S.C. §1092(f), the College is required to disclose, in its Annual Security Report, all bias related/hate crimes. These statistics can be found on the College's Safety and Security webpage. The Clery Act defines hate crimes as criminal offenses "that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability." 20 U.S.C 1092(c)(viii)(B)(3).

### New York Law

The New York Penal Code provides that "a person commits a hate crime when he or she commits a specified offense and either 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 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, or intentionally commits the 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." N.Y. Penal Law § 485.05.

The "specified offenses" mentioned above are "assault in the third degree; assault in the second degree; assault in the first degree; aggravated assault upon a person less than eleven years old; menacing in the first degree; menacing in the second degree; menacing in the third degree; reckless endangerment in the second degree; reckless endangerment in the first degree; strangulation in the second degree; strangulation in the first degree; manslaughter in the second degree; manslaughter in the first degree; murder in the second degree; stalking in the fourth degree; stalking in the third degree; stalking in the second degree; stalking in the first degree; rape in the first degree; criminal sexual act in the first degree; sexual abuse in the first degree; aggravated sexual abuse in the second degree; aggravated sexual abuse in the first degree; unlawful imprisonment in the second degree; unlawful imprisonment in the first degree; kidnapping in the second degree; kidnapping in the first degree; coercion in the second degree; coercion in the first degree; criminal trespass in the third degree; criminal trespass in the second degree; criminal trespass in the first degree; burglary in the third degree; burglary in the second degree; burglary in the first degree; criminal mischief in the fourth degree; criminal mischief in the third degree; criminal mischief in the second degree; criminal mischief in the first degree; arson in the fourth degree; arson in the third degree; arson in the second degree; arson in the first degree; petit larceny; grand larceny in the fourth degree; grand larceny in the third degree; grand larceny in the second degree; grand larceny in the first degree; robbery in the third degree; robbery in the second degree; robbery in the first degree; harassment in the first degree; aggravated harassment in the second degree; or any attempt or conspiracy to commit any of the foregoing offenses." N.Y. Penal Law § 485.05.

## Reporting Hate Crimes

A member of the College community who feels that he or she has been the victim of a hate crime, or may have witnessed such an incident, should contact the College's Dean of Students at (718) 489-5315 or, outside of regular business hours, at (347)-633-1374. In all cases where a hate crime is alleged to have occurred on the College's property, including student occupied housing, or any other property on which a College activity takes place, the College will investigate the matter and if necessary facilitate or initiate the process of reporting the incident to the New York City Police Department's 84th Precinct. All College personnel will cooperate fully with police authorities in investigating the alleged offense.

Additionally, any reported allegations of a hate crime against a student will be investigated promptly, thoroughly, and impartially by the Dean of Students or a designee at his or her discretion. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Students charged with committing a hate crime will be subject to the disciplinary sanctions and procedures outlined in The Cord under Sanctions for Misconduct.

## Penalties

The New York Hate Crimes Act of 2000 provides for enhanced penalties when the commission of a specified offense is determined to be a hate crime. Therefore, when the predicate offense is a class C, D, or E felony or a misdemeanor, the crime for which the individual is convicted is "deemed to be one category higher than the specified offense." N.Y. Penal

Law § 485.10(2). When the specified offense is deemed a violent felony offense, the hate crime shall also be deemed a violent felony offense.

Internal College sanctions can range from written or verbal reprimands to suspension or expulsion. A full list of penalties is set forth in The Cord under Sanctions for Misconduct.

## Hate Crime Prevention Information

Bias related/hate crimes can occur under any circumstance and in any environment. In order to promote the safety and security of all members of the College community the College's Introduction to Sociology course features a unit on hate crimes. Introduction to Sociology is part of the College's core curriculum, and is required to be taken by every student. This unit, included in the course's section on Prejudice, Discrimination, and Racism, exposes students to the ideas of racism and discrimination at the macro-level in terms of structural discrimination (e.g., education, housing, and employment), and at the micro-level (e.g. racism and discrimination against individuals in terms of personal attitudes and behavior). The section on micro-level racism addresses the causes and consequences of hate crimes, as well as notable NYC cases involving hate crime incidents. Students also learn, how to identify hate crimes and how to respond and get help if they, or a classmate, needs help.

## Availability of Counseling

Victims of, or witnesses to, a hate crime can obtain counseling and support services by contacting the College's Counseling Center at 718-489-5335 or Student Health Services at 718-489-5366. Additionally, victims may seek assistance through community resources, including:

- Ambulance / Police / Fire Department - Call 911
- Emergency Medical Service - 718-416-7000
- Emergency Dental Service - 212-582-4065
- The Brooklyn Hospital Center - 718-250-8000
- Brookdale University Hospital and Medical Center - 718-240-5000
- SUNY Downstate Medical Center - 718-270-1000
- New York Methodist Hospital - 718-780-3000
- New York Presbyterian Hospital - 212-746-5454
- Brooklyn's Women's Services - 718-748-1234
- Safe Horizon's Crime Victims Hotline - 866-689-4357
- Center for Anti-Violence Education - 718-788-1775
- Safe Horizon Counseling Center - 347-328-8110

For a list of hospitals and counseling centers in New York City, including rape crisis centers and counseling programs, go to <http://www.svfreenyc.org/get-help/>

For updates concerning security procedures, students should refer to the College's Emergency Action Plan, Annual Security Report, SFCAlerts, or the College's Safety and Security webpage.

## Policy for the Maintenance of Public Order

Pursuant to Article 129-A of the New York Education Law, the Board of Trustees of St. Francis College has adopted the following policy that includes rules for the maintenance of public order on the College's campus and other College property used for its educational programs and activities, including student-occupied housing, and a program for the enforcement of such rules.

All members of the College community, including students, faculty, staff, visitors, licensees, and invitees, shall comply with the following Rules of Public Order as well as city, state, and federal laws.

## Rules of Public Order

1. Disorderly or indecent conduct on College property is prohibited.
2. Unauthorized possession or consumption of alcoholic beverages or controlled drugs and/or the possession or consumption of illegal substances on College property is prohibited.
3. No person shall be asked, required, or expected to consume alcoholic beverages or to use any illegal and/or controlled drugs of any kind for the purpose of becoming a member of a College activity, club, or committee.
4. No situation or action that recklessly or intentionally endangers the mental or physical health of any person shall be permitted.
5. All forms of hazing by an individual, group, or organization are expressly prohibited.
6. No member of the College community shall intentionally obstruct and/or forcibly prevent others from the exercise of their rights or otherwise interfere with the educational process.
7. No individual may refuse to comply with the lawful directive of a College representative.
8. Theft or intentional damage to College property, including individual property, is expressly prohibited. This includes inappropriate use of computer technology for other than school-related activities.
9. Unauthorized occupancy of College facilities or blocking access to or from such areas is prohibited. Permission for the extra-curricular use of College facilities must be obtained in writing from the Dean of Students or Director of Student Activities. Theft or intentional damage to College or individual property is expressly prohibited.
10. Whenever the disruption of public order on campus constitutes an immediate and severe threat to the safety and welfare of the College, its students, faculty, administrators, and/or employees, the President or his or her designee will take whatever action is required, without delay, to restore order and eliminate the threat to the College community.

Nothing contained in these rules is intended to be construed to limit or restrict the freedom of speech and peaceful assembly.

## Enforcement and Penalties

The College recognizes that appropriate disciplinary measures are contingent on the kinds of disruption and the seriousness of the incident. Consequently, any violation of the Rules of Public Order will be dealt with by the Dean of Students or his or her designee.

## Ejection

A student, faculty member, or administrator charged with a violation of the Rules of Public Order may be ejected from the College's property, including student-occupied housing, or any other property on which a College activity takes place, when the conduct presents a substantial danger to personal safety, property, or to the educational activities of the College.

Any licensee or invitee charged with a violation of the Rules of Public Order shall be asked to leave the Campus and his or her license or invitation will be withdrawn. In the event the licensee or invitee fails or refuses to leave the premises the Dean of Students shall cause his or her ejection by notifying campus security and/or local law enforcement where necessary.

## Violations and Sanctions

A student charged with a violation of the Rules of Public Order will be subject to the disciplinary sanctions and procedures outlined in The Code under Sanctions for Misconduct. A faculty member charged with a violation of the Rules of Public Order shall be subject to the procedures described in the Faculty Statutes.

## Missing Student Notification Policy and Procedures

### Policy Statement

It is the policy of St. Francis College to investigate any report of a missing student who resides in College-designated housing. The College is committed to maintaining a safe and secure environment for its students and has created the following procedures to be followed in the event a student is reported or believed to be missing. This policy applies to students residing in College-designated housing.

### Confidential Contact

Students residing in College-designated housing will have the opportunity to register a confidential emergency contact to be notified in the event the student is reported missing. Any contact information provided by the student is confidential and will not be disclosed except to authorized campus officials and law enforcement personnel in furtherance of a missing person investigation. If a student is under the age of 18 and not an emancipated minor, the College will notify the student's parents or legal guardian in addition to any listed confidential emergency contact information.

### Reporting Procedures

Any person who has reason to believe that a student may be missing should immediately contact the Dean of Student, located in Room 3307 of 180 Remsen Street and available at (718) 489-5315 or, outside of normal business hours (9:00 a.m. to 5:00 p.m.), at (347)-633-1374. The Dean of Students, in conjunction with College Security, will investigate each report and make an informed determination as to whether the student is considered missing in accordance with this policy. This investigation may include, without limitation: (i) contacting the student's cell phone or campus phone; (ii) speaking with the student's roommates, individuals residing in the student's building, and any other known associate(s) of the suspected missing student; (iii) reviewing the student's class schedule and access card history; and (iv) undertaking whatever other action is deemed appropriate, under the circumstances, to be in the best interest of the suspected missing student. If the Dean of Students determines that the student has been missing for 24 hours, the Dean of Students will immediately contact the New York City Police Department's 84th Precinct, the College's local precinct. Additionally, within 24 hours of making the determination that the student is missing, the College will notify the student's confidential emergency contact. If the student is under the age of 18 and not an emancipated minor, the College will also contact the student's parents or legal guardian within such 24-hour period.

Nothing in this policy prevents the College from contacting other individuals if deemed necessary to prevent harm to a student or others, necessary to the investigation, or otherwise appropriate under the circumstances.

# Non-Discrimination and Anti-Harassment Policy

## Notice of Non-Discrimination and Policy Statement

St. Francis College prohibits harassment and discrimination on the basis of sex, race, color, gender (including gender identity), religion, national origin, age, disability, alienage or citizenship status, marital status, creed, genetic predisposition or carrier status, sexual orientation, or any other characteristic protected by law in its education programs and activities or employment.

The College complies with all state and federal statutes, executive orders, and regulations Individuals or groups who believe they have been victims of discrimination or harassment on and Anti-Harassment Policy. Complaints of discrimination or harassment on the basis of sex that involve sexual misconduct are governed by the College's polies for reports of student sexual misconduct or employee sexual misconduct, as applicable. For information about these policies, please contact the College's Title IX Coordinator.

## Definitions

For purposes of this policy, discrimination occurs when, on the basis of race, color, gender, religion, national origin, age, disability, alienage or citizenship status, marital status, creed, genetic predisposition or carrier status, sexual orientation or any other characteristic protected College program or activity.

Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, gender, religion, national origin, age, disability, alienage or citizenship status, marital status, creed, genetic predisposition or carrier status, sexual orientation, or any other characteristic protected by law ("Protected Characteristic"), and that: (i) has the purpose or effect of creating an intimidating, hostile, or offensive environment; (ii) has the purpose or effect of unreasonably interfering with an individual's academic or work performance; or (iii) otherwise adversely affects an individual's educational or employment opportunities. Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes and display or circulation on College property or in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

"Retaliation" means taking any adverse action or attempting to take adverse action, including intimidating, threatening, coercing or in any way discriminating against an individual because of the individual's complaint of discrimination or harassment, or participation in an investigation or proceeding related to allegations of discrimination or harassment.

## Individuals and Conduct Covered

This policy applies to all applicants, students, and employees, and prohibit harassment, discrimination, and retaliation, whether engaged in by a fellow student or employee, a supervisor or manager, or persons conducting business with or visiting the College, or any behavior that takes place at a College sponsored event.

## Retaliation Is Prohibited

St. Francis College prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination, or for participating in an investigation of a claim of

harassment or discrimination, is a serious violation of this Policy and, like harassment or discrimination itself, will be subject to disciplinary action.

## Reporting an Incident of Harassment, Discrimination, or Retaliation

St. Francis College strongly urges the reporting of all incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position. Individuals who believe they have a complaint before the conduct becomes severe or pervasive. Complaints against a student should be brought to the Dean of Students (Room 3307, 718-489-5305). Complaints against an administrator, staff, or faculty member should be brought to the head of the Human Resources Department (Room 6320, 718-489-5256). Complaints against either the Dean of Students or head of the Human Resources Department should be brought directly to the Chief of Staff (8th Floor, 718-489-5220).

Early reporting and intervention have proven to be the most effective methods of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, the College strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The College will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its students and employees.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued. Knowingly making false allegations of harassment or discrimination, or providing evidence with the knowledge that it is false, is also a violation of College policy and will subject a person to disciplinary action up to and including dismissal or discharge.

## The Investigation

Any reported allegations of harassment, discrimination, or retaliation against a student will be investigated promptly, thoroughly, and impartially by the Dean of Students, or a designee at the discretion of the Dean of Students. Any reported allegations of harassment, discrimination, or retaliation against an employee will be investigated promptly, thoroughly, and impartially by the Director of Human Resources, or a designee at the discretion of the head of the Human Resources Department. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Members of the College community must cooperate with investigations of discrimination or harassment occurring in relation to College programs or activities. Individuals with relevant information who refuse to cooperate upon request to do so may be subject to disciplinary action.

In order to facilitate a fair and thorough investigation, the College will utilize its best efforts to maintain the confidentiality of any individual participating in the investigation. However, the College's efforts must be consistent with adequate investigation and appropriate corrective action. The College can direct students to confidential counseling services at no charge to the students.

## Responsive Action

Misconduct constituting harassment, discrimination, or retaliation will be dealt with promptly and appropriately. Responsive actions, as the College believes appropriate under the circumstances, may include but are not limited to: training, referral to counseling, monitoring of the offender, and/

or disciplinary action, such as a warning or reprimand, suspension or expulsion from the College or residence hall, demotion, reassignment, temporary suspension without pay, or termination.

These policies should not, and may not, be used as a basis for excluding or separating individuals on the basis of a Protected Characteristic from participating in educational programs or activities or College related social activities or discussions in order to avoid allegations of harassment. The law and policies of St. Francis College prohibit disparate treatment on the basis of a Protected Characteristic with regard to terms, conditions, privileges, and prerequisites of educational program, activities, or employment. The prohibitions against harassment, discrimination, and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.

## Policies and Procedures Regarding the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 and Requests for Accommodations

St. Francis College does not discriminate against any individual in the administration of its admissions policies, scholarships and loan programs, athletics, educational policies or other College services and/or activities. In accordance with Section 504 of the Rehabilitation Act of 1973 and with the Americans with Disabilities Act (ADA) of 1990 as amended in 2008, the College is committed to providing equal educational opportunities and aims to ensure that no member of the College community, on the basis of a disability, is excluded from participation in, or denied the benefits of, any program provided by St. Francis College.

### Summary of Applicable Laws and Regulations:

Section 504 of the Rehabilitation Act of 1973 serves to protect persons from discrimination on the basis of their disability and applies to any organization receiving federal financial assistance. Under Section 504, an institution of higher education is required to make appropriate adjustments and modifications to, among other things, admission requirements, academic programs, housing, and nonacademic services to ensure that a qualified individual is not discriminated against on the basis of his or her disability.

The ADA is a federal civil rights law designed to extend statutory protections against discrimination to individuals with qualified disabilities. In pertinent part the statute provides that “[n]o individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation.” 42 U.S.C. § 12182(a).

### Important Definitions

“Disability” is defined as “a physical or mental impairment that substantially limits one or more of the major life activities” or an individual who has a record of, or is regarded as, having such a physical or mental impairment. 28 C.F.R. 35.104.

“Major Life Activities” means “functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.” 28 C.F.R. 35.104.

“Qualified individual with a disability” refers “an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.” 28 C.F.R. 35.104.

### Accommodations for Students with Documented Disabilities

The College earnestly desires to remove barriers to full engagement in the learning process and to facilitate the educational experience of all students including those with documented mobility, vision, or hearing impairments, or any other physical or mental conditions which places limits on full participation. The College will make reasonable modifications to its practices, policies and procedures unless doing so would significantly alter the essential elements of the service, program, or activity, or result in an undue administrative or financial burden.

The College is prepared to meet the special needs of such students, which may include, inter alia, the following:

1. Note-takers
2. Sign-language interpreters
3. Large-print text readers and other reading aids
4. Special seating arrangements
5. Full accessibility to all educational programs and services, including relocation of a class or classes to an accessible location if necessary.
6. Adaptive computer hard- and software.
7. Opportunity for tape-recording lectures, discussions, and other classroom and laboratory activities.
8. Other facilities, tools, or services which may be required to accommodate a particular physical disability.

### Eligibility for Accommodations and/or Special Services

In order to be eligible to receive accommodations or support services, a student with a disability must contact the Dean of Students, as far in advance of the beginning of the term for which accommodations and/or services are requested as possible. Particular services (e.g., textbooks on tape, sign language interpreters, special auditory and visual aids) require substantial advance notice. Provision of these services is directly dependent upon timely notification on the part of the student.

The student requesting accommodations and/or support services must provide appropriate documentation of his/her disability. In the great majority of cases, this will comprise lines from competent medical authority describing the nature of the condition, the limitations this condition imposes and services which will best assist the student to transcend these limitations.

The requesting student should present the required documentation and his/her request for particular accommodations and/or services to the Dean of Students in Room 3307. The College reserves the right to verify the documentation provided by the student.

### Responsibilities

The Dean of Students is the institutional representative assigned the specific responsibility for responding to the needs of students with documented disabilities, including assisting them in identifying needs and particular accommodations and liaising with external agencies which provide assistance and funding to disabled persons (e.g., V.E.S.I.D,



Commission on the Blind). In order for a student to be eligible for services and accommodations, he or she must identify him or herself to the Dean of Students as soon as practicable after he or she has been admitted to the College.

The student is also required to provide the Dean of Students with all relevant documentation attesting to the validity of the disability, as well as a summary of requested accommodations and services.

Further, the student must fully cooperate with external agencies to which he or she may be referred for assistance and/or funding.

At the beginning of every semester (within the first week of class), the Dean of Students will inform, by memorandum, each instructor who has a student with a documented disability in class of this fact. Copies of this memorandum will be forwarded to the Assistant Dean of Freshman Studies and relevant others, as well. Based upon the diagnostic materials presented to the Dean of Students, with recommendations, the memorandum will outline what is required to meet our institutional obligations to that student.

Faculty members are strongly encouraged to meet individually with any of their students with documented disabilities, as soon as practicable after the term's beginning, to discuss the particular arrangements which will be made. (**Note:** This should be done privately and discreetly). If there is any question concerning the nature of any of the accommodations required or its practical implementation, the Dean of Students should be promptly contacted. On any matter having academic implications, the Dean of Students will actively consult with the Assistant Dean of Freshman Studies.

## Requests for Accommodations

As described above, in order to be eligible for accommodations and services, the requesting student must identify his or herself to the Dean of Students the semester in which accommodations and/or services are needed.

## Disability Documentation Guidelines

Any student with an identified disability who is requesting accommodations or special services is required to provide appropriate documentation of his or her disability. The guidelines below provide information concerning the particulars that should be included in the request.

1. The testing upon which a diagnosis of a disability is based must comprise a comprehensive psycho educational evaluation. The following areas must be assessed
  - a. Ability. A standardized measure of overall intelligence is required, preferably one derived through the use of the Wechsler Adult Intelligence Scale-Revised. The WAIS-R is however, only one component of a full documentation report; the results of this test alone are not sufficient.
  - b. Achievement. Assessments of ability in reading, writing, and mathematics are required. Suggested instruments include:
    - i. The Woodcock-Johnson Psycho-educational Battery, Revised: Tests of Achievement, and
    - ii. The Stanford Test of Academic Skills (TASK); or
    - iii. A combination of tests in specific skill areas, such as the test of Written Language, the Woodcock Reading Mastery tests - Revised, and the Standard Diagnostic Mathematics test.
  - c. Processing Skills. Other areas of information processing such as short and long-term memory, visual and auditory processing, and

processing speed may also warrant evaluation as indicated by the results of one or more of the above tests. While the areas above must be included, they are not intended to preclude assessment of other relevant areas such as psychological status or vocational skills.

2. In order for accommodations and service claims to be based on accurate information about the student's current functioning, the testing must be recent. Generally, this means that it must have occurred within three years of the beginning of the semester for which accommodations or services are being requested.
3. The testing must specifically state that a learning disability is present and make explicit the criteria upon which that diagnosis is based. Terms such as "learning problems," "differences," "weaknesses," or "deficiencies" are not the equivalent of a diagnosed learning disability, and are inadequate. In the particular case of attention deficit disorders (ADD and ADHD), the criteria enumerated in the DSM-III-R must be used.
4. The testing must be performed by a qualified evaluator. Licensed psychologists, learning disability specialists, and educational therapists are most commonly involved. The evaluator's name and title must be clearly indicated on the report.
5. The report must contain specific information concerning the student's functional limitations (e.g., how his or her learning disability is likely to affect them in typical academic situations) and the nature of recommended accommodations.

In lieu of the above, the College will accept adequate documentation of a learning disability with an Individualized Education Program (IEP) or the equivalent from a student's secondary school, provided that:

1. The IEP was completed or up-dated within three years of the starting date of the semester in which the student seeks accommodations;
2. The IEP clearly indicates a diagnosis of a learning disability.
3. The IEP specifies particular limitations on the student's functioning; and
4. The IEP enumerates specific accommodations required for the student to minimize those limitations.

## Services

Depending upon the specific nature the disability and the recommendations included in the diagnostic report, a student with a disability may be eligible for one or more of the following:

1. Extra-time for examinations and in-class assignments (time and a half or double time)
2. Note-takers
3. Tape recording of lectures
4. Oral examinations
5. Readers
6. Separate Distraction Free environment for examination
7. Other individualized compensatory accommodations as may, from time to time, be required.

It should be noted that the College lacks sufficient resources to provide special one-on-one academic counseling, subject-matter tutoring, study skills and time-management workshops or remedial instructions to students with a disability beyond those which are available to all students through the Office of Academic Support Services and the faculty of individual academic departments.

## Contact Information

As described above, the Dean of Students is the institutional representative assigned the specific responsibility for responding to the needs of students with documented disabilities, including assisting them in identifying needs and particular accommodations. The Dean of Students can be reached at 718-489-5315 or by visiting Room 3307 between the hours of 9 a.m. – 5 p.m., Monday – Friday.

## Confidentiality

To the extent possible, confidentiality will be maintained for all students seeking academic or physical accommodations.

## Grievance Procedure

Any student who believes that he or she has been subject to discrimination on the basis of disability or has been denied access or accommodations required by law shall have the right to invoke the grievance procedures set forth in the College's Non-Discrimination and Anti-Harassment Policy.

## Investigation of Violent Felony Offenses

Pursuant to Article 129-A of the New York State Education Law, the College has adopted this policy for the investigation of violent felony offenses that occur on the St. Francis College campus or in College-designated housing. In all cases where a violent felony offense has occurred or is alleged to have occurred on the St. Francis College campus or College designated housing, the College will immediately notify 911 and the New York City Police Department's 84th Precinct, the College's local precinct. All College personnel will cooperate fully with police authorities in investigating the alleged offense.

"Violent felony offenses" include: murder; kidnapping; manslaughter; rape; aggravated sexual abuse; sexual conduct against a child; assault; arson; robbery; criminal possession of a weapon; criminal use of a firearm; criminal sale of a firearm; aggravated assault upon a peace officer, fireman, or emergency services professional; gang assault; burglary; and intimidating a witness or witnesses.

The College and the Commanding Officer of the 84th Precinct have a close working relationship. The NYPD will promptly investigate if a violent felony offense occurs.

## Campus Security Information

### Building Access and Maintenance

The College campus is for the use of students, faculty, staff, and their invited guests, and those on official business. The entrance of St. Francis College is located at 180 Remsen Street. All members of the College community must swipe their identification card at the bollards upon arrival. All guests must present identification and register with our Security and Concierge Team. Guests will then be directed to their place of business. As people enter the building they are monitored by our Security Team, which covers the front desk, 24 hours a day, 7 days a week. Patrols are done hourly to ensure all exits are properly closed and to ensure the safety of everyone in the building. In addition to our Security Team, security cameras monitor all exits and entrances and certain areas on Campus. Students, faculty, staff, and visitors are encouraged to report needed repairs to the Facilities Department.

### Security Desk

The Security Desk is located in the main entrance lobby and is manned 24 hours a day. The security officer at this desk is available to receive

emergency calls. Each security officer is equipped with a radio and is always in voice contact with the Director of Security and his or her fellow security officers. All incidents are logged and reported to the Director of Security and Community Partnerships and Special Events. The college uses Competitive Edge Software to log and keep track of all security incidents. The Director of Security and Community Partnerships and Special Events monitors all security incidents.

Each telephone throughout the College is labeled with the Security Desk's extension in order to expedite communication from anywhere in the College to the Security Desk.

The Director of Security and the Office of Community Partnerships and Special Events are charged with the responsibility of overseeing the security function at St. Francis College. The Office of Community Partnerships and Special Events is open from 8:00am to 7:00pm. All emergencies, incidents, crimes, and other problems are reported by security officers to the Office of Community Partnerships and Special Events. When the Office of Community Partnerships and Special Events is not staffed, these reports are made to the appropriate administrator (Vice President for Financial Affairs during the day or the Assistant Academic Dean in the evenings).

## Reporting Criminal Activity

St. Francis College encourages all students and members of the College community to be fully aware of the safety issues on campus and to take action to promptly report any illegal or inappropriate activities. Personal awareness and applying personal safety practices are the foundation of a safe community.

To report a crime in progress or an emergency, please contact 911. Then please call (718) 489-5333, the College's dedicated emergency line.

For additional information about St. Francis College's safety and security policies, please refer to the College's Annual Security Report (<https://www.sfc.edu/student-life/safety-and-security/>), available on the College website.

## Emergency Notification

Students are asked to register for SFCALERTS, the College's emergency notification system. It will automatically send a message to your cell phone and home should an emergency or dangerous situation involving an immediate threat on campus occur. Please visit SFC Alerts (<https://www.sfc.edu/student-life/safety-and-security/sfc-alerts/>) for further information.

Students can update their notification information by visiting mySFC (<https://sfcbrooklyn.onelogin.com/login2?return=eyJ0eXAiOiJKV1QiLCJhbGciOiJIUzI1NiJ9.eyJ1cmkiOiJodHRwczovL3NmY2Jkd064-4435-8d0e-8ecff9f7fb02>) portal.

For Emergency Update information, check [www.sfc.edu](http://www.sfc.edu), or call security at (718) 489-2100 or (718) 489-2105.

## Guest Policy

In order to assure the safety and security of the learning environment, it is the policy of the College to permit access to its facilities only to those engaged in official business.

Students who wish to host a guest for any part of a College business day should make arrangements in advance with the Office of Admissions (for secondary school students) or the Office of the Dean of Students (for all others). Any student wishing to host an overnight guest should refer to the Residence Life Handbook.

All other visitors should make prior arrangements with the office upon which they are calling; appointments are encouraged. Those without appointments must be escorted by a member of the host department.

Students are advised that the College discourages them from bringing young children to the campus and assumes no responsibility for their welfare. Children may be allowed in class only with explicit permission of the instructor.