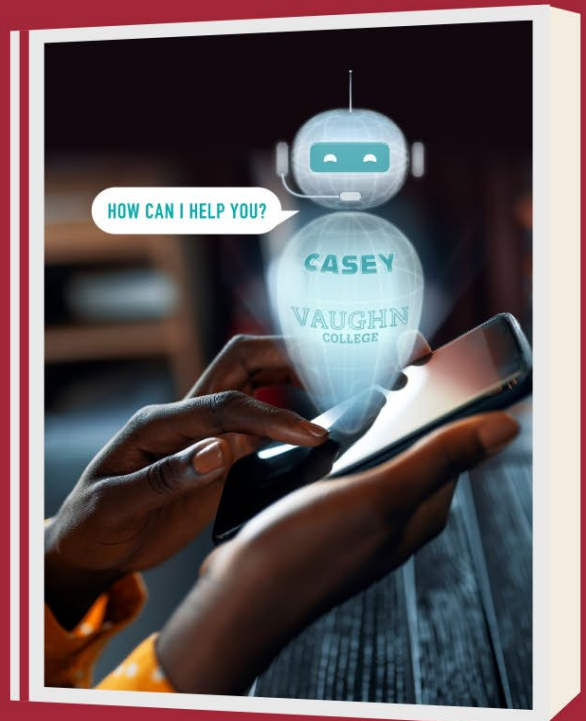


# VaughnCollege

of aeronautics and technology

## 2022-2023 Student Handbook



**Expectations ♦ Policies ♦ Procedures ♦ Resources**

*The Student Handbook and the policies and procedures that are contained within remain valid until the next edition is electronically published/posted. Students should receive email notification through their Vaughn College email when a revised edition and/or new policies/procedures are added or amended.*

# Vaughn College of Aeronautics and Technology

## 2022-2023 Student Handbook

A publication of the division of student affairs



### Welcome from the President

Welcome to our new and returning students for the 2022-23 academic year—a year that continues to challenge all of us as we adjust to life with ongoing viruses, address issues of racial injustice, and grapple with the changing laws surrounding gender identity and women’s reproductive rights all while trying to care for others and ourselves. As an institution, we are committed to your educational experience and supporting you and your learning experience especially during these turbulent times. This is an institution where you will receive excellent academic instruction, enjoy rewarding experiences, build long-lasting relationships, and be prepared for your career.

As we implement our strategic plan, you will also see continuous improvements in programs, facilities, and services to our students. I am especially excited this year about our new cafeteria and food service provider. This new space gives us the opportunity enjoy each other’s company while also savoring a great meal or sharing a cup of coffee.

Ultimately, our goal is for you to successfully graduate with the education and tools you need to begin the next phase of your life. As our vision states, we seek “To change the world one student at a time with a transformational education that creates a lifetime of opportunity.”

Whether you read this handbook as a new or returning student, use this guide to create and maintain a genuine sense of belonging with the Vaughn College community—something that you may have to work a bit harder at if you are on campus less often as you take advantage of remote learning. Not only will your Vaughn experience provide you with the valuable knowledge you need to succeed, but you can also develop other lifelong skills through leadership positions, interactions with diverse students and faculty, and participation in a wide variety of campus activities that can strengthen your career pathway (while you have fun!).

This handbook is designed to inform you of Vaughn’s services, programs, and activities, as well as our expectations of you as a member of our learning community. We hope it answers questions you may have about the resources available to you, the ways we work together to achieve our goals, and the opportunities you will have as a student. Please feel free to reach out to our dedicated faculty and staff should you need assistance or support. Best wishes for a fulfilling and successful year (and I look forward to seeing you in the new cafeteria—coffee is on me!).

Cordially,

Sharon B. DeVivo, Ed.D.

**2022-2023**  
**Senior Staff**

**Dr. Sharon DeVivo**

President and Chief Executive Officer

**Dr. Paul LaVergne**

Vice President of Academic Affairs

**Domenic Proscia**

Vice President of Training, Aviation Training Institute (ATI)

**Kelli Smith**

Vice President of Student Affairs

**Robert Waldmann**

Vice President of Finance and Business Services



## **Vision, Mission, Core Values**

### **The Vision of Vaughn College is . . .**

To change the world one student at a time with a transformational education that creates a lifetime of opportunity

### **The Mission of Vaughn College is . . .**

To provide a dynamic learning environment built on our aeronautical heritage that inspires a diverse and committed community of students to achieve success as leaders in the industries we serve

### **Core Value Statements**

**Demonstrate Integrity:** We pursue our mission following the highest standards of excellence, ethics and mutual trust, and expect everyone to be accountable for their decisions and actions.

**Embrace Diversity:** By respecting diversity in all its dimensions, we foster a community that invites and is inclusive of everyone.

**Practice Collaboration:** Our culture is driven by a commitment to shared governance, teamwork, communication and collaboration within the institution and in partnership with outside entities.

**Achieve Impact:** We are dedicated to providing students an educational experience that will transform their lives and to creating a learning environment for trustees, faculty and staff that nurtures a passion for student success.

**Choose Courage:** Leveraging our pioneering aeronautical heritage, we choose to be bold in our decision making, challenge the status quo, and generate opportunity for future generations.

## Message from the Dean of Students

Welcome to the Vaughn College learning community. It is my distinct pleasure to serve as your Dean of Students, or as I like to consider myself, the Dean FOR students. The role of the Dean is to be the chief student disciplinarian and the chief student advocate. Both facets are intended to support your educational goals and enhance the experiences of students.

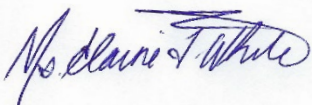
This student handbook along with the policies and expectations that are contained within it serve as a comprehensive guide for your out-of-classroom experiences, while the college catalog (available through the College website) is prepared to guide your academic/curricular experiences. As Vaughn students you have rights and responsibilities. You have the right to enjoy a college environment that is conducive to learning, growth, and development. Likewise, you have the responsibility to understand our expectations, policies and procedures that provide the structure needed to ensure the safety of the Vaughn community and the success of our students. As a Dean with decades of experience, I will use this opportunity to applaud returning students, as there have been comparatively few code of conduct violations; and I implore our newest students to review the expectations and adhere to our standards of behavior.

NOTE: **New policies and procedures are noted in red text.**

The 2022-2023 educational year will be challenging. We need you to be resilient. We will do our best to help you remain focused on your educational and career goals. The industries that you are preparing to enter will need your expertise. It is my expectation that you actively engage in learning both inside and outside the classroom as you prepare for your intended career. During your time with us, we welcome your participation and ideas to help us help you shape your collegiate experience. Vaughn College strives to be a supportive community where each individual student matters. To this end, we take student wellness seriously. Students should contact me or any member of the student affairs staff if there are concerns about a student's well-being. Take care of your health, especially your mental health! The College has a team of professionals who are able to connect you to resources. Additionally, if you are having difficulty navigating through the College system and need guidance on how to, or who to, resolve your concerns, you are welcome to contact me.

I am looking forward to an engaging year filled with robust student opportunities and experiences, provided that you share your talents, skills, knowledge and perspective with your peers and our collegiate community. We are thriving through the pandemic and are focused on supporting you, developing your leadership skills, and preparing you for your careers. What you get out of college is multiplied by what you put in. You are strongly encouraged to be an active college student both in class and on campus. Read your Vaughn emails, show up for a guest speaker and let us know you through your good work. The pandemic reinforces how precious every moment is and every day you get to be a college student is an opportunity for limitless possibilities.

Enjoy your educational journey!



**Elaine T. White**

Assistant Vice President for Student Affairs/Dean of Students

Title IX Coordinator

[elaine.white@vaughn.edu](mailto:elaine.white@vaughn.edu)

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## **IMPORTANT NOTICES**

### **Non-Discrimination Notice**

Vaughn College is committed to maintaining an environment in its educational programs and activities that is free from discrimination, harassment, or retaliation. The College expects that all its members will treat each other fairly and equitably, and without regard to differences. These standards encompass applicants, students, faculty, staff, visitors and vendors, and are to be observed by all members of the community with respect to all College operations.

Consistent with this commitment, it is the policy of Vaughn College not to tolerate unlawful discrimination or harassment based on age, race, color, creed, ethnic origin, religion, national origin, citizenship status, sex, gender, gender expression, sexual orientation, marital or partnership status, pregnancy, disability, military or veteran status, predisposing genetic characteristics, domestic violence status, or for any other legally protected basis. Such behavior is unlawful and undermines the character and purpose of Vaughn College.

This policy is not intended to abridge academic freedom, the open expression of ideas, or the College's educational mission, and does not extend to statements or written materials that are relevant and appropriately related to the subject matter of courses.

Any individual or group that feels there may have been discrimination or harassment is strongly encouraged to ask for guidance or file a complaint. The College will take steps to achieve a prompt and equitable resolution of any complaints. The College has appointed the Vice President of Student Affairs and the Associate Vice President of Human Resources as officials responsible for coordinating efforts regarding nondiscrimination and Section 504 and the Americans with Disabilities Act (rights and discriminatory practices involving individuals with disabilities). Additionally, there is an ADA officer:

### **Section 504/ADA:**

Frank Wang

Executive Director, Student Success Center Teaching and Learning Center 718.429.6600, ext. 163 [frank.wang@vaughn.edu](mailto:frank.wang@vaughn.edu).

Vaughn College has designated the college administrators identified below as the officials who can provide information on, or handle complaints regarding, Title IX (gender rights and non-discrimination) They may be contacted as follows:

### **Title IX**

Elaine T. White

Title IX Coordinator

Assistant Vice President for Student Affairs/Dean of Students

718.429.6600, ext. 366

[elaine.white@vaughn.edu](mailto:elaine.white@vaughn.edu)

Michael Harrington

Title IX Deputy Coordinator

Associate Vice President of Human Resources

718.429.6600, ext. 105

[Michael.harrington@vaughn.edu](mailto:Michael.harrington@vaughn.edu)

Kelli Smith

Title IX Deputy Coordinator

Vice President of Student Affairs

718.429.6600, ext. 371

[kelli.smith@vaughn.edu](mailto:kelli.smith@vaughn.edu)



## **Family Educational Rights and Privacy**

Students of the College have legal rights regarding educational records under the Family Educational Rights and Privacy Act of 1974, as well as the related regulations of the US Department of Education. Annually, the College informs students of their rights under the Family Educational Rights and Privacy Act (FERPA) and the relevant regulations. FERPA provides that:

1. Each student has a right to inspect and review his or her educational records and may request that any such record be amended if he or she believes that it is inaccurate, misleading or otherwise in violation of his or her right to privacy;
2. The College will obtain the student's written consent prior to disclosing personally identifiable information from the student's educational records, unless such consent is not required by FERPA; and
3. Each student has a right to file a complaint with the Family Policy and Regulations Office of the Department of Education, if the student feels the College has failed to comply with FERPA. Further information regarding FERPA policies at the College may be obtained from the registrar's office.

Consistent with FERPA, the College designates several categories of student information as "directory information," which may be disclosed for any purpose at the discretion of the College, unless such disclosure is specifically prohibited by the student as detailed below. Directory information shall consist of a student's name, address(es), telephone listing, email address, photograph, date and place of birth, major field of study, dates of attendance, participation in officially recognized activities and sports, height and weight of members of athletic teams, degrees, honors and awards received, most recent educational agency or institution attended and student identification number, user ID or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records with a PIN, password, etc. (A student's social security number cannot be used for this purpose.) At the beginning of the academic year, a student may request in writing from the registrar's office that directory information not be released. Such requests are valid only for that academic year. The College disclaims any and all liability for inadvertent disclosure of directory information.

## **Policy on Civil Rights / Religious Observances**

Vaughn College, as a nonsectarian institution, adheres to the general policy of including in the official calendar of the College certain legal holidays. Students who are members of any religious group may, without penalty, absent themselves from classes to comply with their religious obligations.

Given the various religions represented at the College and the nonsectarian nature of the College, the calendar policy is intended to apply equitably to all religious groups and to provide opportunities to all to meet their religious obligations.

Students who anticipate being absent because of any religious observance should notify faculty in advance of the absence. Whenever feasible, exams and assignment deadlines will not be scheduled on known religious holidays. Students absent from class because of their religious beliefs are not penalized for any class, exam, or assignment deadline missed on that day or days. Any student who is unable to attend class because of religious beliefs shall be permitted the opportunity to make up any exam or extend the deadline for any missed assignment. However, students are still responsible for making up assignments and exams. No adverse or retaliatory treatment shall result to any student who exercises his or her rights under this policy.

## **Photographs**

You may be photographed by College personnel while on campus or participating in a College function and your image or likeness may be used in promotional materials without an expectation of compensation, unless you notify the Dean of Students in writing of your intention to opt out.

## **Vaughn College Emails**

Vaughn College email is the official communication channel between students and College resources. Students are expected to check their emails frequently to receive information, updates, and invitations to exclusive College events.

## **SAFETY AND SECURITY**

This section, describing the College's safety programs, is intended to raise your level of awareness and to increase your understanding of preventive measures. Safety at the College depends on each individual making it a priority. Vaughn College is committed to promoting a campus environment, which is safe and secure. Institutional staff and security personnel are available to assist in matters that involve the safety of students, faculty, and staff. Surveillance and alarm apparatus provide further security measures.

The College provides the following information to all of its students as part of the College's commitment to safety and security and pursuant to the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. If you should have any questions about any of the information provided in this material, please contact the dean of students.

### **EMERGENCY NOTIFICATION SYSTEM**

In efforts to maintain a safe and well-connected campus, Vaughn College has implemented an emergency notification system. The system offers 24-hour uptime and server redundancy to make sure messaging is available immediately via: email, SMS /text messages, voice broadcasts, and social media outlets such as Facebook and Twitter.

### **College Security**

The vice president of finance and college services oversees the selection and coordination of a contract security service to oversee the College's facilities and adjacent parking lots. The security service is required by state law to screen and train its guards for enforcement and protection work. Security cameras and lights assist in this service. A working relationship with the local police and airport security help the College's own efforts, as the security service does not make arrests. It can, however, provide a security presence and assist law enforcement officials when members of the College community call them. There are many steps you can take to enhance campus safety.

All members of the College community receive a photo identification (ID) card. ID cards are obtained from security at the main desk and must be visibly displayed at all times when entering, and throughout your duration on campus. Visitors are to "sign in" for identification purposes and will receive a visitor pass. In our effort to increase security, the College has installed card access doors. All doors will be locked (except the main entrance) and students, faculty and staff must use their valid ID card to gain access to the premises. Members of the community are asked not to hold the door for anyone entering behind them and require everyone to swipe to enter the building.

If you witness any suspicious behavior or observe questionable activity by an individual(s) known or unknown, notify the security desk guard immediately so they can investigate. Whether you are the victim or a witness, notify the security desk or the director of student affairs immediately of any criminal activity (including sexual assault). Include as much factual detail as possible. When appropriate, members of the College community will be encouraged to report criminal activity, including sexual assault, to the police.

Incidents of crime and other emergencies requiring immediate assistance may be phoned into the security desk (ext. 130) and the police (911 is the city-wide emergency number). Other emergencies, such as fires, severe electrical problems, lab accidents and chemical spills should also be reported immediately to the security desk. The College will respond as quickly as possible to aid and investigate any report of criminal activity, security breach or emergency.

### **Campus Safety**

Information on security procedures is made available to students and staff as part of the orientation process. Periodic programs on these issues and updates on recurring or unusual security incidents will be shared with the community. Regular efforts will be designed to encourage students, faculty and staff to observe safety precautions for their own security and the security of others.

This includes the importance of cooperating with efforts to secure doors and entrances, concentrating traffic toward specific areas at off-peak hours, caution about parking areas and guidance on traveling to and from the campus. Awareness of conditions, care about being alone in isolated places and efforts to travel with other students or staff is encouraged to promote personal and campus safety. A safe college is everyone's responsibility. Students, faculty, and staff members are encouraged to report all criminal acts, suspicious activity, or emergencies promptly. Victims or witnesses can report crimes on a voluntary and confidential basis for inclusion in the annual disclosure of crime statistics by contacting the vice president of student affairs. The vice president of student affairs will submit the report without disclosing the names of victims or witnesses.

As part of the growing awareness of personal safety and crime prevention, programming and policy training on issues related to safety, including sexual- and gender-based misconduct, alcohol and other drugs, and other concerns, is also a part of the educational effort. The College may require students and other members of the Vaughn community to participate in such training and programming, including on-line and in-person measures designed to promote safety and awareness.

## **Safety Codes and Regulations**

Vaughn's safety programs and policies are designed to enhance safety consciousness, to teach job-related safety skills and procedures and to maintain the College's excellent safety record. Compliance with safety codes and policies is mandatory and strictly enforced.

Campus safety includes, but is not limited to, the wearing of safety equipment and garments, as proscribed in all laboratories and shops. In particular, students must wear safety goggles to protect eyes and must familiarize themselves with safety equipment and procedures in each laboratory or shop (appropriate safety goggles are available in the bookstore). Students who do not comply with safety policies are subject to disciplinary action.

## **Identification/Keys/Access to Facilities and Services**

No person shall lend or give to another person a College identification card, key or key card, or other official identification for the purpose of gaining entry into any College building, activity or event or obtaining a service of any kind from the College. No person shall use a College identification card, key, or key card, telephone access code, or other official identification which is not rightfully his/hers for the purpose of gaining unauthorized entry into any College building, activity, or event or obtaining a service of any kind from the College.

No person shall fail to immediately produce his/her College identification card when requested to do so by a College official. No person shall knowingly bypass the security systems designed to control access to the residence hall (i.e., propping open doors, disabling locks, unlocking windows, etc.).

## **Bias Related Crimes**

New York State law requires that Vaughn College inform students about the Hate Crimes Prevention Act of 2000 (Article 485) (the "Act") and how hate crimes, also known as bias-related crimes, can be prevented on campus. The College strives to bring together students from all types of cultural backgrounds, and to provide an environment in which they might interact and learn from one another. To help promote an environment free of hateful acts, the College has policies and procedures to report and prevent bias-related crimes and incidents. Copies of this policy and the New York law are available from the Office of Student Affairs for all current and incoming students and employees, as well as prospective students and employees upon request and online at [www.vaughn.edu](http://www.vaughn.edu)

### **Bias-Related Crimes**

Under the New York State Hate Crimes Act of 2000, a person commits a hate crime when he or she commits a specified offense in the Act and either:

- (a) 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
- (b) 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.

### **Bias-Related Incidents**

Are acts or behavior that are a violation of the Student Code of Conduct and reasonably believed to be motivated by a person's real or perceived race, color, creed, religion, age, sex, gender, national origin, marital or parental status, sexual orientation, citizenship status, veteran status, disability, or any other category prohibited by law.

### **Reporting Procedures**

Individuals are encouraged to report all incidents immediately to Campus Security, 718 429-6600 extension 130 and the Vice President of Student Affairs, Kelli Smith, 718 429-6600 extension 371.

Non-felony hate/bias crime incidents can be adjudicated through the Campus Policies and Procedures

Governing Conduct as outlined in the Student Handbook. The victim can bring a complaint either through the College judicial system or in criminal courts, or in both. The College will make every reasonable attempt to help any individual who is a victim of an alleged bias-related crime or incident to change his or her academic or resident situations, if so requested.

### **Sanctions for Bias-Related Crimes**

The College takes bias-related crimes and incidents very seriously. Criminal sanctions may include prison and/or fines depending on the underlying offense. Sanctions imposed by the College may include suspension, termination, and/or expulsion from the College.

## **Hazing**

Hazing in any form is expressly prohibited at Vaughn College. New York State describes hazing as any action or situation which recklessly or intentionally endangers an individual's mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization. Vaughn considers hazing to include, but not be limited to, conduct or an activity, whether on or off campus, that is demeaning to an individual, produces mental or physical duress, harassment, bullying, or ridicule, or which threatens or endangers the health or safety of any person. Examples of prohibited actions that are considered hazing include creation of excessive fatigue, physical and psychological shocks, morally degrading or humiliating games or activities and any other activities not consistent with the College policies and regulations.

This policy governs conduct on campus, on other College property and at events or activities sponsored by or affiliated with Vaughn College or Vaughn organizations and groups. The policy applies to students, faculty and other staff, as well as alumni, visitors, guests and others on the campus, or at College related events, whether present with or without College permission. An individual can be charged with violating the prohibition against hazing if the individual participates in hazing or if the individual plans, promotes or supports hazing, whether or not the individual has any direct participation in the hazing activity. The prohibition applies to organizations such as student clubs, social fraternities or sororities, teams or any similar college-related group.

Violation of the policy will result in serious disciplinary action, and also may result in removal of the violator from College property or bar the person from participation in College activities, as well as possible criminal prosecution. Students, staff or faculty who violate the policy could face disciplinary action as severe as suspension, expulsion or termination, in accordance with existing judicial procedures. An organization explicitly or implicitly authorizing or involved in such conduct could face sanctions which include revocation of its right to operate on College property or withdrawal of its official recognition as a student organization. It shall not be a defense to a charge of hazing that participation was knowing and voluntary by a victim of hazing. Further, any College penalties are separate from and in addition to any penalty that could result from violations of criminal or civil law.

## **Plan Regarding Investigation of Violent Felony Offenses**

The College has a close working relationship with the local police and airport security and assists law enforcement officials when members of the College community call them.

Local police are notified immediately and respond to: crimes against persons, violent crimes, major felonies, crimes involving a known or identified suspect, all private persons' arrests on campus, and are called when police presence and/or assistance is deemed appropriate. All crime reports initiated by Campus Security are forwarded to the police for investigation and mandated reporting as required by Uniform Crime Reporting Standards. In addition, College Security assists local fire/paramedic personnel as well as other local and county, state and federal law enforcement agencies when they respond to campus.

There is a written memorandum of understanding between Vaughn College and the New York Police Department (NYPD) or airport security.

## **Crimes Involving Student Organizations at Off-Campus Locations**

The College works with local police to monitor and record student criminal activity off campus. If that activity is in the campus area it may be actionable by the College under the student handbook. Given there are no campus groups recognized by the College living off campus, monitoring of any such organization is not applicable. Crimes committed at off campus facilities under the control of the College will be disclosed in the College's crime statistics if they come to the attention of the office of student affairs. All recognized student organizations are required to abide by federal, state, and local laws, and College policies.

## **Advisory Committee on Campus Safety and Security and Compliance**

The College-wide Advisory Committee on Campus Safety and Security, which reports annually to the president, reviews all security policies and procedures and makes recommendations for improvement. The committee includes students, faculty and staff. For more information contact the associate vice president for human resources, or go to the College's web site at [www.vaughn.edu](http://www.vaughn.edu). The Compliance Committee will provide upon request all campus crime statistics as reported to the United States Department of Education. For more information contact the associate vice president for human resources, or go to the College's web site at [www.vaughn.edu](http://www.vaughn.edu).

## **Priorities for Safety and Security**

Students and employees alike are provided with Vaughn College identification cards. It is expected that all members of Vaughn College carry their College identification cards at all times. Entry to external doors and many interior doors are accessed by using your identification card. It is important that you do not transfer your identification card to anyone, including fellow students. Additionally, you are asked to avoid allowing others from entering the doors after you have opened it. Safety and security is the responsibility of

everyone. If you observe or experience any behavior that would violate the code of conduct as presented in this handbook and/or are having or notice an emergency situation, please contact security immediately at **718-505-1024**.

### **Additional Safety Measures for 2022-2023**

Additional College safety plans amid the COVID-19 pandemic can be found on the College's website:

<https://www.vaughn.edu/about/forward//>

To learn, reside, and be inside any campus building, students are expected to be vaccinated against COVID-19, to conduct a self-assessment of their health, and complete the VitalCheck screening prior to arrival. Students who require exemptions, should follow the application process on the website: <https://www.vaughn.edu/wp-content/uploads/2021/08/Vaughn-Vaccine-Exemption-Application-Final.pdf>

Students who feel ill with COVID-19 symptoms (i.e. fever, coughing, chills, difficulty breathing, . . .) should shelter in place (home/residence hall room), contact their medical care provider and notify us at [incidents@vaughn.edu](mailto:incidents@vaughn.edu).

Students are expected to monitor their health daily and exclude themselves if they are symptomatic with ANY communicable disease including COVID-19, Monkey Pox, Measles, Polio, etc.

## Safety and Security Tips for New York City

Although it is usually safe to travel and live in New York City, there are some safety tips we've assembled from literature provided by the New York Police Department (NYPD) in 2018:

### GENERAL

- Travel in groups during evening hours.
- Always remain alert and observant.
- Know where doormen/guards in the area are.
- **Dial the police (911) in case of emergencies; all police calls are free, even from public phones.**
- If you hear a cry for help, try to identify the source and call 911.
- Be aware of confidence games, where money is offered to you for little effort. If someone asks you for change, refer them to a store.

### WALKING – BE STREET SMART

- Use well-populated and well-lit streets.
- If you are being followed, go into a store.
- If cabbing, ask the driver to wait until you are inside.
- If a motorist bothers you while you are walking, reverse directions. If still followed, yell for help.

### SUBWAY AND BUS

- Use designated waiting hours during off-peak hours.
- Ride in the conductor's car or sit near the bus driver during off-peak hours.
- Stay awake and aware and exit with the crowd.
- Wait and walk close to the wall.
- Wait for the bus on the sidewalk away from the curb.
- Keep phones, electronics, cash, and jewelry away from sight.

### WHILE DRIVING

- Make sure no one is hiding in or near your car. Check your tires for flats.
- Keep windows rolled up and doors locked.
- Keep valuables in locked trunk or compartment.
- Plan your route before you leave. Displaying a map shows that you are unfamiliar with the area.
- Keep your car well maintained and the gas half full to avoid being stranded.
- If you are being followed, make several turns down busy streets. If it continues, do not drive home. Drive to an open store, police, or fire department.
- If someone attempts to force you off the road, blow your horn continuously to attract attention. If you are forced off the road, reverse and back away.

### WHEN PARKING

- Park in a well-lit area. Check surroundings before exiting.
- Lock car and take all valuables with you.

### AT HOME

- Have your keys in your hand before entering your apartment or car.
- Take photographs and record all serial numbers of your possessions, then store in a safe place.
- You may want to take out renter's insurance, which is generally inexpensive; and may be well worth the extra money.
- Make sure your entrance is well-lit.
- Always close and lock the lobby door behind you, especially if a stranger is approaching. Make all visitors and deliveries use the doorbell.
- Put your name only on the inside of the mailbox so only the mailperson can see it.
- If a stranger asks to use your phone, keep your door locked and place the call for them.
- If there are signs of burglary in your home, STAY OUT. Call 911 from a pay phone or a neighbor's house. Wait there for the police to arrive.

### ELEVATOR

- Stand between the control panel and door.

- If in danger, press as many buttons as possible so the elevator will open at the next floor.

#### **PURSE/WALLET**

- Keep your wallet in your front pocket. Keep your purse close to your body like a football.
- Carry your purse so that you can let go of it during a purse snatch. Straps could cause injury during a purse snatch. Let go, especially if there is a weapon, during a purse snatch.
- Never leave handbags or other items unattended.
- Keep your purse on your lap while dining.
- Be aware of commotions or crowds designed to distract you during a pickpocket.
- Minimize the money and valuables you carry. Divide money, keys, and identification between your pockets and purse.

#### **ATM (Automated Teller Machines, cash dispensing devices) •**

Use well lighted, well populated ATMs.

- Avoid ATMs that are directly on the street or behind unlocked doors. Make sure the door closes behind you.
- Be aware of suspicious people at the entrance.
- Put away your money and card before exiting.

In compliance with Federal guidance, the Clery Report is compiled and housed on the website, and includes reported crimes, if any, on campus and the immediate area surrounding campus

**NOTE: Clery data will include Vaughn College data and the NYPD will maintain crime statistics on the surrounding area.**

## CAMPUS/COLLEGE CONDUCT EXPECTATIONS

The code of conduct which follows applies to all students. It is expected that students at Vaughn College will conduct themselves in a manner compatible with the College's mission as an educational institution. The College seeks to foster the transmission of knowledge and the pursuit of truth. Freedom of inquiry and expression are an indispensable component for the attainment of these goals. An assertion of rights or freedoms, however, is balanced by a readiness to assume existing responsibilities. Students of the College are expected to recognize the institution's academic purposes, respect the rights of others in the community and accept responsibility and accountability for their own behavior.

The College has developed standards of conduct which govern student behavior; policies, and procedures to deal with specific conduct issues (computer use, drugs and alcohol, sexual assaults); a judicial process which sets forth the procedures for resolving reported violations of misconduct; a general grievance procedure, and the applicable sanctions for misconduct. A student whose conduct is not in accord with the College's standards of conduct shall be subject to disciplinary measures. Students are required to familiarize themselves with these policies, procedures, and regulations. These policies apply to on-campus conduct, as well as conduct at College sponsored or affiliated events or which involve members of the College community. Many of these standards apply to all members of the College community, as well as alumni, visitors, guests, and vendors.

The standards set forth below address the major areas of conduct but realistically cannot cover every potential act. Therefore, the College reserves the right to apply the principles underlying these standards to similar conduct whether or not specifically identified in this document. These standards apply to the individual(s) who specifically violate the standards, participated directly or indirectly in violating these standards, or those who conspire with others to violate these standards, in alphabetical order:

**Academic Misconduct** — is a critical violation of the College's standards and includes the giving or receiving of unauthorized aid on assignments or exams; plagiarism, using unauthorized sources for papers, reports or assignments; or using improperly acquired tests or academic materials belonging to others, including faculty, staff or outside individuals or commercial sources. Generally, academic misconduct is handled by a separate process dealing with academic matters, as set forth in the College catalog.

### Alcohol and Drugs

Ordinarily, the College does not permit the possession, consumption, use, distribution, transfer, or sale of alcohol or illegal drugs on campus or adjacent to the College premises or at a College-related event, regardless of age. On certain and limited occasions, the College may serve alcohol, under specific circumstances, to those legally permitted to consume it as part of a College event. At these invitation-only events, students are reminded that the NYS legal drinking age is 21 and that being in a state of intoxication regardless of age is against the code of conduct.

Residents will not possess, use, sell, share or otherwise distribute illegal drugs or controlled substances. Furthermore, students will not misuse prescription drugs or over-the-counter drugs. At no time will a student, by action or inaction, actively or passively condone the use, possession, or distribution of illegal drugs or controlled substance by others. This standard applies to drugs, controlled substances, and/or related paraphernalia, (including cigarette wrapping paper) in or around the College community.

All equipment of any kind used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance is prohibited.

Students, staff, or faculty should not be on campus or at campus-related events when impaired by alcohol or illegal drugs. All members of the College community are required to comply with the laws regarding alcohol, illegal drugs, and the use of prescription drugs. The College has developed a detailed policy and procedure governing alcohol and drugs on campus, and it is to be found in the rear of this handbook.

### Assault

Assault is a violation of Vaughn College policy as well as a violation of the law. Examples of assault include but are not limited to the following:

- Acting with intent to injure or harm another person, which may include acts of bullying
- Using physical force to coerce or to retaliate for a real or imagined offense
- Threatening to inflict injury upon another person
- Using any object as a weapon with the intent to injure or harm



- Sexual abuse of any member of the community (See also Title IX policy in the rear of this book)

### **Indoor bicycles and motorized vehicles**

All indoor facilities are designed for walking or by students receiving accommodations as allowed through ADA legislation. Students are not permitted to ride bikes, scooters, hover boards, mopeds, motorcycles, roller skates, skateboards, etc. inside any campus building. Residents must keep their bicycles parked/stored outside the residence hall in the designated areas or in a bike rack.

### **Bullying and Cyber-bullying**

- Bullying can be defined as the use of aggression with the intent to hurt (physically, emotionally, or otherwise) another person or group of persons, including behaviors that result in pain and distress to the victim(s). Bullying in all its forms, including cyberbullying, is prohibited at Vaughn College. No student, faculty, staff member or visitor should participate in bullying, in class, on campus, in the residence hall, or at any activity related to Vaughn College, on or off campus.
- Violations involving bullying or cyber-bullying are considered as serious as verbal or physical assault and may result in probation, suspension, or dismissal from the college.
- All members of the college community are encouraged to report suspected bullying to the Security department or the dean of students without delay. Any individual who reports bullying in good faith is entitled to protection from any form of retaliation, even if the report is later not proven.

**Compliance with the Law** — Members of the College community shall comply with city, state and federal laws and ordinances affecting the maintenance of public order on College premises or affecting College activities. The College retains the right to pursue discipline for violations of the law if it also violates campus rules, regulations, and standards seriously affecting the interests of the College, or seriously affecting a member of the College community.

### **Computer Systems, Communication Systems and Access to Databases**

The College has promulgated a detailed policy on the permissible use of its computer and communication systems, and access to databases. That policy is set forth separately in a later portion of this handbook. By using the computer or communications system, students, staff and faculty agree to be bound by the relevant policies and procedures and to be subject to discipline for their violation.

### **Disorderly Conduct**

Violations of this code include, but are not limited to:

- Deliberately resisting or refusing to comply with requests from identified College officials.
- Failure to properly identify yourself when asked by a College official.
- Behaving in a publicly lewd or indecent manner.
- Providing false information to student affairs staff, security staff, and/or other College employees in the performance of their duties, including at student conduct meetings, is prohibited

### **Disruptive Conduct**

Members of the College community shall not engage in conduct which includes, but is not limited to, (1) disruption of the activities or authorized use of the College by others; (2) disorderly, lewd or indecent behavior; (3) endangering the personal safety of others by assault or physical threats; (4) destruction, damage or theft of personal property; and (5) damage or destruction of College property, including equipment, systems and/or library books.

Failure to conduct oneself in a manner appropriate to the College community, and which interferes with the rights of others or disrupts the legitimate activities and rights of another individual, department or organization are also a violation of the College's rules. Included within this provision is a failure to abide by College policies and sanctions.

### **Endangering Safety**

Vaughn College strictly prohibits student behavior /actions that endangers the safety, or well-being of themselves or others. Regardless if the actions are deliberate or unintentional, actions that pose a risk to personal safety are not acceptable.

## **Fighting**

Vaughn College prohibits fighting both on and off campus at College events or activities. Based on the first report, students who are found to have been involved in fights may be placed on probation or suspended for a minimum of one semester. The specific course of action chosen will be determined by the crudity of the language used, the seriousness of the threats, the level of violence, and the extent of injuries. Subsequent involvement in any fight may result in suspension of the students involved.

## **Firearms and Weapons**

The College strictly prohibits on campus the possession, use, sale, or distribution of any weapon, including, but not limited to, firearms, guns, rifles, pellet guns, ammunition, fireworks, explosives, knives, box cutters or any other dangerous instruments that function as a weapon. Weapons may not be carried by an individual on campus or on the College's premises, including lockers or vehicles. Any member of the College community who works in law enforcement and is required to carry a weapon as part of their job must register the weapon with security and present proof of authorization to carry and keep it on them. Firearms and weapons are never welcome within the residence hall.

## **Fire Safety Violations**

All members of the College community are prohibited from negligently or knowingly setting any materials on fire, creating a fire or combustion hazard, endangering the safety of others or property by the improper use or possession of hazardous/flammable substances, and the misuse or tampering with smoke detectors, fire alarms, or fire extinguishers. Interference with fire drills or the false reporting of fires is also prohibited. See the fire safety policy statements in the rear of this book.

## **Gambling**

Gambling in any form is prohibited on the campus. Gambling is described as playing and/or betting on games of chance with uncertain outcomes for money or other valuable prizes.

## **Harassment**

Harassing another member of the Vaughn community is not permitted. Harassment is unwanted conduct which annoys, demeans, threatens, intimidates, alarms or puts a person in fear of their safety. See also definition for harassment in the Sexual and Gender based misconduct (Title IX) policy in the rear (policy section) of this student handbook.

## **Hazing**

Hazing in any form, whether on or off campus, is prohibited at the College or by College organizations. Hazing is considered to be planned actions or activities, or created situations that may be demeaning to individuals, produce mental or physical distress or harm, involve the forced consumption of alcohol or drugs, harassment or threats, or which endanger the health or safety of an individual(s).

Individuals or members of registered student organizations are expressly prohibited from engaging in hazing. "Hazing" is defined as committing any act or coercing another, including the victim, to commit any act of initiation individually or with any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person. Groups and organizations, as well as individuals, can be held responsible for any act of hazing. Any penalty imposed by the College shall be in addition to any penalty pursuant to the Penal Law or any other law to which a violator or organization may be subject.

Any initiation or new member activities engaged in by any registered student organization must first be approved by the office of student activities and engagement.

## **Identification/Keys/Access to Facilities and Services**

Duplication, lending, borrowing, misrepresentation, or misuse of the student identification card and college keys is not permitted. No person shall lend or give to another person a College identification card, key or key card, or other official identification for the purpose of gaining entry into any College building, activity or event or obtaining a service of any kind from the College. No person shall use a Vaughn identification card, key, or key card, or other official identification which is not rightfully his/hers for the purpose of gaining unauthorized entry into any College building, activity, or event or obtaining a service of any kind from the College. Failure to provide proper identification when requested by a staff member or other College officials in performance of their duties is not permitted. It is expected that students use their identification cards to gain access to buildings, including the residence hall, and not rely on security to buzz them in.

### **Incivility**

All members of the College community will maintain integrity in all their relationships and will respect the dignity and value the worth of all persons. At no time will a student, staff or faculty member physically, psychologically or sexually abuse any member of the community, nor participate in or condone any form of bigotry, bullying, harassment, intimidation or threat, whether verbal, written, physical, psychological, direct or implied. This standard applies equally to all Vaughn College students, guests, visitors, and other members of the College community.

**Interference with College activities, events, policies, and personnel** — Members of the College community, visitors, and guests shall not (1) engage in conduct which interferes with, disrupts, or obstructs regular College operations or activities and events of the College; (2) deny or unreasonably interfere with the rights of others, including the right of academic freedom as well as other constitutionally protected rights; (3) cause injury or damage to College property, real or personal; (4) attempt to gain unauthorized access to or occupy nonpublic areas on the College's premises (classrooms, labs, libraries, offices, auditoriums and recreational facilities); (5) attempt to gain unauthorized access to or use of personal property, files and records of the College or of individual members of the College; (6) engage in the alteration, misuse, misrepresentation or forgery of documents, records, personal identification, computing or communications systems, or other College materials; (7) furnish false or incomplete information to the College or any of its representatives; (8) fail to comply with policies and procedures covering manner and place of public expression, privileges of organizations and the use of campus facilities; and (9) recklessly or intentionally endanger the mental or physical health of an individual(s) or force consumption of alcohol or drugs for the purpose of initiation into or affiliation with any organization; and (10) create or permit a situation that poses a direct threat or danger to one's self or others.

Any authorized member of the College community, including but not limited to, an administrator, faculty member, College security officer, or designated student assistant, acting in his or her official capacity, and after properly identifying him or herself, may in the course of performing College duties, request identification from members of the College community, guests or visitors, and give oral or written directions regarding campus policies and rules. Cooperation and compliance is expected. Refusal to identify oneself, falsely identifying oneself, or failure to comply with a proper order when requested by an authorized official is not permitted.

Refusal to identify oneself shall be considered evidence of non-College status which may limit access and services reserved for students.

All members of the College community, guests and visitors shall always conduct themselves in a manner that is consistent with the maintenance of public order on campus. The privilege to remain on the College campus for guests and visitors shall automatically terminate on the breach of these regulations and the College, in addition, reserves the right in its discretion to withdraw at any time the privilege of a guest or visitor to be on the College's premises. A trespasser, though subject to these regulations, has no privilege of any kind to be on campus.

Members of the College community, guests, and visitors shall be subject to discipline up to and including removal for trespassing, expulsion or dismissal, and/or referral to civil or criminal authority for violations of these protocols.

### **Irresponsibility**

Students will take responsibility and be accountable for their behavior and for the choices they make as a member of the Vaughn College community. It is expected that students behave in a manner consonant with reasonable expectations for an educational institution. Specifically, it is expected that the behavior of Vaughn Students is in alignment with the College's mission, vision, and core values. Furthermore, students will not engage in behaviors that could endanger themselves or others in the community.

### **Law Violations**

Violations of local, state, or federal laws on college property or off campus where such violations of the law adversely affect the mission of the college or the health, safety or welfare of the individual members of the College community will not be tolerated and will result in disciplinary action. The disciplinary action is independent of any criminal proceedings and may precede, follow, or run concurrent to criminal prosecution.

### **Lewd, Obscene or Indecent Behavior**

Students will not engage in behavior that is considered lewd, obscene, or indecent. Students will not intentionally expose intimate parts of their body in a public place, or in private premises when they may readily be observed. Students are additionally prohibited from using

college premises, technology, email for creating, sending or sharing lewd, obscene or indecent material. **Attire which displays profanity, violence and discriminatory language or images would fit in this code of conduct and are prohibited.** This category may include Title IX violations, law violations, and urinating or defecating in places other than appropriately designated toilets/bathrooms.

### **Lost Vaughn Identification Cards**

If you lose your Vaughn ID card you must present yourself to security in the main building lobby to be issued a new card. Student accounts will assess a nominal fee for a replacement identification card. Your lost Vaughn ID card will be de-activated, and no refund will be made if you find your ID after a new card has been created.

### **Locks, Security Devices and Alarms misuse**

Security devices, locks, and alarms are installed to protect individuals and property. It is a violation of College policy to (1) exit through an alarmed door; (2) unlock or prop open alarmed doors or locked exits; (3) possess, use or duplicate College keys not properly issued or authorized; and (4) obstruct or damage physical security devices.

### **Parking Violations**

Parking is provided as a service of convenience to students and staff. The College assumes no responsibility for the care, custody or control of vehicles nor its contents while on campus. See “Campus Parking Regulations” in the rear of this book for the full policy.

### **Pet Violations**

Pets or animals of any kind are not allowed inside campus facilities, with the exception of trained guide dogs for the vision-impaired, as allowed for in the Americans with Disabilities Act, and/or in alignment with the policy on pets, service animals and emotional support animals on campus (rear of this book)

### **Pranks**

Though it is not uncommon for the student community to engage in humorous pranks, all individuals and groups are expected to ensure that such activities never exceed the bounds of good humor and respect for others. Such activities must never infringe on a student’s rights, inflict physical or psychological pain or cause personal humiliation or damage to college or personal property. Any action that gives rise to such consequences will be subject to disciplinary action and possible prosecution under New York state law.

### **Property Damage/Destruction/Vandalism**

No person shall take, steal, burn, destroy or damage any property, be it personal or otherwise, on the College campus or other property under College control or belonging to another member of the College community. In addition, no person shall in any manner whatsoever deface any property under the ownership or control of the College.

### **Theft**

Theft of college or personal property and services (including unauthorized borrowing or possession of stolen property) is prohibited and will be subject to discipline proceedings, referral to the judicial process, and/or criminal prosecution. All thefts need to be reported to a student affairs member or to security. The College is not responsible for individual student belongings and strongly encourages students to ensure the safety of their own property and insure valuables.

### **Unauthorized Use of College Name, Supplies and Documents/Forgery**

No person shall forge or alter supplies and documents of the College or misrepresent himself/herself to the College or any person or outside agency.

### **Verbal Assault**

To threaten to inflict injury or the death of another person is a breach of Vaughn College policy, whether the ability to carry out the threat is apparent and present or not. Racial slurs and the use of disparaging or derogatory epithets motivated by racism or anger are

ugly, against the law, and a violation of Vaughn College policy. Such violations are considered as serious as any physical assault and may result in probation, suspension, or dismissal.

**Violations / Unacceptable collegiate behavior**

The College reserves the right to enact the judicial process for behaviors that are included in this handbook, policy and procedure statements found elsewhere in the College, and for any unwanted behavior even if it has not been explicitly stated, if the behavior:

- Is counter to the College's Mission, Vision, and Core Values (found in the front of this Student Handbook)
- Would derail, distract and/or disrupt educational efforts

## **RESIDENCE HALL EXPECTATIONS**

The Vaughn College residence hall program strives to provide a living environment that is comfortable, conducive to building positive community, study and intellectual achievement. Life in the residence hall will be exciting, fun and challenging. You will learn about different cultures, interests and values while your roommates and community members learn about you. While Vaughn College strives to provide a pleasant and safe building, everyone who lives, works or studies in our environment has a responsibility to be courteous to neighbors and to observe basic personal safety practices. To be a resident who can make positive contributions to your hall's community, you must recognize and respect the rights of your neighbors. This collaboration allows for your growth as well as the growth of others.

As in every community, policies and procedures are necessary to protect the rights of individuals and provide the welfare of the community at large. Therefore, we have developed the policies and procedures described below for the residence hall system that provides a framework to help residents succeed in a community living environment. As a member of this community you agree to abide by and support its standards. Resident advisors and the resident life professional staff work with residents to create a positive living and learning experience for all residents. While every residence hall staff member accepts part of the task of educating residents and enforcing these policies, ultimate responsibility for compliance rests with every resident student. The privilege of living in a residence hall is founded upon the expectation that resident students will exercise good judgment and self-discipline by taking responsibility for their decisions and conduct. When resident students abide by these policies, they are creating and supporting a positive community atmosphere in the residence hall.

Learning how to live in and contribute to a community takes personal effort and time. We believe the experience of living on campus is a vital part of the total educational experience of students. It is our objective to provide a living environment that will be conducive to the continued growth and realization of the potential of students at Vaughn College.

### **Community living violations**

Each student living in the residence hall community is responsible for being a proactive member, adding to the overall college experience of others. Students are responsible for taking ownership in developing a safe, healthy, and collegial living environment for the community. Students should respect this environment and act with civility, courteousness, and responsibility. Violations of this code include, but are not limited to:

- Endangering the safety, or well-being of themselves or others
- Directing speakers or audio devices toward the outside of the building and/or shouting out of residence hall windows.
- Throwing objects from residence hall windows.
- Using windows as exits and/or entrances.
- Violations of community living standards or floor agreements.
- Damaging fire sprinkler heads, or other fire safety violations.
- Damaging or defacing property within your room, suite, or common areas, or elsewhere in and around the building.
- Propping open or disabling exterior doors or alarms.
- Removing window restraining devices.

### **Improper Care of Facilities**

Residents are directly and financially responsible for keeping their rooms, its furnishings, the suite common areas, the hallways the public common areas, clean and free from damage. Residents are expected to cooperate with roommates and building residents for the common protection of health, safety, and property.

Residents are financially responsible for damages or losses that occur to the property of other students or the College which are caused by their actions, carelessness, or negligence.

All residents are responsible for cleaning the common kitchen after every use including washing dishes, wiping down sink, counter, stove, microwave, oven and dishwasher. Failure to clean the items you utilize within five hours of usage may result in a disciplinary fine.

### **Children in the Residence Hall**

Ordinarily, individuals who are younger than 16 years old are not permitted within the residence hall. Children under the age of 16 may only enter the residence hall if accompanied by a parent or legal guardian and are not allowed to stay overnight in the residence hall (unless approved by the office of student affairs as part of a campus-wide event). Babysitting in the residence hall is prohibited. Under no circumstances may dependent children or spouses live in the residence hall. In the event of pregnancy, a student should contact the office of student affairs if a prenatal referral is needed.

## **Damages**

Residents will be responsible for any damages that occur in their place of residence. Residents should keep their rooms and the residence hall in as good a condition as possible. Nails, adhesive tape, glue, screws, and tacks should not be used on residence hall walls. Also, any tape, stickers, or other adhesives that are placed on the walls must be fully removed prior to checking out. Residents will be charged for any nail holes or other marks that were not noted on their room condition report. It is up to the residents to indicate to the residence hall staff who is responsible for the damage(s), prior to their leaving the residence hall at the end of the housing contract. All damages will be divided equally between all residents of the room/suite if the responsible person is not known. All common damages will be divided equally between all residents of the suite, floor or building, if the responsible cannot be identified. Each resident will have 10 days to appeal the damage charges. This appeal must be done in writing to the student affairs office.

## **Discourtesy / Noise**

All times not designated as quiet hours shall be considered courtesy hours. Behavioral expectations for courtesy hours are not as meticulously defined as those for quiet hours. However, during courtesy hours, residents engaging in normal day-to-day behavior are still expected to act in a manner which demonstrates respect for the rights of others to study and sleep in their rooms. Misusing mechanical or audio devices in order to disturb the peace of the residence hall areas is a violation of this code.

## **Fire Safety**

Students are expected to not engage in activities that may be fire safety concerns including but not limited to tampering with fire safety equipment (i.e., covering smoke detectors, discharging fire extinguishers, triggering a false alarm), engaging in any activity with fire or smoke emanating devices including candles, cigarette smoking, vaping, etc. See the Fire Safety Policy in the rear of this Handbook for more detailed information. **Additionally, students are expected to use the community kitchen in adherence to fire safety guidelines.**

## **Guest Policy**

Use of the residence hall is a privilege afforded to resident students living on campus. Resident students are permitted to have guests in accordance with the guest policy as found in the policy section of the Student Handbook. Resident students are expected to adhere to the policy and will held accountable for the actions of their guests.

## **Health, Hygiene and Safety**

In order to maintain our high standard of cleanliness and personal safety, health and safety inspections are conducted on a regular basis. The College reserves the right to inspect students' rooms at any time regardless of whether the rooms are occupied at the time of inspection. These health and safety inspections are conducted periodically during each semester by the residence life staff. Possession of prohibited items in the residence hall can result in judicial action. Although fines are generally the sanction for proprietary violations, any violation could be grounds for disciplinary action. The prohibited items will also be confiscated. Additionally, it is expected that students are attentive to their personal hygiene and overall cleanliness being mindful to reduce the occurrences of foul or offensive odors (both on your person and in the room), routinely laundering clothing and bedding, and securing food in sealable hard plastic containers to reduce the attraction of bugs and/or rodents.

## **Harassment**

Refer policy section entitled: SEXUAL AND GENDER-BASED MISCONDUCT DEFINITIONS.

## **Immunization**

New York State law mandates that all students born after January 1, 1957 who are registered to attend or who attend at least six credit hours of classes be fully immunized against measles, mumps and rubella. Two doses of the MMR vaccine are required. Proof of immunization, including the second MMR vaccine, must be provided within 30 days of the first day of classes. Students who fail to comply will not be allowed to attend classes nor live in the residence hall and will not be able to return until they comply. In addition, in accord with NYC Emergency Executive Order 225, "Key to NYC", all students attending indoor in-person functions (classes, programs, activities, meetings) must be fully vaccinated against COVID-19. See Immunization policy in the rear of this handbook.

## **Internet Use**

A resident is responsible for all activity originating from their Internet connection. Residents must take reasonable precautions to prevent unauthorized use by others of this connection, and his/her accounts, programs, or data. Residence hall connections are provided for

individual use only. Residents may not create accounts on his/her computing system that provide campus network access for anyone else. Residence hall connections are for College-related activities only. Residents may not conduct a commercial business via the residence hall connection. Residents may not participate in illegal activities such as software piracy—either the distribution of copyrighted software or illegal attainment of software or other copyrighted materials—from the residence hall connection.

In order to ensure that the Internet is being used for purposes consistent with the educational mission and operation of the College, students are required to sign and abide by the rules of the Vaughn College usage agreement.

The second-floor residence hall study lounge is for use by all residents – please show common courtesy. The study lounge computers are for educational purposes. A resident utilizing the computer for personal usage must vacate the computer when a resident requires access for educational purposes.

### **Joint Responsibility**

A resident is responsible for the actions of people in their room and/or suite, regardless of whether the resident is present in their room. Additionally, if a resident is present in their own or any other residence hall room or area where college policies are being violated, they are subject to the same disciplinary action as the resident of that room.

### **Kitchen Facilities**

The College expects that students who use the community kitchen do so responsibly and in a manner that would comply with fire safety standards. Specifically, residents are expected to remain in the kitchen while their food is cooking; this includes microwavable cooking/reheating and stovetop/oven prepared meals. Additionally, food should be cooked on the lowest heat settings possible. If food begins to emit smoke, students are expected to shut off the range/microwave, evacuate the kitchen, close the kitchen door, and immediately notify security.

### **Laundry Facilities**

The College is not responsible for laundry that is lost, damaged or stolen. Laundry left in the laundry rooms may be disposed of. The College recommends that students stay with their laundry while it is in the laundry room. Laundry facilities are for residents' use only.

### **Lockouts**

Students are expected to carry their room/suite keys at any time they leave their residence hall rooms and lock the door(s). If you are locked out of your room, present yourself to the security officer stationed in the lobby. You must present your Vaughn College ID in order to be keyed into your room. You will be billed a \$5 fee per lockout. It is imperative that you always have your keys on your person, and that you do not lose them. If, after gaining access to your room, you are still unable to locate your key, contact your resident assistant who will request a lock change. After your lock has been changed, you can pick up the new key from the residence life office. You will be billed a minimum of \$25 per cylinder change and \$25 per key. No refunds will be made if you find your key after the lock has been changed.

### **Lofts**

Residents may not stack their beds on cinderblocks or other furniture. Beds and all furniture must be placed level on the floor.

### **Loss of Personal Property**

The College assumes no responsibility for the loss of or damage to personal property in the residence hall. The College will not compensate for loss of personal property in the residence hall. Damage to personal property in the residence hall should be covered by a renter's insurance policy and is not compensated by the College.

The College urges residents to lock their doors for protection of persons and property. Residents are advised not to keep valuable property or large sums of money in their rooms. In addition, residents are strongly encouraged to obtain insurance to cover personal belongings and valuables. Items remaining in a student's room after the move-out day and/or after the student completes checkout, will become College property and/or be disposed of.



## Maintenance Concerns

Report any IT or maintenance issues to your resident assistant or log on to SonisWeb student portal to report them here <https://vcsonis.vaghn.edu/sonisweb240/studsect.cfm>. Once logged in, navigate to the 'Bio' tab and click the 'Requests' link that appears at the top of the page. This will open a new page where they will select from the drop-down the type of issue and its location they want to report. Details about the issue will be entered into the 'Comments' box. Students should include the exact location and as much detail as possible to accurately describe the issue. Once the issue and location are selected and comments entered, the 'Submit' button will need to be clicked for the request to be entered for processing. SonisWeb will capture who entered the issue, the day and time it was entered and add it to a listing of all requests submitted by that person. This will allow for full traceability. Requests can also be placed by going to the 'Home' tab's 'General Services' section and clicking the 'View' link that appears next to 'Requests'.

Students can view the history and status of their requests from either the 'Home' or the 'Bio' tabs.

If you cannot reach your resident assistant and it is an emergency, please speak to the security officer at the front desk of the building. The facilities/IT staff will need to gain access to your room to respond to and resolve the reported concern. Refusing entry for scheduled maintenance can result in delays to complete the work and could also subject you to fines and/or disciplinary action.

## Microwaves

Microwave ovens are available for residents' use in the kitchen area of the building. Individual Microwaves are not allowed in individual student rooms. The residence hall is not equipped with the electrical service to allow residents to have microwave ovens in their rooms.

The College has coordinated with a vendor to provide both refrigerator and refrigerator/microwave rental units at competitive prices. Although students can purchase refrigerator/freezer units of five cubic feet or less for use in residential rooms, for safety reasons only those refrigerator/freezer/microwave multi-units rented through a college-sanctioned vendor are permitted in the residence hall. To get more information to rent a refrigerator/freezer/microwave unit through our vendor, please visit their website [www.collegiatestorageandrental.com](http://www.collegiatestorageandrental.com)

## Missing Person

If a member of Vaughn's community believes that a resident student is missing, you are expected to contact security immediately. A campus investigation will begin, and the emergency contact person listed at the time of move-in will be contacted generally 24 hours after the student has been determined to be missing. Please see the addendum of this book for the policy statement.

## Misuse of property, facilities, or services

It is expected that students use the available property, facilities and services exclusively for their intended purposes. It is a violation, among other behaviors to:

- **Elevators** - Residents and their guests are expected to use elevators only for the intended purpose of traveling from one floor to another and will neither misuse them nor tamper with their proper operation.
- **Furniture**- Residents and their guests are expected to use residence hall furniture only for its intended purpose. Residents will not remove or relocate furniture from student rooms, lounges or other residence hall areas. Residents will not take apart furniture in student rooms or the common areas. Waterbeds and modifications of intended use of room furnishings are not allowed.
- **Keys** - Residents are responsible for keys/access cards that are issued to them for their proper use. They will not lend or otherwise permit others to use their keys or their Vaughn ID at any time. A resident must immediately report lost or damaged keys/access cards to the student affairs staff.
- **Room and Mailbox** – Residents are expected to use their rooms primarily to sleep, shower, and study; and their mailbox to receive personal mail. It is a violation of College policy to operate a business from your residence hall room. Additionally, the College reserves the right to limit/reduce/remove unauthorized or unapproved electronic/social media posts that emanate from the College residence hall or elsewhere on College property.
- **Sports and games** – Residents will not participate in any kind of sport, horseplay, or physically active games inside the residence hall, including but not limited to hockey, golf, roller blading, frisbee, football, soccer, skating, rollerblading, bowling and water fights.

- **Unauthorized Access** - Residents may not enter restricted access areas unless specifically authorized to do so by student affairs staff. Restricted areas may include but are not limited to the security front desk, roof of the residence hall, outside gated hangar area, or machine/storage rooms. Forced or unauthorized entry into any residence hall or resident's room is prohibited.
- **Unauthorized Occupancy** - If a new or non-resident student occupies a room without the consent of student affairs, the student will be fined and made to pay a prorated housing charge. The student may also be required to vacate and is subject to disciplinary action. Unregistered non-student occupants are subject to arrest, and the occupants of the room are subject to a fine plus a prorated housing charge.
- **Windows** - Residents will not remove and/or damage the windows or window restraining devices in their residence hall. Additionally, residents will refrain from leaning out windows, and from dropping, suspending, throwing, or shooting anything from or through them. Throwing anything out a window can seriously endanger the safety of others and this behavior is unacceptable.

## Noise

Residents will not make or cause noise that intrudes on the privacy and the needs of others to sleep and study. Noise, which is disruptive to other residents, is prohibited, both inside and outside of the residence hall, and courtesy and consideration for others is always expected. Residents need to be particularly sensitive to this issue during established "quiet hours" and understand that these hours extend Sunday through Thursday from 9 p.m. to 8 a.m. and 11 p.m. to 9 a.m. on Friday and Saturday. Weekend quiet hours are in effect when the following day is a College holiday.

24-hour quiet hours go into effect during final exam periods. Violations of quiet hours during final exams may result in the assessment of a fine and judicial action.

Residents are expected to respond positively and courteously to requests to reduce noise and to respectfully approach others with requests for noise reduction.

## Parental Notification

Disclosure to a parent/legal guardian may be made when necessary to protect the health and safety of the student or others or when a student who is under age 21 is determined to have committed a violation of drug or alcohol regulations of the College or the law involving use and/or possession. If the College determines that a student committed a violation of the College's rules or the law involving a crime of violence or a non-forceful sexual offense, the College may report the results of the disciplinary process to the parent.

## Pets

Pets are a problem in College housing because of sanitation, pest control, allergies, noise and destruction of property. Most pets/animals are prohibited from the residence hall. Fish in small aquariums are allowed (maximum 10-gallon tank) in residential rooms and do not require special permission. There are exceptions to this standard expectation (to accommodate students with disabilities) for service animals and emotional support animals; outlined in the policy in the back of this handbook.

## Posting

All postings of signs within the residential hall must be authorized by the student affairs staff. Signage that does not have a student affairs staff approval is to be removed immediately. If postings are of an offensive or derogatory nature or attack individuals, they should be brought to the residence life office and will be reported to the proper authorities.

The following guidelines have been established to ensure that flyers are posted in a consistent manner in the residence hall: •

For safety reasons, flyers are not permitted on glass doors, elevators, exit doors or windows.

- All flyers pertaining to the residence hall must be hung by the building staff.
- All flyers shall be removed no later than 30 days after posting or not later than 24 hours after the advertised event has ended, whichever is earlier.
- No flyer will advertise or imply use of alcohol or drugs, or other inappropriate or illegal activities.
- The student affairs staff reserve final judgment on objectionable flyers, advertisements and decorations.

## Propping Doors

The propping open of any residence hall door is prohibited (i.e., entry, fire doors, etc.).

## Prohibited Items

Student affairs staff reserve the right to confiscate and/or discard any item(s) that are not permitted in the residence hall. Items include, but are not limited to, potential fire, safety, and security hazards. Any item being misused and/or involved in a violation of College and/or residence hall policies will be confiscated and/or discarded. A resident may be required to ship any confiscated items home at his/her expense. The following items are examples of prohibited items though the list is not exhaustive:

- **Alcohol, Drugs and Alcohol Containers** - In addition to the alcohol statements listed under “Campus Policies and Regulations Governing Conduct” and the alcohol and other drug policies, residents are not permitted to have alcohol beverage containers (e.g., bottles, cans, flasks, etc.) in residence hall rooms or on the College premises, regardless of age. This applies to empty decorative containers and collections as well.
- **Candles and Incense** - Incense, potpourri burners and candles, burned or unburned, are prohibited in the residence hall. All flame emitting devices are fire hazards and therefore prohibited in the residence hall. The chance and number of fires that have occurred in college housing around the country dictate this mandate.
- **Dartboards** – Playing darts inside a residence hall may cause property damage or personal injury.
- **Electrical Appliances** - Due to fire, damage, electrical considerations and accident potential, the following items are not permitted in the residence hall: microwaves; any items that can be classified as a hot plate, electric frying pan or oven, toaster, etc.; sun lamps; electric blankets; air conditioners; space heaters; waterbeds; halogen lamps; Christmas lights/ornamental lights; grill type units (i.e., George Forman grills); extension cords; satellite dishes; and live Christmas trees, etc. Any item that would be deemed dangerous to the health, safety or welfare of the student’s, as determined by the student affairs staff, is also not permitted. It is prudent of the student to ask the student affairs staff in advance.
- **Extension Cords** - For the safety and security of all residents and to comply with safety codes, only extension cords with fused strips (power strips or surge protectors) may be used.
- **Firearms or other weapons** - For the safety and security of the residential community, all weapons, including firearms are not permitted in the residence hall. Residents may not bring any type of weapon into the residence hall. The term “weapon” includes but is not limited to firearms (or CO2 cartridge guns, stun guns, pellet guns, bows-and-arrows, paintball guns and sling shots); dangerous chemicals; any explosives or explosive device including fireworks; ammunition; nun chucks; brass knuckles; hunting knives and other materials that can be used in the endangerment of others. In unclear cases of definition, the context in which a particular object was used will determine whether it is indeed a weapon.
- **Halogen/Kerosene Lamps** - For fire and safety reasons, neither halogen lamps nor kerosene lamps are not permitted in the residence hall.
- **Holiday Decorations** - For fire and safety reasons, all holiday decorations must not hang from or touch any light fixtures or fire safety equipment. Live holiday trees are not permitted, and all decorations shall not block any doorways or windows.
- **Smoking and smoking paraphernalia** – The residence hall and all indoor locations on campus are smoke-free. This includes cigarettes, marijuana, vaping, hookahs, etc. All equipment of any kind used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled smoking substance is prohibited.

## Roof Access

Only authorized College personnel may have access to or be on the roof of the residence hall. Any student(s) found on the roof will be considered in serious violation of safety codes and will be subject to disciplinary action.

## Room Refrigerators

Residents may have a refrigerator in their room, but it may not exceed five cubic feet.

## **Roommate and Suitemate Agreements**

Roommates and Suitemates are expected to communicate with each other to establish mutually agreeable expectations of behavior within the personal living space. Topics to discuss include ideal room temperature, acceptable standard of noise/light, shower schedule, frequency of guests, cleaning schedule of shared space and expectations regarding use of belongings. Residents must complete the roommate agreement with their roommate(s) (and suitemates) when moving in together or when changing rooms.

## **Room/Suite Inspection**

Periodically, the student affairs staff or maintenance staff will be entering rooms/suites to do inspections for damages or fire rounds. Advance warning will be given when possible by maintenance. Any attempt to interfere with or not grant access for required maintenance procedures will be considered failure to comply. Fire rounds will be unannounced in order to protect the integrity of the inspections. Other times will be during breaks to check on windows, appliances and heat. Housing inspections for damages generally occur at the end of each semester and the beginning of mid-semester breaks but can occur at any time if there is just cause. The office of student affairs always reserves the right to enter a room.

## **Room Changes**

Requests for room changes will be accepted beginning two weeks after the start of classes. All approved changes are to be completed within 48 hours of approval from the director of residential life.

Room changes may be made as often as requested during scheduled room change periods provided space is available. Only in unusual circumstances will requests received outside of the scheduled period be approved by the director of residential life or his/her designee.

Improper room changes may result in a monetary fine and the individual(s) involved may be required to move back to the regularly assigned room(s).

## **Room Decorations**

Each resident is responsible for the condition of his or her room and for the care of College furnishings. The following things are prohibited: Any adhesive other than masking tape, particularly duct tape; nails, tacks, etc.; wall murals; chalk; hooks or holes for hanging objects; beer cans; alcohol bottles; traffic signs, public signs, traffic horses, realty signs, , etc.; Christmas/ornamental lights; The use of beer case containers to decorate walls, etc. Fines, repairs and sanctions will be imposed against violators.

## **Room Occupancy**

After entering students are officially admitted to the College, have signed the residence hall contract, and paid the required housing deposit fee, they are assigned a room as space permits. Assignment is determined by the date of application, within the priority groups. Whenever possible, written requests for a specific roommate(s) will be honored, but the College reserves the right to make whatever room assignments are considered in the best interest of the institution and student body. Students may not move into any room other than the one assigned.

If a resident fails to occupy his or her assigned space on or before the first day of classes, the assignment may be canceled if proper notice of late arrival is not given to student affairs. However, a resident who enrolls but fails to occupy his or her assigned space will be required to pay full housing fees. Residents who withdraw from the College at the end of or during the fall semester or spring semester must officially check out with a student affairs staff member. Residents may request and pay extra for a single room if space is available. This includes rooms designed for double occupancy.

If a resident has a vacancy in their double room accommodation, they must always keep the vacant side of the room clean and *may not* utilize any of the additional unused furniture on the unoccupied side. If a resident is found to have pushed the beds together, utilized the extra drawer space, etc., the resident's student account will immediately be billed for a single room usage.

A resident who has a vacancy in their room must accept another roommate as assigned. If deemed necessary, the College reserves the right to consolidate available spaces (having a student move to another room if both rooms have a vacancy).

## **Room Painting**

Residents are prohibited from painting their rooms. However, if a resident feels that his/her room is in serious need of painting, they should contact the student affairs staff to arrange for their room to be painted.

## **Room Vacating**

The residence hall is dedicated to support academic pursuits and follows the published academic calendar. Students must be continuously enrolled in classes to live in the residence hall. Ordinarily, at the end of each semester, residents must vacate their room within 24 hours of their last exam. The College may decide to open for breaks and may at its sole discretion determine appropriate criteria for remaining in the hall and charge extra for students wishing to remain beyond or arrive before any class term/session. When residents vacate their space, they must officially check out with the appropriate student affairs staff member according to published procedures. Failure to do so may result in additional charges. Students removed from the residence hall for disciplinary reasons will not be entitled to a refund from their housing contract.

## **Solicitation**

Commercial solicitation and canvassing are not permitted in the residence hall. Any unauthorized solicitation activity needs to be reported to a student affairs staff member or to Security. Residents are prohibited from operating a business from their rooms or over the Internet.

## **Storage**

Storage space is limited to the space available in student rooms. The storage of personal belongings in student rooms or any other area in the residence hall over the summer months is not permitted.

## **Theft**

Theft of college or personal property and services on campus or in the residence hall (including unauthorized borrowing or possession of stolen property) is prohibited and will be subject to discipline proceedings, referral to the judicial process, and/or criminal prosecution. All thefts need to be reported to a student affairs member, resident assistant and/or to security. The College is not responsible for individual student belongings and strongly encourages residents to ensure the safety of their own property. It is the resident's responsibility to keep their room door locked whenever they are away from the room or sleeping.

## **Window safety**

Residents will not remove and/or damage the windows or window restraining devices in their residence hall. Additionally, residents will refrain from leaning out windows, and from dropping, suspending, throwing, or shooting anything from or through them. Throwing anything out a window can seriously endanger the safety of others and this behavior is unacceptable.

## **Wiring**

Exterior wiring, satellite equipment and/or antennas are not permitted. Resident students are provided with Wi-Fi access and satellite television channels. Students who require assistance connecting to the College services may contact the IT department.

**The College maintains respect for student privacy; however, there may be times throughout the academic year when it will be necessary for a college official to enter a residence hall room/suite that has been assigned to a student/group of students. When an official seeks entry to a room/suite she/he will knock first and announce the intention to enter prior to using a key.**

**NOTE: Rooms/suites may be entered and possibly searched in the following instances:**

- **When a police or government official has a warrant to search the room/suite. A College official will be present.**
- **When repairs are needed both by Vaughn College employees and by contracted repair personnel. A College employee will be present for repair personnel who are not employed by the College.**
- **When a College official has a good reason to believe that an occupant is not in compliance with law or College policies/procedures or when a disturbance is taking place. All items in the room are subject to search, including but not limited to bags, storage containers, refrigerators; and individuals involved may be asked to empty their pockets on their persons.**
- **When danger to life, health or property is reasonably feared.**

**In all but the last case, reasonable effort will be made to notify the resident in advance and to have her/him present. If the room has been entered when the student could not be notified, she/he will be informed as soon as possible thereafter. Additionally, all rooms are inspected by the residence life staff for health and safety when rooms are occupied; and during semester breaks whether occupied or not.**

## **THE CAMPUS JUDICIAL SYSTEM**

Vaughn College supports the right of a student to be educated in a respectful and civil environment, conducive to the acquisition of knowledge. The College, therefore, reserves the right to initiate and enforce policies and procedures that support these purposes. Members and visitors of the College community are required to abide by all College regulations, as well as all applicable laws.

The College provides procedures for establishing expectations for behavior, resolving concerns and disputes that involve students and others on campus. The different procedures have been developed based on the nature of the matter to be resolved. General disciplinary and conduct problems of a non-academic nature will be managed in accordance with the process outlined in this section of the handbook on the judicial system. Academic disciplinary and conduct matters are handled by a separate process outlined in the college catalog and administered under the jurisdiction of the vice president of academic affairs in consultation with the College's faculty.

Complaints of discrimination and sexual harassment are generally handled by a specific fact-finding and grievance procedure described in the Sexual and Gender-Based Misconduct Policy and Procedures located in the addendum of this Student Handbook. Inquiries on these matters shall be made to the Title IX Coordinator, the Dean of Students and/or the Associate Vice President of Human Resources.

A basic grievance procedure, which is available for matters that do not fall under these procedures, is also outlined in this handbook. The College reserves the right in its sole discretion to determine which procedure is appropriate for a specific matter.

The College's jurisdiction to deal with conduct under these and related codes and policies extends to conduct occurring on the College's premises or property, during College-sponsored or approved events and activities, while a student is acting as a representative of the College, or where the conduct affects the College community.

The College retains the authority to determine which process will be used to hear a complaint and to make reasonable determinations about the composition of judicial bodies. The College may recommend third-party arbitration or mediation.

The College has the right to adjudicate special cases and to suspend or expel a student immediately if the student is deemed harmful to himself/herself and/or others.

The College may proceed with a judicial case even if a student who fails to cooperate with the judicial process and/or has also been charged with a violation of local, state or federal law. Actions under College judicial procedures may be carried out before, at the same time as, or after other civil or criminal proceedings.

Time periods, to the extent set forth in the various procedures, may be extended by the College for good reason.

No retaliatory action shall be taken against any individual who uses or cooperates with any grievance, disciplinary or dispute resolution process.

Internal grievance, disciplinary and dispute resolution processes of the College are not civil or criminal proceedings and are not bound by the legal rules of evidence or laws applying to governmental bodies. Individuals may be advised in these proceedings by a member of the College community who may serve as an adviser but who shall not participate in the actual proceeding.

To the extent feasible, when conducting a thorough fact-finding inquiry and investigation, privacy will be maintained.

### **The Student Judicial Process**

Violations of the College's codes of conduct, rules and regulations generally will be handled by the student judicial process, unless the matter involves an academic issue, and is governed by the College's academic policies and procedures. When a violation can be handled by more than one process, the determination about which College process shall apply will be made by the College. Responsibility and authority in matters of College student conduct reside with the President of the College and the person to whom she/he has delegated immediate responsibility and authority.

The student judicial process is intended to be fair, equitable, and consistent with principles of due process. The College reserves the right to reasonably modify procedures and time frames based on the circumstances of a specific case. Vaughn may handle a matter through the student judicial process even where civil or criminal proceedings are underway and, in its sole discretion, the College may suspend a student on an interim basis pending the outcome of the student judicial process or external legal proceedings. When a student fails to cooperate with or participate in the student judicial process, the College may proceed with the process, a determination and the imposition of sanctions.

## **Initiation of Process**

The student judicial process is initiated by a member of the College community by filing a written complaint with any member of student affairs, describing the nature of the conduct or activity. The student or group who has allegedly violated the code of conduct may be scheduled to meet with the dean of students, or a designated representative, for an informational meeting about the complaint and the College's process. Prior to this meeting, the student will be notified in writing of the conduct he or she is alleged to have engaged in and the relevant sections of the code of conduct implicated by the alleged conduct.

At the conclusion of the meeting, the student will be asked to state whether he/she accepts responsibility for the action. If the student accepts responsibility, the process may move directly to sanctioning. If the student does not accept responsibility, the dean of students will determine whether the incident shall proceed to a hearing before a hearing officer or a student conduct board.

During the hearing process, whether before a single hearing officer or student conduct board, students shall have the right:

- 1) to be informed by the College, in writing, of the elements of the complaint, to be advised of the relevant evidence to be used by the College to assess the situation, and the date, time, and place of the hearing;
- 2) to speak for himself/herself, to present witnesses and evidence, to challenge the College's evidence, and to raise questions regarding testimony or evidence;
- 3) to have a member of the College community assist as an adviser
- 4) to appeal.

## **HEARING PROCESS**

### **Administrative Review before a Hearing Officer or Student Conduct Board**

Before the hearing, a student accused of misconduct in violation of the code of conduct will be provided prior notices of the relevant sections of the code of conduct allegedly violated, and the date and time of the hearing. Prior to the hearing, students will be given adequate time to submit information, documents and evidence in support of his/her explanation. The student may also provide names of relevant witnesses or knowledgeable individuals for the hearing officer or student conduct board to speak with or attend the hearing. The hearing officer or student conduct board shall give the student reasonable time to prepare his/her explanation. The hearing officer or conduct board may request additional appropriate information, including additional interviews be conducted with certain individuals.

The hearing may be held in person or in a virtual format (i.e. Zoom). It is expected that both methods would be treated with the same seriousness. The student is expected to appear in person or fully participate in the virtual hearing by being in a private and distraction-free location, having the camera on throughout the hearing, and prepared to provide information regarding the reported incident.

Within twenty (20) class days of the hearing, the hearing officer or student conduct board will submit the findings and, where appropriate the sanction to each student responding to allegations of misconduct to the dean of students.

The hearing officer may pursue a mutually agreed resolution of violations with the student involved to resolve a disciplinary matter.

Hearings are not open to the public and privacy will be respected to the extent possible. The hearing is a fact-finding proceeding; the student may not necessarily be present to hear all other witnesses and there is no cross-examination of witnesses however students may request that the hearing officer or conduct board ask questions of the witness on his/her behalf. Students may present information, challenging evidence and witness testimony. Students will be permitted to have the assistance of another member of the College community as an adviser, although the adviser is not a participant in the hearing. While students are free to consult an attorney, a student may not have an attorney present during a disciplinary hearing or at any appeal. A student may request the presence of a family member provided that the family member acknowledges that he/she is an observer and will not seek to participate in the hearing. Hearings are conducted with the formality appropriate to ensure fairness and effectiveness.

The student conduct board is an ad hoc group composed of three faculty and/or staff members inclusive of a Chair. The members are chosen by the dean of students from a panel of individuals recommended by staff, faculty, and the administration. The board is convened and constituted on an as-needed basis, as determined by the dean of students. Three individuals are required, at least one of which must be a faculty member or administrator. The chairperson will be a designated college representative, who shall assist in the coordination and conduct of the hearing. The Chair would vote only in the event of a tie.

If there are not sufficient representatives in the pool at the time a student conduct board is requested, the dean of students, or his or her designee, may make interim appointments to the pool, pending action by the faculty and/or administrative representatives. A member who believes there is a conflict of interest in his/her serving on the conduct board can ask to be excused and shall be replaced. The student respondent as well as any student who has filed the complaint, may advise the dean of students of a challenge to a member of the conduct board for a potential conflict and he/she shall make a determination whether to appoint a different individual to the board. The dean of students shall present the case to the conduct board.

Only the College can audio record the hearing and no individual recording will be permitted.

A student is required to appear at a student conduct board hearing or meeting. Should the student fail to appear, the board may continue to handle the case in absentia and decide based on available information.

The hearing officer or student conduct board may address questions to any party during the proceedings. Any party present may address questions to the chairperson of the hearing officer or student conduct board and the chairperson may then pose the question(s) to the individual.

Determinations shall be based only on the information presented during the hearing and accepted for the record. The standard of proof that will be applied in determining whether a violation occurred is a preponderance of the evidence, meaning whether there is a good faith belief that it is more likely than not that the conduct or incident occurred.

Recommendations on the determination, and sanctions, if any, shall be sent to the dean of students within three class days of the final hearing. The dean of students will review recommendations of the student conduct board and issue a decision and/or impose sanctions. The student will be notified in writing of the decision.

### **Appeal**

A student may file a request for an appeal in writing with the dean of students within five class days of the receipt of a determination and recommended sanction. Appeals are not a re-hearing of the case. The request for an appeal must state the reason for the student's request for an appeal based on one of the three circumstances below:

1. there were violations of procedures or misapplication of evidence
2. there is relevant evidence now available that would not have been available at the time of the hearing
3. the sanction imposed is inconsistent with the nature of the conduct for which the student was found responsible

The College shall designate a College administrator or faculty member to serve as an appeal officer. The appeal person should not have participated yet in the case up for review. A determination on appeal should be reached within thirty (30) days of the appeal officer's receipt of the student's request for an appeal. The decision on appeal can be to sustain, modify, or reverse the previous determination and/or sanction in whole or in part. The appeal officer can also refer the matter back to the dean of students or the hearing officer or student conduct board for further consideration. The appeal officer will forward his/her decision to the office of the vice president for student affairs for review. The appeal officer will issue a written decision to the student.

The decision on appeal is the final step in the process.

In all judicial proceedings, time frames may be extended as reasonably appropriate to permit a fair process. The standard of proof that will be applied in determining whether a violation occurred is a preponderance of the evidence, meaning whether there is a good faith belief that it is more likely than not that the conduct or incident occurred.

**Records of disciplinary action shall be maintained by the College, and the College shall determine what information regarding discipline shall be made a part of a student's transcript.**

### **SANCTIONS**

The College may impose the following sanctions and reserves the right to impose more than one sanction and/or other sanctions based on the conduct involved. In imposing a sanction, the College may consider the disciplinary record of the student and related factors that aggravate or mitigate the circumstances.

1. **Warning** — an oral /verbal notification to the student that their behavior does not meet our expected guideline for our learning community
2. **Censure** — is a written reprimand/warning for violation of specified regulations, including the possibility of more severe disciplinary sanction in the event the student is found responsible for a violation of any college regulation within a period of time stated in the letter of censure.
3. **Fines** — refer to a sum of money to be paid by the charged individual to the College or another specified person or body. Failure to pay fines may result in further discipline and may also result in the denial of a final grade report, denial of registration for the subsequent semester (summer session included), and denial of a diploma or transcript.
4. **Restitution** — is reimbursement for damage to or for misappropriation of property. This may take the form of appropriate services and/or actual compensation.



5. **Behavioral Contract** — is an agreement between the student and the College that details required conduct, performance or achievements; a violation of a behavioral contract can result in further discipline.
6. **No Contact Orders** — is an agreement that two or more students must refrain from communication and interaction with the student(s) named.
7. **Residence Hall Probation** — is a written notice that based on the behavior of the student he/she may lose the privilege to live on campus should there be any other violations of the code of conduct.
8. **Administrative Reassignment** — an outcome of a judicial case, may result in the reassignment of a class, lab, residence hall room, etc. Effort will be made to ensure that the newly assigned item is of equal value as the previous one held
9. **Disciplinary Probation** — recorded on a student's transcript, is a written statement of objectionable behavior based on a pattern of unwanted actions or one singular egregious act. There may be various restrictions on a student's participation in College activities that remains in effect for a period of time specified by the College. In addition to requiring that the student on probation is not to engage in further violations of College policy, probation also may include ineligibility to participate in student activities and/or require participation in a community work project or other activities.
10. **Suspension** — recorded on a student's transcript, means separating the student from the College for a specified period of time when a student has violated a College policy, rule or regulation, and when the College makes a credible determination that: (1) the student's continued presence on campus disrupts the conduct of regular College functions and activities; (2) the student's continued presence on campus may pose a risk, threat or danger to others; or (3) the student refuses to comply with significant College directions or regulations.  
Appropriate faculty, administrators, and College offices will be informed of the terms of a student's suspension. If deemed appropriate, and consistent with the law, parents or guardians will be advised of the suspension. During a period of suspension, a student may not continue to participate in academic programs or classes, athletic teams, clubs and organizations; may not be on or adjacent to campus; and may not attend college-related events without written permission of the dean of students. A student who is suspended will have to comply with all conditions established by the College for readmission at the completion of the suspension.
11. **Residence Hall Expulsion** — termination of a student's housing contract and privilege to live on campus will occur when the student's behavior is egregious, repetitive, or counterproductive to living in an educational community. Students who face residence hall expulsion will not be entitled to a refund for any portion of housing charges.
12. **Expulsion** — recorded on a student's transcript, is termination of student from student status typically permanently and indefinitely. In rare instances the expulsion may be active for a predetermined amount of time and will be subject to readmission conditions. The conditions of readmission, if permitted and if then determinable, shall be stated in the notice of expulsion. Students who are expelled are responsible for all institutional charges incurred.
13. **Other** — Other sanctions 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, educational sanctions i.e. requirements for a counseling assessment, participating in programs to educate a student about certain types of conduct, projects, presentations, training or community service.

**If the alleged code of conduct violation, may result in the suspension or expulsion of a student, the vice president of student affairs will have an opportunity to review the recommended sanction.**

## **STUDENT RECORDS**

In accordance with the policies set forth in this handbook and at the College, the College may provide notification of disciplinary matters to a parent/legal guardian of a student who is identified as a dependent for federal tax purposes. Additionally, disclosure to a parent/legal guardian may be made when necessary to protect the health and safety of the student or others or when a student who is under age 21 is determined to have committed a violation of drug or alcohol regulations of the College or the law involving use and/or possession. If the College determines that a student committed a violation of the College's rules or the law involving a crime of violence or a non-forcible sexual offense, the College may report the results of the disciplinary process to the parent.

### **NOTATION ON COLLEGE RECORDS**

Students suspended or expelled for committing an act of sexual assault, domestic violence, dating violence, stalking or a “violent crime,” as defined by the Clery Act, will have a notation placed on their transcript as follows: “suspended after a finding of responsibility for a code of conduct violation” or “expelled after a finding of responsibility for a code of conduct violation.” The College will consider requests to remove transcript notations. A transcript notation will not be removed prior to one year after conclusion of the suspension. Expulsion notations will not be removed in any case. Appeals seeking removal of a transcript notation should be addressed to the Title IX Coordinator. If an accused student withdraws from the College while charges are pending and declines to complete the disciplinary process the following notation will be placed on his/her transcript: “withdrew with conduct charges pending.”

### **MISUSE OF JUDICIAL 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. A student who uses the disciplinary process or the grievance process, or participates as a witness, shall not be subjected to retaliation or suffer a detriment for their participation. Anyone who commits retaliation shall be disciplined.

## **POLICY AND PROCEDURES SECTION**

### **The Student Handbook 2022-2023 edition**

*On the following pages, you will find comprehensive policies and procedures that detail community expectations regarding:*

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*\*At the time of publishing, the following policies were being reviewed and revised:  
Leave of Absence*

## Alcohol, Cannabis, and Other Drugs Policy and resources

### Standards of Conduct

Vaughn College of Aeronautics and Technology is committed to creating a learning environment that is not adversely affected by alcohol and drug use and abuse, and is in compliance with local, state and federal laws. The College strongly supports a combination of preventive education about alcohol and other drugs and counseling services for those who need support with managing drug and alcohol-related concerns, as the most effective means to achieve and maintain this environment. The College's respect for individual freedoms must be balanced with the importance of providing for the safety and well-being of the community in fulfillment of its educational mission. It is expected that students will educate themselves about potential consequences of alcohol and drug use. Vaughn College will not tolerate the unlawful possession, use, abuse or distribution of illegal drugs or alcohol on its property or at its events, or at off-campus activities or business that has a connection to the College. Accordingly, the College sets forth the following basic campus conduct standards for students, which are in addition to the applicable civil and criminal laws and regulations:

- Vaughn College has established a drug- and alcohol-free workplace policy to reaffirm its long-standing opposition to the unlawful or abusive use of controlled substances and alcohol.
- Vaughn College prohibits the manufacture, distribution, dispensation or possession of illegal drugs, cannabis and cannabinoid containing substances on its premises.
- Vaughn College requires that students, faculty and staff not be under the influence of illegal drugs, prescription drugs (unless as directed by a doctor) or be impaired by cannabis or alcoholic beverages while on campus for the conduct of his or her education, or the performance of his or her job, or while engaged in College business or activities elsewhere.

The educational environment of the College is supported by being substance free; most events and activities where students and employees are welcomed and invited are alcohol-free. Even when students and employees have reached the minimum legal drinking age and they are invited to college events where alcohol is served, community members may choose to abstain from alcohol consumption. Events where alcohol is available that occur on college premises or at college-sponsored activities must be in full compliance with New York State and local laws. For example, persons under the age of 21 are prohibited from possessing any alcoholic beverages at the College campus or any College related or affiliated event, on or off campus. No person shall be sold or served alcoholic beverages if the person is, or appears to be, under the legal drinking age of 21, seems to be intoxicated or has a history of alcohol-related infractions. Similarly, no one under the age of 21 should present or use fraudulent proof of his or her age to purchase, or try to purchase, alcoholic beverages or to gain admittance to an activity for which the person must be 21 years of age or older. The College's policy governing the use of alcohol applies to recognized student groups as well. Any violation of the policy can result in sanctions against the group, including loss of privileges and sanctions against the individual members of the group involved in the violation of policy. The assistant vice president of human resources has further information concerning the use of alcohol by faculty and staff.

Objectionable/addressable behavior that would constitute code of conduct violations, includes:

- Being in a state of intoxication regardless of age;
- Consuming alcohol when underage (at an age less than 21 years old);
- Use of non-prescription drugs or marijuana/cannabis on campus (including College parking lots) and/or at college sponsored events;
- Introducing alcohol, cannabis or illegal drugs into any on campus building including the residence hall;
- Possessing/storing alcohol, non-prescription drugs, cannabis and/or containers or paraphernalia for alcohol, cannabis or illegal drugs.

### NOTES:

1. The recreational use of cannabis has recently been legalized for adults 21 and older; however, the use and/or possession of cannabis and cannabinoid containing substances remains a violation of college policy.

2. Underage students who have been found in violation of this alcohol and other drug policy may be subject to parental notification in addition to appropriate sanctions.

### **Alcohol**

Ordinarily, the College does not permit the possession, consumption, use, distribution, transfer, or sale of alcohol on campus or adjacent to the College premises or at a College-related event, regardless of age. On certain and limited occasions, the College may serve alcohol, under specific circumstances, to those legally permitted to consume it as part of a College event. At these invitation-only events, students and staff are reminded that the NYS legal drinking age is 21 and that being in a state of intoxication regardless of age is against the code of conduct and employee expectations. Students, staff, or faculty should not be on campus or at College-related events when impaired by alcohol, cannabis, or illegal drugs. All members of the College community are required to comply with the laws regarding alcohol.

### **Other Drugs**

Pharmaceuticals that are prescribed by a licensed medical professional are permitted to be used only in the specific manner for which they were prescribed; likewise, over the counter medicines are acceptable to be used only in the manner intended. It is against the College policy for any student or employee to possess, use, sell, share or otherwise distribute illegal drugs or controlled substances. At no time will a student or employee, by action or inaction, actively or passively condone the use, possession, or distribution of illegal drugs or controlled substance by others. This standard applies to drugs, controlled substances, and/or related paraphernalia, (including cigarette wrapping paper) in or around the College community. All equipment of any kind used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance is prohibited. Students, staff, or faculty should not be on campus or at College-related events when impaired by prescription, over the counter, or illegal drugs. All members of the College community are required to comply with the laws regarding alcohol, illegal drugs, and the use of prescription and over the counter drugs.

### **Cannabis/Marijuana**

While the terms Cannabis and Marijuana are used interchangeably, educationally speaking cannabis is the genus and Marijuana is the species. For the purpose of this policy whenever either term is used it is intended to encompass all derivatives and uses from the cannabis sativa plant, including ingestible products. The recreational use of cannabis has recently been legalized for adults 21 and older; however, its use and/or possession remains unlawful under federal law and a violation of College policy. Furthermore, the use of cannabis is ill advised for the careers that Vaughn students are pursuing, especially the Federal Aviation Administration regulated programs where cannabis use is unlawful and may have dire career consequences! Students with qualifying disabilities who have prescriptions for medicinal use of cannabis products are expected to complete the process of review by our disabilities coordinator to receive reasonable accommodations BEFORE possessing or using products on campus or at College-sponsored events.

### **Smoking Nicotine, and smoking paraphernalia**

All indoor locations on campus are smoke-free, including the residence hall. This includes cigarettes, e-cigarettes, marijuana, vaping, hookahs, etc. While smoking cigarettes and other nicotine products may be legal, members of the Vaughn College community are expected to refrain from smoking indoors and outdoors near entrances/exits of all buildings in accordance with local laws. All equipment of any kind used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled smoking substance is prohibited. Furthermore, creating a smoke condition and tampering with fire safety equipment, including smoke detectors, would constitute a violation of both this

Alcohol and Other Drug policy and the Fire Safety policy.

### **Disciplinary Sanctions**

Students, staff or faculty who engage in conduct prohibited by law or this drug and alcohol policy will be subject to the applicable processes to be held accountable and sanctioned as appropriate. Students who violate the law, the College's standards of conduct or related policies are subject to the student disciplinary process. Outcomes of the student process include educational sanctions, counseling assessment, warnings, confiscations, probation, suspension, and expulsion. The outcome is determined by the severity and frequency of the incidents

Employees will be addressed through human resource standards. At the discretion of the College, a student or employee found to have violated the law, these standards of conduct or related policies may be required, in addition to any disciplinary action taken or as an alternative to disciplinary action, to participate in and satisfactorily complete, an appropriate counseling, rehabilitation or assistance program.

Sanctions that are imposed may also be entered onto student's permanent academic records, including transcripts.

### **Amnesty**

Every member of the community shares a responsibility for promoting health and safety. All students, therefore, have a responsibility and obligation to seek immediate assistance for any student known to be experiencing a serious health crisis, including one resulting from high risk drinking or the abuse of other drugs. Students who seek assistance on behalf of a peer and are themselves under the influence of alcohol or drugs in violation of this policy will not receive a code of conduct sanction for this action. Additionally, the student who is the subject of the report will not receive a code of conduct sanction for this action. For alcohol violations that additionally are Title IX incidents, please see the Title IX policy. It is the College's intention to partner with students in promoting health and safety. The College will provide students with the assistance needed to respond to high-risk drinking and other drug abuse. Students may seek such assistance by contacting a Student Affairs professional or the campus security staff. After the crisis is resolved, the student who experienced the health crisis, as a result of alcohol intoxication or other drug consumption, may be referred to the counseling center. The counselor will provide assessment, substance abuse education, counseling, recommendations and/or referral as applicable to the individual student's need.

### **Health Risks of Alcohol and Illicit Drugs**

The following briefly summarizes health risks and symptoms associated with alcohol abuse and use of illicit drugs. It is important to note that individuals experience alcohol and drugs in different ways based on physical tolerance, body size, gender and a variety of other physical and psychological factors.

#### ***Alcohol***

Alcohol consumption causes marked changes in behavior. Even low doses significantly impair judgment and coordination required to drive a car safely; increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts. Moderate to high doses of alcohol cause marked impairment in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects described.

Repeated use of alcohol can lead to addiction. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Drinking during pregnancy may cause birth defects such as fetal alcohol syndrome, mental

retardation and irreversible physical abnormalities. Research also indicates that children of alcoholic parents are at greater risk of becoming alcoholics.

### ***Cannabis/Marijuana***

Marijuana use leads to a substantial increase in the heart rate. It impairs or reduces short-term memory and comprehension. Motivation and cognition can be altered. With extended use, it can produce paranoia and psychosis. Smoking marijuana damages the lungs and pulmonary system. Marijuana contains more cancer-causing agents than tobacco. It also lowers male sex hormones, suppresses ovulation and causes changes in the menstrual cycle and possible birth defects. Someone who uses marijuana may laugh inappropriately and have bloodshot eyes, dry mouth and throat, odor of the drug, and a poor sense of timing and increased appetite.

### ***Cocaine and Crack***

Health risks may include changes in body temperature and blood pressure as well as heart and breathing rates. Even small amounts may cause the body to exceed its own limits, sometimes resulting in death. Snorting cocaine may severely damage nasal tissue and the septum. Smoking cocaine may damage the lungs. Someone using cocaine may experience muscle twitching, panic reactions, anxiety, numbness in hands and feet, loss of weight, a period of hyperactivity followed by a crash, a runny or bleeding nose and depression. Other symptoms of cocaine may include nausea, vomiting, insomnia, tremors and convulsions. Chronic users may become paranoid and/or experience hallucinations.

### ***Barbiturates***

In small doses, barbiturates produce calmness, relaxed muscles and lowered anxiety. Larger doses cause slurred speech, staggering gait and altered perception. Very large doses, or doses taken in combination with other central nervous system depressants (e.g., alcohol), may cause respiratory depression, coma and even death. A person who uses barbiturates may have poor muscle control, appear drowsy or drunk, become confused, irritable, or inattentive, or have slowed reactions.

### ***Amphetamines***

Amphetamines, methamphetamines or other stimulants can cause increased heart and respiratory rates, elevated blood pressure and dilated pupils. Larger doses cause rapid or irregular heartbeat, tremors and physical collapse. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, high fever, heart failure and death. An individual using amphetamines might begin to lose weight, have the sweats and appear restless, anxious, moody and unable to focus. Extended use may produce psychosis, including hallucinations, delusions and paranoia.

### ***Hallucinogens* (including PCP, LSD, Mescaline, Peyote, Psilocybin)**

PCP, or angel dust, interrupts the part of the brain that controls the intellect and keeps instincts in check. PCP blocks pain receptors. Violent episodes, including self-inflicted injuries, are not uncommon in PCP users. Chronic users report memory loss and speech difficulty. Very large doses produce convulsions, coma, heart and lung failure, or ruptured blood vessels in the brain. LSD, mescaline, peyote, etc. cause dilated pupils, elevated body temperature, increased heart rate and blood pressure and tremors. Someone under the influence of PCP might appear moody, aggressive or violent. Such an individual may become paranoid and experience hallucinations and have time and body movements slowed. People using LSD may experience loss of appetite, sleeplessness, confusion, anxiety and panic and may report perceptual distortion. Flashbacks may occur.

### ***Narcotics* (including Heroin, Codeine, Morphine, Opium, Percodan)**

Because narcotics are generally injected, the use of contaminated needles may result in many different diseases, including AIDS and hepatitis. Symptoms of overdose include shallow breathing, clammy skin, convulsions and coma and may result in death. Some signs of narcotic use are euphoria, drowsiness, constricted pupils and nausea. Other symptoms include itchy skin, needle or “track” marks on the arms and legs, nodding, lack of sex drive and appetite and sweating, cramps and nausea when withdrawing from the drug.

### **Counseling/Rehabilitation at the College**

Resources which may include on campus sessions, brochures, information, and referrals are available for students in the office of counseling and wellness. Employees may access staff resources through the EAP (Employee Assistance Programs). You may get involved in the AA (Alcoholic Anonymous) or ACOA (Adult Children of Alcoholics) meetings in the community. Vaughn, to the extent permitted by law, shall treat communications and records of a personal nature involving a counselor and a student with discretion.

### **Criminal Penalties**

*The criminal penalties that follow are provided as a reference and not intended to represent the law. In an event when what is written herein and the law differ, the law shall supersede the information below.*

The unlawful possession, use, abuse or distribution of illegal drugs and alcohol is punishable by sanctions imposed by the US Government and by the state of New York. Where appropriate or necessary, the College will cooperate fully with the law enforcement agencies.

Penalties are imposed based on the nature of the drug and the amounts in possession or distributed; i.e., possession of two to eight ounces of marijuana in New York state is a Class A misdemeanor, carrying a penalty of six months incarceration and a \$1,000 fine. A class B misdemeanor is committed when an alcoholic beverage is given to a person under the age of 21. The crime is punishable by up to three months imprisonment and a \$500 fine. A class D felony is committed with possession of 500 milligrams or more of cocaine. This crime carries a prison term of one to three years and a \$15,000 fine. It is important to note that in New York a gift of a drug, including marijuana, is considered a sale.

Driving While Intoxicated (DWI) is a misdemeanor punishable by up to a year imprisonment and a \$500 fine and the loss of a driver’s license.

In New York, for example, if you are under the age of 21, you are prohibited from possessing alcoholic beverages with the intent to consume them and this action is punishable by a fine. A person need not be in actual physical possession of a controlled substance to be guilty of a crime. The unlawful presence of a controlled substance in an automobile is presumptive evidence of knowing possession of such substances by each passenger unless the substance is concealed on the person of one of the occupants. Similarly, the presence of certain substances in open view in a room under certain circumstances may be evidence of knowing possession by anyone in close proximity.

This policy will be reviewed regularly and amended or revised in accordance with our experience administering it as well as changes in local, state and federal laws and regulations. Any questions from students regarding the implementation of the policy should be referred to the dean of students.



## Penalties for Illicit Drugs

The following federal trafficking penalties for illegal drugs took effect November 18, 1988, under the Controlled Substance Acts (CSA).

### ***CSA I and II Penalties***

For possession of 10–99 gram (gm) or 100–999 gm mixture of methamphetamine or PCP; 100–999 gm mixture of heroin; 500–4,999 gm mixture of cocaine; 5–49 gm mixture of cocaine base; 1–10 gm mixture of LSD; 40–399 gm mixture of fentanyl; 10–99 gm mixture of fentanyl analogue, the penalty is:

First offense: not less than five years or more than 40 years of imprisonment; if death or serious injury occurs, not less than 20 years of imprisonment or more than life; a fine of not more than \$2 million for individuals or \$5 million for other than individual.

Second offense: not less than 10 years of imprisonment or more than life; if death or serious injury occurs, not less than life imprisonment; a fine of not more than \$4 million for individuals, \$10 million for other than individual.

For possession of 100 gm or more, or one kg or more mixture of methamphetamine or PCP; one kg or more mixture of heroin; five kg or more mixture of cocaine; 50 gm or more mixture of cocaine base; 10 gm or more mixture of LSD; 400 gm or more mixture of fentanyl; 100 gm or more mixture of fentanyl analogue; the penalty is:

First offense: not less than 10 years of imprisonment or more than life; if death or serious injury occurs, not less than 20 years of imprisonment or more than life; a fine of not more than \$4 million for individuals, or \$10 million if other than individual.

Second offense: not less than 20 years of imprisonment or more than life; if death or serious injury occurs, not less than life imprisonment; a fine of not more than \$8 million for individuals, \$20 million for other than individual.

For other drugs, not including marijuana, hashish, or hash oil, the penalty is:

First offense: not more than 20 years of imprisonment; if death or serious injury occurs, not less than 20 years of imprisonment or more than life; a fine of \$1 million for individuals, \$5 million for other than individual.

Second offense: not more than 30 years of imprisonment; if death or serious injury occurs, life imprisonment; a fine of \$2 million individuals, \$10 million for other than individual.

### ***CSA III, IV, and V Penalties***

For CSA III drugs, not more than five years of imprisonment: a fine of not more than \$250,000 for individuals, or \$1 million for other than individual.

Second offense: penalties double that of first offense. For CSA IV drugs:

First offense: not more than three years of imprisonment; a fine of not more than \$250,000 for individuals, or \$1 million for other than individual.

Second offense: penalties double that of first offense. For CSA V drugs:

First offense: not more than one year of imprisonment; a fine of not more than \$100,000 for individuals, or \$250,000 for other than individual.

Second offense: penalties double that of first offense.

### ***Marijuana, Hashish, and Hashish Oil***

For possession of 1,000 kilogram (kg) or more, or 1,000 or more plants, of marijuana or mixture containing discernible quantity:

First offense: not less than 10 years of imprisonment, not more than life imprisonment. If death or serious injury occurs, not less than 20 years of imprisonment, not more than life imprisonment; a fine of not more than \$4 million for individuals, \$10 million for other than individual.

Second offense: not less than 20 years of imprisonment or not more than life imprisonment; if death or serious injury occurs, not less than life imprisonment; a fine of not more than \$8 million for individuals, \$20 million for other than individual.

For possession of 100 kg to 1,000 kg, or 100–999 plants, of marijuana or mixture containing discernible quantity:

First offense: not less than five years of imprisonment, not more than 40 years of imprisonment. If death or serious injury occurs, not less than 20 years of imprisonment, not more than life imprisonment; a fine of not more than \$2 million for individuals, \$5 million for other than individual.

Second offense: not less than 10 years of imprisonment or more than life imprisonment; if death or serious injury occurs, not less than life imprisonment; a fine of not more than \$4 million for individuals, \$10 million for other than individual.

For possession of 50 to 100 kg, or 50–99 plants, of marijuana; 10 to 100 kg hashish; or 1 to 100 kg hashish oil: First offense: not more than 20 years of imprisonment. If death or serious injury occurs, not less than 20 years of imprisonment, not more than life imprisonment; a fine of \$1 million for individuals, \$5 million for other than individual.

Second offense: not more than 30 years of imprisonment. If death or serious injury occurs, life imprisonment, a fine of \$2 million for individuals and \$10 million for other than an individual.

For possession of under 50 kg of marijuana, less than 10 kg of hashish, less than 1 kg of hashish oil:

First offense: not more than five years of imprisonment; a fine of not more than \$250,000 for individuals, \$1 million for other than individual.

Second offense: not more than 10 years of imprisonment; a fine of not more than \$500,000 for individuals, \$2 million for other than individual.

In addition, the state of New York has passed many laws regarding drugs and drug use. For example, criminal possession of a hypodermic instrument is a Class A misdemeanor; criminal injection of another person with a narcotic drug, with their consent, is a Class E felony; and a gift of drugs, including marijuana, is treated as a sale.

Under federal law, possession or trafficking in illegal drugs can also lead to forfeiture of property (such as a car), the loss of federal licenses (including pilot licenses), and the denial of federal benefits such as student loans and grants. The federal Higher Education Act provides that a student who is convicted under federal or state law of possession or sale of illicit drugs is suspended from eligibility for federal student financial aid. Depending upon the number and type of convictions, the suspension may be for one year or indefinitely; a student may regain eligibility upon the completion of an acceptable rehabilitation program. A felony conviction may also prevent an individual from entering many professional careers.

## Alcohol and Substance Use/Abuse Resources

There are resources available on and off campus that provide drug and alcohol education or assistance:

### **For students**

1. Counseling services from the office of counseling and wellness are available to address individual concerns, provide assessments and referrals for treatment on and off campus, and to provide information and education about drug use.
2. The residence life staff, including the professional staff and resident assistants, are a valuable resource for students who live on campus
3. General student affairs staff may refer individuals with situations involving alcohol and drugs to campus and local resources.

### **For employees (including students who are also employees)**

4. The Human Resources staff serve as valuable resources
5. Employees may access resources through the EAP (Employee Assistance Programs)

**Alcohol and Drug Programs** — With a commitment to reducing the negative consequences associated with alcohol and other drug use while also helping to create a safe and healthy environment on campus for all of our students we offer education for all new students on alcohol and drugs as part of their acclimation through new student orientation programs and/or first year experience/first year initiative courses; and the counseling and wellness office routinely offers alcohol and drug workshops that cover a myriad of topics such as: awareness of different drugs and their effects; consequences of drug use; addiction, what is it in relation to illegal and legal substances and recovery and positive living.

New York City has established continuous crisis and support services that are both confidential and free for a variety of concerns including alcohol and other drugs, NYC Well. Counseling services may be accessed through:

**TEXT** By texting “WELL” to 65173

**TALK** By calling 1-888-NYC-WELL

**CHAT** By opening <https://nycwell.cityofnewyork.us>

In addition, the following programs for alcohol and drug abuse may be available in the New York area:

Alcoholics Anonymous	212.647.1680
Daytop Village Outpatient Programs	
Queens	718.206.1990
Brooklyn	929.244.1456
Harlem	212.864.4128
Suffolk County	631.351.7112
Narcotics Anonymous	212.929.6262
Second Wind (Substance Abuse)	212.481.1055
U.S. Dept. of Health	
Substance Abuse	800.662.4357

Alcohol treatment centers require a license from the state of New York. If there is a question about a facility that offers treatment, contact the New York State Division of Alcoholism and Alcohol Abuse (718.957.6380 or 1.800.711.6375).

**For emergencies and/or medical detoxification needs, call 9-1-1 or go to the nearest emergency room.**

## Assumption of Risk Statements

Students who seek to participate in the student activities, including recreation/intramural sports should understand that there are inherent risks, including the risk of injury. The event organizers may be college personnel, or the event may be offered in conjunction with an agency which organizes such activities. In consideration for being permitted to participate in the activity, students understand and agree that:

- The College reserves the right to offer activities, to limit activities, and to make reasonable changes or modifications to the activity.
- Participation is voluntary and students may refrain from participation at any time.
- Students are subject to the College's policies, rules and regulations concerning conduct, as well as all applicable laws, while participating in a college-sponsored activity/event whether on or off campus.
- Students are expected to conduct themselves in an appropriate manner while participating in activities and shall not create, participate or condone in unsafe behavior. Students participating in events shall adhere to the code of conduct as well as all applicable laws including but not limited to substance use, driving speed limits, and sexual misconduct.
- It is the responsibility of the students to familiarize themselves with the intended activities and demands of a rigorous activity, including both the physical fitness expectations and the inherent and unavoidable risks of injury and harm. Students are expected to refrain from participation if:
  - they have a medical or other condition that would limit or impede safe and full participation
  - they are unable to participate fully in the activity as intended
  - a health professional has advised them of any risks or conditions that would limit or impede their full and safe participation
- Transportation may be provided to and from the activity and/or unescorted travel may be expected to participate in the activity. Students are expected to adhere to safety guidance and understand that there may be unforeseen risks associated with travel.
- The College expects that students have health insurance that would cover accidental injury, including the potential for transport via ambulance, emergency room and/or urgent care visits, medical treatment, etc. **Resident students and International students are REQUIRED to have health insurance.**
- It is understood that the College is not responsible for any loss or damage that may sustained to personal belongings.

*To the maximum extent permitted by law, students release, waive, indemnify and hold harmless the College, its past, present and future trustees, directors, officers, employees, students, agents and assigns (whether acting as agents for the College or in their individual capacities) (hereinafter, collectively "the College"), from and against any present or future claim, loss, cause of action, costs, fees, fines, penalties (including reasonable attorney's fees and court costs) or other liability for injury to person or property, whether in law or equity, which I may suffer, directly or indirectly or for which we may be liable to any other person, as a result of my participation in the activities (including periods in transit to or from where the activity is being conducted), as a result of the actions of a third party, or as a result of the negligence (other than gross negligence) or any other act or omission on the part of the College.*

*This Agreement is governed by the laws of the State of New York applicable to contracts made and wholly to be performed in the State of New York, and that any dispute arising from or relating to my participation in the Activity, or this Agreement, shall be brought and adjudicated in the Supreme Court of the State of New York, County of Queens or the United States District Court for the Eastern District of New York. Should any provision of this Agreement be found to be unenforceable, all remaining provisions will continue to be in full force and effect.*

*This Agreement represents the complete understanding of the parties concerning responsibility and liability for student participation in activities and supersedes any previous or contemporaneous understandings, whether written or oral.*

## CAMPUS PARKING REGULATIONS

Parking in campus lots is a service afforded to currently enrolled students and there is no guarantee that there will be an available space on any given day or time. Students are expected to be registered for classes, present a valid driver's license, car registration and insurance at the time of the application of the permit; and students are expected to maintain enrollment, licensure, registration and insurance as a prerequisite for continued parking privileges.

Parking is provided as a service of convenience to students and staff. Owners are responsible for their vehicles, the drivers of, and the contents of their vehicles on the campus. The College assumes no responsibility for the care, custody or control of vehicles nor its contents while on campus.

The following guidelines are presented to avoid tickets, boots, fines, tows and/or loss of parking privileges

- All vehicles must have valid College parking permit for each semester available from athletic offices and must be parked in accordance with applicable safety precautions, as well as follow campus parking regulations and applicable safety precautions.
- Students may park on campus **only** in designated lots at appropriate times. Students may not park in the College parking area on Ditmars Avenue, this area is reserved for faculty and staff; however, after 6:00 p.m. students may park in employee spaces.
- The College does not guarantee the availability of parking spaces during peak hours. Students are encouraged to use public transportation or to carpool in order to reduce the demand for parking during peak hours. Students are expected to be in class on time and should plan their transportation and parking needs accordingly.
- Only students in possession of NY State issued handicapped license plates or decals, who have additionally indicated the need for an accessible parking space (due to physical disabilities) at the time of securing the parking permit, may park in designated handicapped parking spaces.
- Parking is not permitted on concrete aprons.
- Vehicles may not be left on College property overnight without approval. To secure approval, the student must submit the request in writing to student affairs with sufficient time to consult with campus security and receive desired clearance or denial, whichever is applicable.

Students who violate parking regulations including parking without a valid permit, shall be subject to sanctions. Upon the first parking violation a warning sticker will be placed on the vehicle. Second parking offenses will receive a final warning sticker on the vehicle. A third violation of parking regulations will result in a boot placed on the vehicle wheel, rendering it immobile, and the assessment of a fine.

The office of security will remove the boot upon request and present the responsible party with a parking violation fee notice. A fee of \$25 will be assessed upon the second parking violation. Failure to pay this fee within 30 days will result in an additional fine of \$10; bringing the amount owed to \$35. Ninety days following the issuance of the second violation, the fine will increase to \$50. These fines will be assessed to the student account. Parking in a handicapped space without appropriate Department of Motor Vehicles placard, or fraudulent use of a disabled placard, will result in a \$50 fine and a boot placed upon the vehicle upon the first offense.

Additional sanctions may include, but are not limited to, (1) vehicle being towed at the owner's expense; (2) loss of parking privileges; (3) fines; and (4) disciplinary measures, such as warnings, probation, suspension or expulsion may be imposed by the College for failure to comply with parking regulations.

## **College Computer Systems, Communications Systems and External Database Access Policy and procedures**

The College provides on-campus computer facilities and on-line computer access to the Internet and to various other on-line external databases and services (electronic mail, information services, etc.) for use by faculty, staff and students engaged in school-related educational and scholarly pursuits. In order to ensure that resources are allocated on an equitable basis and that equipment or access not be used for purposes inconsistent with the educational mission and operation of the College, the following policies and procedures will govern the use of the systems:

1. Computer facilities and external access is provided for the purpose of educational and scholarly research and inquiries directly related to the College curricular and co-curricular offerings only. Acceptable use of these facilities and access includes the rights of individuals to access and save legal files on the Internet and also respects the identification and security mechanisms put in place by the College. Users who desire to access external sources (including, but not limited to downloads of information and/or programs) for personal, recreational, commercial, consumer or other non-research-related uses are expected to do so from offsite through their own personal access arrangements, and not via College hardware, software or communication facilities. By way of examples only, unacceptable uses of the College's systems include, but are not limited to:

- a. Illegal activities of any kind;
- b. Receiving or transmitting abusive, threatening, harassing, intimidating, sexually explicit, sexist, racist, obscene, lewd, vulgar, patently offensive, profane, or otherwise inappropriate or discriminatory content;
- c. Expressing opinions or points of view as representing an official opinion or point of view of the College;
- d. Disclosing confidential information to unauthorized persons or entities;
- e. Participating in external two-way or multi-party communications services (electronic mail, bulletin boards, forums, "chats," etc.) not directly related to the purpose of educational and scholarly research; f. Engaging in vandalism, such as creating or placing a computer virus on the College's systems;
- g. Gaining or seeking to gain unauthorized access to any files, resources or systems;
- h. Using the computer facilities and external access while privileges are suspended or have been revoked.

2. Computer facilities and external access will be provided to authorized users by the assignment of unique log-in identification codes ("usernames" and passwords) and, where appropriate, with limited hard disk space on College hardware, for their own individual use. Authorized users will be personally responsible for maintaining the integrity of the College's access policy and may not permit other persons to use their usernames, passwords, accounts or disk space, or disclose their usernames, passwords or account information to any third party other than a reasonable request by a College official. Users should log out whenever they step away from the computer facilities regardless of how long they intend to be away.

3. Software and information and data obtained from external sources may not be used in any manner inconsistent with the copyright laws of the United States, or in any other manner forbidden by applicable federal or state law. In addition, such information and data may not be used except in compliance with College policies governing plagiarism and the attribution of third-party information sources.

4. Users may not install additional software or utilities on any College hardware, or make any modifications to College software, without prior written permission.

5. Users must respect the integrity and security of the Vaughn College of Aeronautics and Technology systems, network, and the access privileges, privacy and reasonable preferences of other users. The College reserves the right to limit access time and disk space in order to optimize an equitable allowance of resources among users.

6. The College reserves the right to monitor individual use of its systems and network in order to ensure compliance with these policies and procedures.

7. The College reserves the right to limit or block access to external sites, sources and services, either specifically or by category, as inconsistent with the purposes set forth in Paragraph 1 above. Users may not attempt to defeat such limitations or blocks, but may request review and modification thereof if appropriate to facilitate scholarly research or inquiries.

8. Usernames and passwords will be furnished only to persons who have signed and returned a copy of this document, and such updates or modifications as may hereafter be promulgated. The user's signature certifies that he/she has read this document, understands it, and agrees to be bound by its terms.

9. Any person who uses the College computer facilities, communication systems or online systems, agrees to be bound by this posted and published policy by logging on to any part of the system (with or without authorization) and will be bound hereby.
10. Use of the College computing facilities in violation of this Policy, in violation of applicable law, or in violation of other College rules and regulations governing conduct by members of the College community may result in suspension or termination of access to computing facilities, other disciplinary action as may be appropriate, and, if appropriate, possible legal action or referral to local law enforcement.
11. Users agree that the College is not responsible for the loss of any data or files including losses due to the failure of College-owned hardware or software.

## **FIRE SAFETY POLICY STATEMENTS**

### **FIRE Safety**

Fire safety is the responsibility of all members of the College community. Students and other community members are prohibited from negligently or knowingly setting any materials on fire, creating a fire or combustion hazard, endangering the safety of others or property by the improper use or possession of hazardous/flammable substances. Open flames are never permitted indoors in any campus building including lighting candles and smoking.

It is a violation to misuse or tamper with smoke detectors, fire alarms, or fire extinguishers. Interference with fire drills or the false reporting of fires is also prohibited. Fires, or dangerous conditions that could lead to a fire, are to be reported immediately to the nearest faculty member, administrator, staff member, or security officer. Evacuation procedures will be initiated while the fire department is being contacted. The sounding of the Fire alarm is to be taken seriously. Fire wardens and faculty members will facilitate evacuation of the premises.

### **General Fire Evacuation Procedures**

In the event of a Fire Alarm sounding, do the following things:

1. Leave the building immediately; use the stairwells, not the elevator
  2. If you are a mobility-impaired person on an upper floor, proceed to the stairwell landing on your floor and instruct someone to notify emergency response personnel of your location.
  3. Assist any person in immediate danger to safety, if it can be accomplished without risk to yourself.
  4. Immediately activate the building fire alarm system. This will sound the fire alarm bells or horns to evacuate the building and will automatically notify the Campus Security, Environmental Health & Safety and the Fire Department. It is best to have these agencies respond and not be needed than it is to have them arrive too late for potential rescue.
  5. If the fire is small enough, use a nearby fire extinguisher to control and extinguish the fire. Don't fight the fire if these conditions exist:
    - The fire is too large or out-of-control.
    - If the Atmosphere is toxic.
  6. If the first attempts to put out the fire are not successful, evacuate the building immediately.
  7. Doors, and if possible, windows should be closed as the last person leaves a room or area.
  8. When they hear fire alarm sound, all personnel in the affected areas shall evacuate the building immediately.
  9. Upon evacuating the building, persons shall proceed to an area (at least 150 feet from the affected building) where Supervisors are responsible for taking a head count and accounting for all personnel.
- :
10. NO person will be allowed to re-enter the building without permission of Environmental Health & Safety or the Fire Department.
  11. You must report all fires to the Environmental Health & Safety. All large fires will be investigated by officers and/or the local fire marshal.

### **General Building Evacuation**

You should familiarize yourself with the evacuation routes posted in all campus buildings. If an evacuation order is issued for your building, or if it were necessary to evacuate due to an emergency, fully cooperate with Safety and Security/emergency personnel and:

- Take only keys, wallets and essential belongings with you
- If possible, wear weather appropriate clothing
- If you are the last one to exit your room close, and lock doors
- Leave the building immediately
- Do not investigate the source of the emergency
- Walk, don't run to the nearest exit
- Use stairs, not elevators
- Assists people with special needs
- If there is no immediate danger, persons with disability/mobility limitations should shelter in place and call safety and Security at 718-505-1024 (ext. 130 from campus phones) to report location and number of people needing assistance
- If there is imminent danger and evacuation cannot be delayed, the person with a disability should be carried or helped from the building in the best and fastest manner (the person with the disability is the best authority as to how to be moved out of the building)
- If you are unable to evacuate, call Safety and Security at 718-505-1024 (ext. 130 from campus phones) and report your location
- As you make your way out, encourage those you encounter to exit as well



- Follow instructions of the Department of safety and security or other identified emergency personnel
- Wait for instructions before returning to your building after an evacuation

### **Fire Evacuation from the Residence Hall**

1. Feel the closed door of your room. If it feels hot, the hallway is filled with smoke. Do not open the door. Go to your window and wait for rescue. If the door is cool, close your window before slowly opening the door.
2. Do not stop to dress. Take a pair of shoes and an overcoat or blanket. Upon leaving the room, leave the lights on and the door closed. Take your keys with you. Knock on the door on each side of your room and be sure your neighbors are awake before you evacuate.
3. If you cannot leave the room:
  - Open the window if there is smoke. If there is no smoke, leave the window closed to prevent outside smoke from being drawn into the room.
  - Seal cracks around the door with towels (a damp one, if possible).
  - Attract attention by hanging an object from the window—the brighter the color the better. If outside smoke is drawn in, close the window, leaving the object hanging.
  - If smoke is severe, place a wet cloth over your nose and remember—the floor is usually clear of smoke.

When evacuating:

- Walk at a brisk pace, but do not run.
- Follow the posted corridor instructions to the proper exit route and assembly point.
- Move in single file along the wall where the exit is located.
- Use only marked exits.
- Never use an elevator when fire is suspected.
- Remain absolutely silent to enable those in charge to give directions.
- While waiting to re-enter into the building, remain 100 feet away from the building to enable appropriate staff needed access. Do not attempt to re-enter the building until you are informed by student affairs staff that it is safe to do so.

### **Avoiding Fires in the Residence Hall Kitchen**

In addition to cleaning up after using the kitchen to prepare food as referenced in the “Improper Care of Facilities” section, resident students must also adhere to the following cooking and fire safety guidelines:

- Residents must remain in the kitchen while their food is cooking. Stepping away, even for a minute, can allow food to burn and cause a fire or smoke condition.
- Food should be cooked on the lowest heat settings possible, as electric stove burners often get hotter more quickly than expected, even at lower settings.
- If cooking food begins to emit smoke, turn off the affected burner and move the food to an unused, cool burner.
- If the fire alarm system is activated, students must evacuate the kitchen and residence hall. The kitchen door should remain CLOSED to prevent the spread of fire and smoke further into the residence hall.

### **Fire Drills**

As required by law, there will be two unannounced fire drills each semester in the residence hall. All residents are required to leave the building when the fire alarm sounds. There is no distinction in the evacuation process for an alarm sounding that is later determined to be false. Every time the alarm sounds, regardless of the hour of day, the outside temperature/or weather, all residents and their guests are expected to evacuate the building quickly and safely. You are asked not to interfere with the staff attempting to assist with evacuation by asking, “Is this a false alarm?” or “Is it a real fire?”

### **False Alarms and tampering with fire safety equipment/process**

- Attempted deactivation of a residence hall room smoke alarm, or an alarm in any campus building, may result in activation of the building’s fire alarm system and is prohibited.
- Activating false alarms, improper use of firefighting equipment, or refusal to leave the building during an alarm are very serious breaches of safety regulations. It is a violation for any student to jeopardize the safety of the community.
- Residents will practice effective fire safety at all times by exercising prudent judgment and following fire safety guidelines established or revised for the residence hall and all indoor locations, including but not limiting to not smoking/vaping indoors and not lighting candles or other flame emitting objects.

- Students will use fire alarms, fire extinguishers, fire exits, fire sprinklers and related equipment only for their firefighting purposes.
- Students will not hang or suspend anything on a fire extinguisher or sprinkler outlet and understand that they will be responsible for any damage caused thereby.

Any violations of policies which result in the activation of fire alarms, sprinkler systems, and/or fire safety equipment constitutes a false alarm and is a serious violation.

## **Student Grievance Policy**

Vaughn College students are expected to demonstrate the highest standards of personal integrity, and in return they should expect College faculty and staff members to treat them with the honesty, fairness, and respect that characterize an academic community. When student grievances concerning faculty, staff, or college departments arise, the college takes them seriously and treats them with sensitivity and urgency.

In many cases, the best way for a student to resolve a grievance is to approach the parties directly involved in the situation and attempt to reach a resolution informally. If speaking with the parties directly involved does not resolve the conflict, the student may wish to meet with the chair of the relevant academic department. The student may also consult informally with the Dean of Students or the appropriate Associate Vice President/Vice President who can offer impartial advice and suggest steps to resolve the issue.

If an attempt to resolve a grievance informally proves unsuccessful, a student may file a formal grievance. This procedure applies to formal grievances where a student alleges that a faculty member, staff member, or college department has violated a college policy or practice that directly and adversely affects the student.

This procedure does not apply to financial appeals, academic appeals, or allegations of sexual or gender-based misconduct, which have their own, separate grievance procedures.

- For financial appeals, please see the College Catalog.
- For academic appeals, please see the College Catalog.
- For allegations of sexual or gender-based misconduct, please see the sexual and gender-based misconduct policy.

### **How to File a Grievance**

Grievances must be in writing and should include the following information:

- Full name, SONIS identification number, email and phone number of the grievant
- Name and title of individual or department against whom the grievance has been filed
- A detailed statement identifying the policy or practice that the student believes was violated and the factual basis for that belief, including the location, date, and time of the incident giving rise to the grievance
- A list of witnesses with personal knowledge of the alleged violation
- A summary of the steps taken by the student to resolve the concern
- An expected outcome of the grievance
- Any supporting documentation

### **Where to File**

Online: <https://www.vaughn.edu/student-grievance-procedure/>.

Via email to the Dean of Students: [elaine.white@vaughn.edu](mailto:elaine.white@vaughn.edu)

Hand delivered to the Dean of Student's office, located in the main building.

### **When to File**

The grievance should be filed as soon as possible after the incident being grieved and no later than 10 business days after incident or the student's last attempt to resolve the matter informally.

## **Investigation and Decision**

The Dean of Students or her/his designee<sup>1</sup> will investigate each grievance filed, and the grievant will be typically be notified of the outcome of the investigation within 60 calendar days of the filing. Where extenuating circumstances require more time for investigation, the Dean of Students or his/her designee will inform the student of this within the initial 60 calendar day period.

The Dean of Students or his/her designee will gather information from the grievant, the individual(s) against whom the grievance was filed, and all relevant witnesses and then issue a written decision. The written decision will outline the findings of the investigation and provide reasons for each finding.

When an allegation of a policy violation is found to have merit, the investigation decision will be forwarded to the appropriate college department which will take steps to address the violation. Where an investigation shows evidence of discrimination, the college will take steps to prevent recurrence of the discrimination and to correct discriminatory effects on the grievant and others.

Vaughn College cannot ensure total confidentiality in its investigation of grievances filed under this procedure. However, the college makes every reasonable effort to conduct investigations and related proceedings in a manner that respects the privacy of all parties. In each situation, information is only shared with those who need to know about it in order to investigate and resolve the problem. All participants in an investigation will be advised that they should keep the grievance and the investigation confidential.

## **Right of Appeal**

A student will have 10 business days following the issuance of a grievance decision to file an appeal. All appeals must be submitted in writing, to the Dean of Students and will be forwarded to the appropriate Associate Vice President<sup>2</sup> or Vice President for consideration. Failure to submit an appeal by the appropriate deadline will render the decision final and conclude the grievance process.

Appeals may be made on the following grounds:

Unsupported Findings: The findings made by the Dean of Students or her/his designee are not supported by the reasons offered in the written decision.

New Information: There is new information available that wasn't available at the time the grievance was originally filed and that is sufficient to alter the original decision.

## **Retaliation Prohibited**

Vaughn College strictly prohibits retaliation against students who file complaints under the grievance procedure or participate in the investigation of any such complaints. Individuals who believe they are experiencing retaliation are encouraged to contact the Dean of Students.

## **Record Retention**

The Dean of Students office will retain written grievance decisions for six years.

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<sup>1</sup> Where a grievance alleges discrimination based on disability, the designee shall be the College's Americans with Disabilities (ADA)/Section 504 Coordinator. Where otherwise appropriate, the Dean of Students may designate the investigatory responsibilities outlined in this policy to an appropriate Associate Vice President or Vice President.

<sup>2</sup> Appeals of grievances alleging disability discrimination shall be heard by the Associate Vice President for Academic Affairs.

## GUESTS AND VISITATION POLICY FOR THE RESIDENCE HALL

Visitation is a privilege in the residence hall. It is expected that residents understand and agree that the right to study, sleep and privacy take precedence over visitation privileges, and will always be considerate of these rights. **All guests must be at least 16 years old and present a photo identification card to the security staff in the lobby of the residence hall. Resident students are expected to meet their guests at the security station and assume responsibility for them and their actions for the duration of the visit.** Guests will be escorted, by the individual who signed them in at security, whenever they are visiting a student in the residence hall. Guests are never to be left unattended. Residents must always escort their guests including back to the lobby when signing a guest out of the building.

Residents are responsible and accountable for the behavior of their guests. It is their responsibility to inform their guests of residence hall policies, community standards and other College policies, and that guests are expected to abide by these policies and standards.

- Residents may have a maximum of two guests at any given time.
- Residents cannot sign in a guest for another residential student. The guest that is being signed into the residence hall must always be that individual's guest and be accompanied by this student while in the residence hall.
- A resident, roommate(s) (and suitemates) must be notified in advance about having guests and to the duration of their visit in the residence.
- Overnight guest privileges are limited to **one guest at a time who would remain on campus** no more than three consecutive nights per month or six non-consecutive nights per guest. Any guest who has reached the maximum number of overnights is not allowed to sign in under any other resident. Violations of this policy will result in the loss of guest privileges for a period of 30 days.
- Overnight guest hours are from 12 a.m. to 8 a.m. every day. Any guests signed-in during these time periods will be considered an overnight guest.
- Guests may not stay overnight in common areas of the residence hall.
- Children under the age of 16 are not allowed to stay overnight in the residence hall (unless approved by the office of student affairs as part of a campus-wide event).

Commuter students are welcome in some common areas of the residence hall, specifically the lobby level lounge and the 2<sup>nd</sup> floor classroom if they have registered for a class that will meet in the space. In either circumstance, commuters should present themselves to the security desk and will be asked to leave their Vaughn College identification until they depart from the building. Commuter students are subject to the same community standards as resident students and behavior is expected to be in accordance with the established code of conduct.

Residents or Commuters may lose guest or visitation privileges if they are found responsible of violating this policy.

### **COVID-19 and the guest policy:**

- **Guests must present evidence of full vaccination against COVID-19 on accordance with the College's safety protocols.**
- **The College reserves the right to limit or suspend guest privileges for safety concerns regarding COVID-19 or other communicable diseases**

## **Immunization Policy for Students**

Students upon entering the College are expected to provide required documentation as part of New Student Orientation prior to moving in to the residence hall or the first day of classes, whichever is the student's first appearance on campus.

### **PURPOSE OF POLICY:**

1. To comply with New York State Public Health Law § 2165, which requires all students taking six (6) credits or more in a degree-granting program to provide proof of immunization to measles, mumps, and rubella;
2. To comply with New York State Public Health Law § 2167, which requires the distribution of information to students regarding meningococcal meningitis and the benefits of immunization, and the acknowledgement that students have received and reviewed the information;
3. To require vaccination against meningococcal meningitis for students residing in the residence hall;
4. To maintain a safe environment for learning and living on campus that adheres to both legal compliance and public health guidance.

### **POLICY STATEMENT:**

New York State law and/or Vaughn College require that all deposited students (graduate, undergraduate, and transfers):

1. Provide Vaughn College with certification from a health care provider or other acceptable evidence that they have received immunization against measles, mumps, and rubella with vaccines that meet the standards for such biological products that have been approved by the United States Public Health Service and the New York State Department of Health; or evidence of immunity by history of disease or serological evidence.
2. Provide Vaughn College with certification from a health care provider or other acceptable evidence that they have received immunization against COVID-19 that meet the standards for such biological products that have been authorized for emergency use or licensed for use by the United States Food & Drug Administration or authorized for emergency use by the World Health Organization.
3. Receive written information from Vaughn College about meningococcal meningitis; and complete a meningococcal meningitis response form certifying either that they have received such immunization within the past five years, or that they have received the written information from Vaughn College and understand the risks of meningococcal meningitis but have chosen not to be immunized against it. The parent and guardian of students under the age of 18 must make the certification on behalf of the students. All resident students are required to be vaccinated against Meningitis.

### **Vaughn College requires:**

1. All enrolled students (graduate, undergraduate, and transfers): must provide evidence of vaccination with two doses of the combined Measles, Mumps, Rubella (MMR) vaccine, if not immune by history of disease or laboratory titer results.
2. To attend classes in-person on campus, all enrolled students (graduate, undergraduate and transfers) must provide evidence of vaccination against COVID-19.
3. All deposited graduate students must complete and provide the meningococcal meningitis response form or evidence of vaccination for meningococcal meningitis. All students residing in the residence hall must provide proof of vaccination for meningococcal meningitis.

**In the event of an outbreak or as otherwise required to maintain the safety and health of the campus environment, students who have approved exemptions from these immunization requirements may be restricted or excluded from campus and from college sponsored activities.**

### **COMPLIANCE DEADLINE**

The deadline for vaccination compliance is the student's residence hall move-in day or first day of classes, whichever is earliest. **Students who fail to comply within thirty (30) days of this deadline will be de-registered from classes and/or prohibited from entering any campus buildings/facilities, including College residence halls, until they have**

**submitted the required documentation or can provide a valid reason (as set forth in this policy statement) for non-compliance.**

## **EXCEPTION TO IMMUNIZATION REQUIREMENT**

The legal exceptions to required immunizations are as follows:

1. If a licensed physician or nurse practitioner certifies that such immunization is detrimental to the student's health or otherwise medically contraindicated
2. If immunization is contrary to the student's genuine and sincere religious beliefs
3. If a student is born prior to January 1, 1957, that student does not need to provide proof of immunization to measles, mumps, and rubella because they are considered to have developed immunity. The student must comply with all other immunization requirements set forth by this policy.

## International Travel Policy

Vaughn College of Aeronautics and Technology supports international travel as an integral part of our mission. In approving international travel for our students, safety and security are our top priorities. The College bases its decisions for approval of student international travel on a number of factors including, but not limited to, the Travel Advisories issued by the U.S. Department of State (<https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories.html/>).

In general, the College restricts student international travel to certain countries based on the U.S. Department of State's Travel Advisory System set forth immediately below. All students traveling internationally should periodically check the status of their intended destinations to make sure that travel is still recommended.

### U.S. Department of State Travel Advisory System:

**Level 1 - Exercise Normal Precautions:** This is the lowest advisory level for safety and security risk. There is some risk in any international travel. Conditions in other countries may differ from those in the United States and may change at any time.

**Level 2 - Exercise Increased Caution:** Be aware of heightened risks to safety and security. The Department of State provides additional advice for travelers in these areas in the Travel Advisory. Conditions in any country may change at any time.

**Level 3 - Reconsider Travel:** Avoid travel due to serious risks to safety and security. The Department of State provides additional advice for travelers in the Travel Advisory. Conditions in any country may change at any time.

**Level 4 - Do Not Travel:** This is the highest advisory level due to greater likelihood of life-threatening risks. During an emergency, the U.S. government may have very limited ability to provide assistance. The Department of State advises that U.S. citizens not travel to the country or leave as soon as it is safe to do so. The Department of State provides additional advice for travelers in these areas in the Travel Advisory. Conditions in any country may change at any time.

### Travel Approvals

1. The College prohibits student travel to countries with Levels 4 and 3 classifications and to "do not travel" regions located in Levels 1 and 2 countries.
2. The College generally prohibits student travel to Level 2 countries. Student requests for an exception to this rule will be evaluated by a review committee consisting of the Vice President for Finance and Business Services, Vice President for Student Affairs, the College's legal counsel, insurance broker and security consultant. Student requests for travel to Level 2 countries must be provided to the Vice President for Student Affairs in writing no later than 60 days prior to the intended date of departure from the U.S, and should include:
  - a statement from the appropriate College administrator verifying the importance and educational impact of the travel to the College,
  - a detailed itinerary and map indicating locations of all activities,
  - documentation of in-country conditions and any steps that have been taken to address the risks described in the Travel Advisory,
  - letters from in-country hosts/partners verifying that they understand the College's concerns about potential risks and are taking steps to address them, and
  - any other materials needed to demonstrate that reasonable care has been taken for the health and safety of the students intending to travel.

The review committee will evaluate the travel request and documents presented and collaborate with the College President in determining whether to allow travel. If student travel to Level 2 countries is approved by the College, students will be required to sign an additional risk waiver.

3. Student travel to Level 1 countries is generally approved by the College and does not require further review. However, the College reserves the right to prohibit students from traveling to areas labeled as "do not travel" regions within Level 1 countries.



4. If the Travel Advisory level for a country becomes elevated during travel, College officials will assess the risks of remaining in country versus the risks of departure. Students will be advised on the required course of action, up to and including departure from the country, and advice as to how the College may assist affected students. Students who do not follow the College's directives will be subject to disciplinary action.

#### **Insurance and Other Requirements**

Students approved for international travel in accordance with this policy must purchase an international health insurance policy and security evacuation coverage approved by the College's Purchasing Director.

At least 30 days before the intended departure date for international travel, each student shall provide the following documents and information to the office of the Vice President for Student Affairs:

- all applicable waiver and release of liability and traveler information and emergency contact forms;
- proof of purchase of an international health insurance policy and security evacuation coverage;
- any documents required by the specific organization sponsoring the international travel; and
- the name, title and contact information of any College faculty member or staff serving as a chaperone on the trip.

## **INVOLUNTARY LEAVE OF ABSENCE POLICY**

### **Involuntary Leave of Absence or Withdrawal–Non-Disciplinary**

Vaughn College may make a determination to place a student on an involuntary leave of absence or involuntary withdrawal from the College under specific circumstances. Generally, this approach will be considered when a student appears to have significant medical, emotional or psychological issues which need to be addressed.

The College may place a student on a leave of absence from their academic program and attendance at the College where the student poses a direct threat to health and safety of the student or others and the student is not able or not willing to take a voluntary leave of absence. A direct threat is when there is a high probability of substantial harm and not just a remote or speculative risk.

This policy is not intended to be used in place of disciplinary action that addresses violations of College codes of conduct, rules or regulations, although the same conduct may be involved in the determination for disciplinary treatment and an involuntary leave. If a student is placed on an involuntary leave at the same time the student also is subject to academic or disciplinary sanctions, when the student returns to the College, the student will continue to be subject to the previously imposed academic or disciplinary status.

### **Involuntary Leave - Administrative Withdrawal Policy**

#### **Health and Safety**

Vaughn College has promulgated regulations dealing with voluntary student leaves and has procedures for involuntary leaves due to academic difficulty or as a disciplinary sanction. The College also may face a situation with a student where the College has reached a determination that a student should be placed on a leave due to health and safety concerns for the student. Under these circumstances, Vaughn College reserves the right to place a student on an involuntary leave of absence from the student's academic program of study when the student is not able or willing to take a voluntary leave and the College has made a reasonable determination that the student poses a direct threat to the health and/or safety to others.

The US Department of Education Guidelines that form the basis for involuntary leave policies recommend a process for a college to follow that includes:

- An individualized and objective assessment of the student's ability to participate safely in the College's program, based on a reasonable medical judgment;
- An assessment that there is a high probability of substantial harm for community members and not merely a slightly increased, remote or speculative risk;
- The assessment should identify the nature, duration and severity of the risk, the probability of occurrence of a threatening injury and whether reasonable modifications could mitigate the risk; • The determination should take into consideration the observed conduct, actions and statements of the student and not mere belief or knowledge that the student has a disabling condition; and
- The process should act as a guard against adverse action based on unfounded fears, stereotypes and prejudices.

Where Vaughn College believes that an involuntary leave is to be considered, the vice president of student affairs will identify a team of professionals to make a reasoned determination. Included on that decision-making team will be a medical or mental health professional. The student will be informed of the College's concerns and the decision to consider an involuntary leave, and, to the extent feasible, the student will be given a copy of the College's policy and his or her rights will be explained.

A student under consideration for an involuntary leave will be asked to participate in a medical review and provide relevant medical and/or psychological documentation from the student's personal healthcare provider or psychologist to the college. The student will also have the opportunity to provide other relevant information for consideration and review. The College may consider information about the student's conduct, behavior, actions, statements, threats and possessions. Based on a review of the data gathered, a reasonable determination will be made whether an involuntary leave is warranted. During the time the involuntary leave is under consideration and/or during any period for appeal, the College may temporarily exclude the student from campus if there is a significant and immediate concern about safety.

The student will be told of the College's determination regarding an involuntary leave and the terms of the leave if one is imposed. The student will have an opportunity to appeal the determination. The student shall appeal the determination to the vice president of student affairs in writing within three days of learning of the decision. The appeal should state the specific basis on which the student is appealing the involuntary leave (process, facts taken into consideration, details of the involuntary leave). The vice president of student affairs, or his designee, will have three days to consider and decide the appeal. The vice president of student affairs may, in whole or in part, uphold the determination, reverse the determination or return it for further

consideration. The time frames exclude weekends and college holidays; the vice president of student affairs may extend the time frames for reasonable cause.

An involuntary leave will generally be for the duration of at least one full semester and a maximum length of two full semesters (excluding summer terms). If the College determines that a longer period of separation is necessary, the College may treat the separation as an involuntary withdrawal.

At the beginning of the leave, a student will surrender the College identification card and leave College housing, if applicable. The student may, depending upon the circumstances, have any privileges on the College's internet system suspended during the period. The student will not be permitted to be on or adjacent to campus or attend campus related events or activities without the prior written consent of the vice president. The student's records will carry a notation of "leave of absence" and appropriate arrangements will be made regarding the student's status in courses if the involuntary leave occurs during an academic semester. Generally, a student will be withdrawn from courses, but it may be possible to consider alternate arrangements. If the student is receiving financial aid, the financial aid office will advise the student of the impact.

A student who wishes to return to the College after an involuntary leave must notify the College in writing at least eight (8) weeks before registration begins for the semester in which the student seeks to reenroll. The notification should be in writing to the vice president of student affairs. If the student wishes to live in College housing an application for housing should also be provided in writing. In this letter the student should set forth the basis for his or her readiness to return to the Vaughn College community. If a student's medical or psychological condition was a factor in the determination for the involuntary leave, the student should make him/herself available for an assessment by the College that he or she can return to the College. In addition, the student must provide a certificate of fitness to return from the student's personal health care provider about the student's readiness to resume participation in College. The student will be asked to authorize in writing that the personal medical care provider may provide the College with additional information and confer with a doctor or counselor at the College about information relevant to the student's fitness to return to College. The College will make a determination, based on the information provided and the College's reasonable assessment, whether the student may return to the College for his or her academic program beginning with the desired semester and the terms and conditions of the return. The College may require that a student continue with a course of treatment, that information be provided regularly to appropriate College officials about the student's continued fitness to be enrolled; and may require the student to meet on a regular basis with a designated College official. Any determination about a student's readiness to reenroll in an academic program is separate from a decision that a student's fitness to be in residential housing at the College. In the event the College determines that the student is not ready to reenroll that semester, the student should follow the stated policy when the student wants to be considered next for a return to the College.

In the event a student placed on an involuntary leave does not seek to return to the College by the beginning of the semester next following the end of an involuntary leave, or is out of the College for three consecutive semesters (not counting summer terms), the involuntary leave will convert to an involuntary withdrawal and the student will have to apply for readmission and satisfy any additional conditions set forth by the College for readmission. If a student is placed on an involuntary withdrawal by the College, the student will have to reapply for admission with sufficient time to assess the readmission and the student will have to comply with the above requirements for a return from an involuntary leave.

If a student fails to cooperate with the College in the assessment process for an involuntary leave or an involuntary withdrawal, the College may proceed based on the best information available under the circumstances to make a reasonable determination. The College's determination in such circumstances will be treated under this policy as if the student did participate and the student will retain their rights and responsibilities. The College, within its sole discretion, may make an interim determination on an involuntary leave or involuntary withdrawal, and revisit the determination at a point that the student is able and/or willing to participate in the process.

A student's record relating to an involuntary leave or involuntary withdrawal will be maintained consistent with the laws governing student records, and with the process for assessing involuntary leaves and processing a return from an involuntary leave. These records will be maintained by the offices of the dean of students, counseling, and registrar.

The College reserves the right to notify parents or legal guardians if deemed appropriate under the circumstances and applicable law, including making arrangements for family members to pick the student up from the College's facilities, house the student or obtain health care assistance.

## **Locker Procedure**

*There is a limited quantity of lockers available for student use in the main building.*

- ❖ Lockers are a courtesy afforded to Vaughn College students who are registered for classes during the semester of intended use. The use of the locker is solely for educational purposes. Students are welcome to temporarily store their textbooks, backpacks, tool bags, work boots, goggles, class projects, outerwear etc. in lockers that have been assigned to them.
- ❖ Lockers are distributed during the first two weeks of the semester on a limited basis. There are not sufficient lockers for every enrolled student; therefore, students should present themselves to a student affairs staff member on the first day of class or soon after to secure a locker. Lockers are located in the Main Building.
- ❖ There is a nominal semester fee to rent a locker that is payable at the time the locker is secured.
- ❖ Students will use lockers at their own risk, with their own lock. Vaughn College is not responsible for items that may be damaged, stolen or lost.
- ❖ The college's policies on drugs, alcohol, etc. apply to the locker rental agreement and any use of this locker for illegal or inappropriate items that violate the College's code of conduct will result in immediate forfeiture and termination of this locker contract. Therefore, the students lock will be clipped, and their contents will be discarded.
- ❖ Students are to immediately remove their belongings from their locker upon request from a student affairs staff member, or a designated official thereof. Vaughn College of Aeronautics and Technology reserves the right to open or inspect this locker, and /or terminate use of the locker at any time upon request.
- ❖ Students are responsible for removing the contents of their locker on the final day of the semester for which it has been rented, restoring the locker to the condition it was received. Locks on all lockers that have not been vacated upon the last day of finals of the semester rented will be clipped, and the contents will be disposed of. (Vaughn College will not be responsible for the contents of lockers that are not vacated at the conclusion of the semester)

## **MISSING STUDENT POLICY/PROCEDURE**

Any student residing in the Vaughn College Residence Hall, who is determined to be missing for more than 24 hours, must be reported immediately to one of the following:

- Residence Life Staff;
- Office of Student Affairs and/or any Student Affairs staff member;
- Campus Security and/or any other Campus Security Authority.

Reports made to Residence Life Staff or Office of Student Affairs will be forwarded to Campus Security. A determination will be made at that time by Campus Security if the student is indeed missing and, if so, an investigation will immediately begin to attempt to ascertain the whereabouts of the individual. Moreover, the appropriate law enforcement agency will be contacted, and a cooperative effort will be made to find the student.

All students residing in the Residence Hall are annually provided the option of identifying a contact person or persons (emergency contact card completed during the check-in process) whom the College will notify if the student is determined to be missing by Campus Security, Student Affairs, Residence Life or the local law enforcement agency. The contact information will be confidential, accessible only to authorized campus officials and law enforcement, and may not be disclosed except in a missing person investigation or an emergency. When a student who resides in the Residence Hall is determined to have been missing for 24 hours, the College will:

- Notify the contact person if the student has designated one, within 24 hours;
- Notify the student's custodial parent or guardian and/or any other designated contact person within 24 hours if the student is under 18 years of age and is not emancipated; and
- Inform the local law enforcement agency that the student is missing within 24 hours.

If a student is under the age of 18, the College is required to notify a custodial parent or guardian within 24 hours of when the student is determined to be missing. Family members, including those not formally identified by the student, may be contacted during the investigation to resolve a report of a missing student. Missing student contacts will be advised of the resolution of a student's missing status. These contacts will further be advised of law enforcement options in cases where the student is not contacted by the College.

## **Policy governing: Pets, Service Animals, and Emotional Support Animals on Campus**

Pets are prohibited on campus and in Vaughn College facilities unless they qualify as Service Animals or Emotional Support Animals as discussed in this policy. Fish in small aquariums (10 gallon maximum) are permitted in the Residence Hall.

### ***Service Animals and Emotional Support Animals***

Vaughn College supports the use of service and emotional support animals on campus by students with disabilities in appropriate circumstances and in accordance with this policy and related College rules and regulations.

Under the Americans with Disabilities Act (ADA), **Service Animals** are dogs that are individually trained to do work or perform tasks for individuals with disabilities. The work or tasks performed by a Service Animal must be directly related to the owner's disability. Dogs whose sole function is to provide emotional support, well-being or comfort do not qualify as Service Animals. Service Animals are always permitted to be with their owners on campus.

Under the Fair Housing Act (FHA), **Emotional Support Animals** are animals that provide emotional support, well-being or companionship that alleviates or mitigates symptoms of a disability. Emotional Support Animals (ESA) can be dogs or other animal species. ESAs are not individually trained and are not considered to be Service Animals. **ESAs are only permitted in their owner's room in the Residence Hall.**

### ***Qualifying to Have a Service Animal on Campus***

Students with Service Animals are not required to obtain approval from the Executive Director of the Student Success Center (SSC) before bringing their dogs to campus. However, students with Service Animals who plan to live in the Residence Hall must register with the Executive Director of the Student Success Center so that accommodations can be coordinated with Residential Life and Housing. A student with a Service Animal is encouraged, but not required, to register with the Executive Director of the SSC as a student with a disability. Information provided by the student will remain confidential, and specific information about the disability will not be shared with others at the College without the student's consent.

### ***Qualifying to Have an ESA on Campus***

A student who needs an ESA in the Residence Hall as an exception to Vaughn College's Pets policy must register as a student with a disability and make an accommodation request through the Executive Director of the SSC, completing the required form. An ESA accommodation request should be made as far in advance as reasonably possible in order to ensure timely consideration. A licensed professional must provide in writing why the ESA is necessary to accommodate the student's disability. When applicable, students requesting an ESA should provide written approval from their roommate/ suitemates as part of the accommodation request. The College will make an individualized assessment of each proposed ESA. In general, the College will respond to ESA requests within three (3) weeks. ESAs should not be brought to campus prior to approval being granted by Executive Director of the SSC. **Approved ESAs may only be kept in the owner's room in the Residence Hall.** Unlike Service Animals, ESAs are not permitted in classrooms, dining facilities or other campus facilities at Vaughn College. ESA accommodation requests must be renewed each academic year.

### ***General Responsibilities of Owners***

- Owners are responsible for complying with all state laws and local ordinances governing Service Animals and ESAs, including local licensing and registration requirements.
- Owners must ensure that Service Animals and ESAs are currently immunized against diseases common to the specific type of animal. For students with ESAs, the animal's vaccination records must be submitted annually to SSC for as long as the animal is living in the Residence Hall.
- Owners are solely responsible for the cost of care for their Service Animal or ESA. Animals must be well-groomed, and ESAs may not be cleaned in showers, sinks or tubs located in the Residence Hall.
- Owners cannot leave ESAs unattended in the Residence Hall overnight.
- Owners of ESAs are responsible for cleaning the animals' kennels and cages and the floors of their rooms in the Residence Hall so as to prevent odors from developing in the Residence Hall.
- Owners shall take proper precautions to prevent damage to Vaughn College property. Owners are personally responsible for any damage caused by their animals and will be billed accordingly by the College.
- Owners are responsible for cleaning up after their animals and properly disposing of their waste.
- Service Animals shall be kept on a leash at all times, unless an owner is unable to use a leash due to his/her disability or if use of the leash would interfere with the Service Animal's ability to perform its work or tasks.
- To the greatest extent possible, owners should ensure that their animals maintain proper etiquette, including avoiding behaviors and noises that would be disruptive or frightening to others at the College.

### ***Removal of Service Animals and ESAs***

Vaughn College reserves the right to remove Service Animals and ESAs from campus when it deems doing so is necessary to ensure the health, safety and reasonable enjoyment of others at the College. Decisions to remove animals are made on a case-by-case basis. Reasons why an animal may be removed from campus include, but are not limited to, the following: the animal poses a direct threat to the health or safety of others at the College; the animal causes substantial physical damage to the College's property or the property of others in the College community; the animal fundamentally alters the College's general operations or the nature of the housing available in the Residence Hall; the animal is ill or filthy; the animal is not housebroken; or the owner of the animal does not abide by the responsibilities stated in this policy.

## **Procedures for Posting On-Campus**

Generally posting advertisements, bulletins, notices, etc. is reserved for officially recognized student groups who are engaging in approved activities.

- The College generally does not permit commercial advertising unless specifically deemed beneficial to the College community.
- All flyers, posters and other publicity material distributed within the College by students or student organizations must first be approved and stamped by the office of student activities.
- Distribution privileges may be denied to any person or organization if the content or format of the material is deemed inappropriate or unnecessary. Approved material will be stamped and given a date by which it will have to be taken down and/or out of circulation. It is the responsibility of the publicizing individual or organization to remove all material by the specified date.
- Student organizations may have copies of flyers or banners made through the office of student affairs. The cost of reproduction will be taken out of the organization's budget.
- All external publicity must be coordinated and approved by the director of public affairs. For more information on exact guidelines on off-campus publicity procedures, see the director of public affairs.

### **Distribution and Posting**

- Flyers may not be left on cars in the College's parking lot.
- Posters, banners, etc. are to be posted only on designated bulletin boards. No announcements may be posted on walls, doors, windows or painted surfaces without the permission of the office of student activities.
- The posting of personal announcements is permitted on designated bulletin boards only after the office of student activities or the dean of students has approved them.
- Notices on bulletin boards are to be removed only by persons authorized to do so
- Student organizations that want to make announcements through any of the mass media must first contact the office of public affairs.

### **Publicity Procedures for Non-Campus Groups**

The College generally does not permit commercial advertising unless specifically deemed beneficial to the college community. All flyers, posters and other publicity material distributed by students or student organizations must first be approved and stamped by the assistant director of student activities and engagement.



## **Residence Hall Move-in/Move-out procedures**

Students who are enrolled at the College may choose to live in the residence hall. It is expected that students maintain continued enrollment to maintain continued eligibility to reside on campus. Living in a residence hall requires that students understand that it is expected that the community standards outlined in the residence life section of the handbook are always followed. Living in a residence hall is not guaranteed and students may be suspended or removed from the residence hall for serious or repetitive code of conduct violations.

The residence hall opening and closing follows the academic calendar. Students are welcome to move-in to their residence hall room ordinarily 24-hours before the start of classes in each semester and likewise are expected to depart 24-hours after their last final exam.

The College may close the residence hall during school breaks and students will need to depart, or the College may decide to be open on a limited basis and assess a separate fee for resident students wishing to remain on campus during an academic break.

### **Check-in**

On move-in day, you will meet with a resident assistant. Together, you will check your room and record the condition of your room on the room condition report (RCR). Please take the time to complete this report accurately as you will be charged for any changes to the condition of your room when you leave. Once you complete the RCR and your emergency contact card you will receive the key to your room.

### **Check-out**

When a resident vacates a room, he/she must check out properly with a resident assistant ordinarily between the hours of 6 and 9 p.m. and follow proper check-out procedures:

- Remove all personal belongings from the room. There is a minimum charge of \$50 for items that are not removed. Items not removed will be discarded. The College assumes no responsibility for lost, damaged or discarded items.
- Restore your room to its original condition. There is a minimum \$50 charge for cleaning a dirty room.
- Have a resident assistant check your room in your presence to note any damages or repair needs on the Room Condition Report (RCR).
- Return your room and suite key.
- There is a \$25 fee for improper check-out and a \$25 per hour charge for anyone who checks out beyond their approved departure date/time.
- A minimum charge of \$25 per key will be assessed for failure to turn in keys at the time of checkout.



## **SEXUAL AND GENDER-BASED MISCONDUCT POLICY**

**RESOURCES AVAILABLE TO VICTIMS OF SEXUAL AND GENDER-BASED MISCONDUCT** (BOTH IMMEDIATELY FOLLOWING AN INCIDENT AND ON AN ONGOING BASIS) ARE SET FORTH IN **APPENDIX A & D** ATTACHED TO THIS POLICY.

### **THE VAUGHN COLLEGE SECURITY DEPARTMENT IS AVAILABLE 24 HOURS**

BY PHONE:

718-429-6600

MAIN BUILDING EXT. 130

RESIDENCE HALL EXT. 300

LIBRARY EXT 301

ASTORIA EXT. 270

LOCATIONS:

MAIN BUILDING: 86-01 23<sup>rd</sup> Ave, Flushing 11369

RESIDENCE HALL 22-40 90<sup>th</sup> St, Flushing 11369

ASTORIA 43-05 20<sup>th</sup> Ave, Astoria 11105

**Updated August 18, 2022**

## **Sexual and Gender-Based Misconduct Policy and Procedures**

### **SECTION I – INTRODUCTION**

Vaughn College of Aeronautics and Technology (“Vaughn College”) is a community dependent upon trust and respect among its members. The College is committed to promoting and maintaining a healthy and safe learning, residential and working environment that promotes responsibility and respect in all matters where no one is unlawfully excluded from participation in, denied the benefits of, or subjected to discrimination in any College program or activity on the basis of gender, sex, sexual orientation, sexual identity, gender identity, or gender expression (“sex discrimination”).

Sexual and Gender-Based Misconduct, as defined below is a form of sex discrimination prohibited by federal and state law, including Title IX of the Education Amendments of 1972, that may deny or limit an individual’s ability to participate in or benefit from College programs or activities. Sexual and Gender-Based Misconduct offenses within the College community are a violation of trust and respect, are prohibited and will not be tolerated by Vaughn College. This prohibition applies to Sexual and Gender-Based Misconduct incidents occurring between members of the College community (students, employees, and contractors, consultants, or vendors doing business or providing services to the College) on or off campus at any College academic, educational, co-curricular, athletic, study abroad, residential or other College sponsored program, as well as off-campus incidents not associated with College programs if the conduct has the effect of creating a hostile environment impacting members of the College community. This conduct and any retaliation or intimidation associated with it is prohibited by the College and may also violate federal and state law.

The College is dedicated to preventing Sexual and Gender-Based Misconduct offenses by providing:

- Education, prevention, and training programs that inform the community about the risks and myths that contribute to Sexual and Gender-Based Misconduct;
- Assistance and support, including procedures sensitive to a person who has been the victim of a Sexual and Gender-Based Misconduct offense; and
- A process for the prompt and equitable investigation and resolution of incidents of Sexual and Gender-Based Misconduct that includes appropriate disciplinary sanctions for those who commit Sexual and Gender-Based Misconduct offenses.

The College is committed to eliminating Sexual and Gender-Based Misconduct, preventing its recurrence, and addressing and remedying its effects and makes this Policy and accompanying information readily available to all students, employees and other members of the College community. Violations of this Policy may result in the imposition of sanctions up to and including termination, dismissal, suspension or expulsion.

### **SECTION II – Policy and Procedure Summary**

#### **A. SCOPE**

This Policy prohibits all forms of sex and gender related misconduct, regardless of the sex, sexual orientation, sexual identity, gender, gender expression, or gender identity (“gender-related status”) of any party. The College’s prohibition against Sexual and Gender-Based Misconduct applies to locations, events and circumstances over which the College exercises substantial control over both the respondent and the context in which the harassment occurs, including any building owned or controlled by a student organization that is officially recognized by the college. The College’s prohibition against Sexual and Gender-Based Misconduct applies not only to physical contact, but also to oral, written and electronic and other technology-assisted communications, such as e-mail, voicemail, Internet communications and searches.

A person who has experienced Sexual or Gender-Based Misconduct has several options:

- **A report to a Confidential Resource.** A confidential resource provides emotional and/or medical services and maintains confidentiality. Examples of confidential resources include licensed counselors, mental health professionals and medical professionals (doctors, nurses, etc.) A report to a confidential resource does not result in a college investigation or any other

action to respond to the incident. The Office of Counseling and Wellness is the only Confidential Resource at Vaughn.

- **A report to a Responsible Employee.** Except for the professional staff in the Office of Counseling and Wellness, all faculty and staff at Vaughn College are deemed Responsible Employees and have the responsibility to receive reports of sexual misconduct and to take action based on those reports. A responsible employee will forward the information about the incident to the Title IX Coordinator. The Title IX Coordinator will discuss options with the reporting person. The assistance the Title IX Coordinator can facilitate includes the following:
  - **Supportive Measures.** Supportive measures are intended to support the individual who experienced sexual misconduct to continue in their involvement in the college's program and activities. Supportive measures include no contact orders; academic accommodations; changes in housing assignment; or other academic, residential or work accommodations.
  - **Informal Resolution.** An informal resolution is a resolution that the parties (i.e., the person making the allegations and the accused person) agree upon to address the situation. Not all incidents are appropriate for informal resolution, and no party may be forced to accept an informal resolution. This is a voluntary process.
  - **Grievance Process.** A grievance process includes an investigation and adjudication process. The outcome of a grievance process is either that the person accused of Sexual Misconduct is found either responsible or not responsible for having committed a violation of this Policy. A violation results in appropriate sanctions and other remedies to address the violation.

Additionally, the person who experienced a crime has the option to pursue criminal charges:

- **A report to Law Enforcement.** If an incident involves criminal conduct, the victim may make a complaint to law enforcement.

The options for reporting above are not mutually exclusive, and an individual may pursue one option but not the other. An individual may obtain the services of a confidential resource and decide at that time or a later time to report to the college. An individual may report to the college and also make a report to law enforcement, or may make a report to only the college or only to law enforcement. A person seeking to understand their options pursuant to this Policy should reach out to any of the following:

Elaine T. White, Assistant Vice President of Student Affairs/Dean of Students/Title IX Coordinator

[Elaine.white@vaughn.edu](mailto:Elaine.white@vaughn.edu)

(718) 429-6600 Ext. 366

Kelli Smith, Vice President of Student Affairs/Deputy Title IX Coordinator

[Kelli.smith@vaughn.edu](mailto:Kelli.smith@vaughn.edu)

(718) 429-6600 Ext. 371

Michael Harrington, Assistant Vice President of Human Resources/Deputy Title IX Coordinator

[Michael.harrington@vaughn.edu](mailto:Michael.harrington@vaughn.edu)

(718) 429-6600 Ext. 105

## **B. PERIOD OF LIMITATIONS**

There is no window of time after an incident of Sexual or Gender-Based Misconduct has occurred in which a report must be made. The College, however, strongly encourages early reporting in order to preserve evidence for a potential legal or College resolution proceeding. Delays in reporting, while permitted, may limit the College's ability to respond fully to the report.

If the alleged perpetrator is no longer a student or employee, the College may not be able to take disciplinary action against the individual, but it will still seek to meet its obligations by providing support for a victim and taking steps to end the misconduct, prevent its recurrence, and address its effects.

### C. SUMMARY OF THE COLLEGE'S CONFIDENTIALITY POLICY

The college encourages any person who has experienced sexual assault or other forms of sexual or gender-based misconduct to talk to someone about what happened, so she or he can get the support needed.

- There are a variety of **confidential resources** available to members of the Vaughn College community. Some of these resources, such as the professional counselors in the **Office of Counseling and Wellness**, maintain near complete confidentiality; talking to them is sometimes called a “privileged communication.” A confidential resource does not reveal the information shared with him/her/them without the disclosing person’s consent. (There may be instances where a confidential resource must disclose information in a criminal or civil court proceeding, but those are very limited circumstances.) A list of confidential resources is provided below. The only college employees who can offer confidentiality are those listed as confidential resources below.
- A “**Responsible Employee**” is a resource who, at a minimum, shares all information with the Title IX Coordinator/Affirmative Action Officer. **Except for the professional counselors in the Office of Counseling and Wellness, all Vaughn College faculty and staff are deemed Responsible Employees. A Responsible Employee does not have the ability to promise that he/she/they will not tell others within the college about the information that has been shared with him/her/them.**
- The following Confidential Resources are available to members of the college community. The college’s on-campus counseling services noted below are available to students free of charge.
  - a. Office of Counseling and Wellness  
[counseling@vaughn.edu](mailto:counseling@vaughn.edu)  
(718) 429-6600 Ext. 350
  - b. Crime Victims Treatment Center (CVTC)  
[www.cvtcnyc.org](http://www.cvtcnyc.org)  
(212) 523-4728
  - c. New York City Alliance Against Sexual Assault  
[www.svfreenyc.org](http://www.svfreenyc.org)
  - d. **RAINN’s** Nation Sexual Assault Hotline  
<https://hotline.rainn.org/online>  
**(800) 656-HOPE (4673)**
  - e. Safe Horizon  
**(212) 227-3000**

The College encourages victims to talk to someone identified in one or more of these groups. Vaughn offices and employees who cannot guarantee confidentiality will maintain students’ privacy to the greatest extent possible.

### D. BYSTANDER INTERVENTION

The College expects all community members to take reasonable and prudent actions to prevent or stop an act of Sexual or Gender-Based Misconduct or provide assistance if an act has occurred. Taking action or providing assistance may include direct intervention, calling law enforcement, or seeking assistance from a person in authority.

If someone suspects a friend, acquaintance, or stranger may be in a high risk situation for becoming a victim, is being victimized, or has been victimized in any form of Sexual or Gender-Based Misconduct, it is important to decide as a bystander whether there is a safe and reasonable way to intervene effectively.

Do's:

- Remind friends that affirmative consent is required and is the difference between sex and sexual assault and that someone can be too intoxicated to consent;
- Take the initiative to help friends who aren't thinking clearly from becoming targets of violence (or) take steps to stop a friend who chooses to use violence;
- When possible, prevent an intoxicated friend/person from going to a private location with an acquaintance or friend;
- Contact Vaughn College Security, Title IX Coordinators or another person of authority who can assist.

Don'ts:

- Let friends engage in activities, such as excessive alcohol/drug consumption, that impedes judgement and that therefore could lead to actions, including sexual advances, that are unwelcome and/or endanger the rights, safety, and well-being of others;
- Let friends walk / run alone in secluded areas or at night;
- Leave a friend or acquaintance alone at a party;
- Leave residence hall doors unlocked;
- Let friends drink to the point of impairment;
- Place yourself in a vulnerable situation where you are unable to voice consent.

#### E. OTHER FORMS OF DISCRIMINATION AND HARASSMENT

The College recognizes that harassment related to an individual's gender-related status can occur in conjunction with misconduct related to an individual's race, color, religion, age, national origin, ancestry, citizenship, disability, pregnancy, genetic disposition, veteran or military status, marital status, familial status or other legally protected characteristic ("protected characteristics"). Targeting individuals on the basis of these protected characteristics is also a violation of College policy. When misconduct relates to both a person's gender-related status and other protected characteristics, the College will coordinate the investigation and resolution efforts by following the process set forth in this Policy to address any and all harassment and discrimination.

### SECTION IV – DEFINITIONS

1. **Advisor of Choice.** An advisor of choice is a person selected by the Complainant or Respondent to advise and accompany the Complainant or Respondent throughout the investigation and adjudication process. An advisor of choice may be any person, including an attorney. The institution does not appoint or pay for an advisor of choice. An advisor of choice's role is limited to the functions further described in this policy.
2. **Affirmative Consent.** Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of affirmative consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

3. **Coercion.** Coercion is a threat, undue pressure, or intimidation to engage in sexual activity. Coercion is more than an effort to persuade, seduce, entice, or attract another person to engage in sexual activity. A person's words or conduct are sufficient to constitute coercion if they deprive another individual of the ability to freely choose whether or not to engage in sexual activity.
4. **Complainant.** The term Complainant refers to the person who allegedly experienced the sexual misconduct in violation of the policy whether or not a formal complaint is filed. In some cases, the Title IX Coordinator may file a formal complaint and thereby initiate an investigation and adjudication process pursuant to this policy. In that instance, the Title IX Coordinator is not the "Complainant"; the complainant remains the person who allegedly experienced the sexual misconduct.
5. **Consent.** As used in this policy, term "consent" always refers to "affirmative consent" (defined above).

By way of further explanation, consent is free and informed permission. Consent given verbally is evidenced by affirmative agreement to engage in specific sexual activity. Consent through action is active participation in the specific sexual activity. Past consent to sexual activity cannot be presumed to be consent to engage in the same sexual activity in the future. Consent can be withdrawn at any time, and, if so, the sexual activity must cease. Consent to some sexual activity (e.g., kissing, fondling) cannot be presumed consent for other sexual activity (e.g., intercourse). Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another.

Certain conditions prevent a person from being able to consent. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. A person cannot consent if they are unaware of the who, what, when and how of a sexual interaction. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol or drugs or other intoxicants may be incapacitated and therefore unable to consent.

A person who has been drinking or using drugs is still responsible for ensuring that the person has the other person's affirmative consent and/or appreciating the other person's incapacity to consent. This means that, even if the accused was drunk or high and, as a result, did not realize that the other person was not consenting to or was unable to consent to sexual activity, the person who committed the non-consensual act is still responsible for having violated this policy.

Consent cannot be given when it is the result of any coercion, intimidation, force or threat of harm.

6. **Formal Complaint.** A formal complaint refers to a written complaint filed in accordance with the grievance process below. A formal is necessary to initiate an investigation and adjudication process.
7. **Institution Advisor.** A Complainant or Respondent who does not opt to be accompanied by an advisor of choice at a hearing is entitled to be appointed an advisor

by the college at no charge to the party. This advisor is referred to an “institution advisor” who may be but need not be an attorney. An institution advisor’s role is limited to asking cross-examination questions of the other party during a hearing. An institution advisor does not represent a party in any legal sense. The party is responsible for formulating the cross-examination questions the institution advisor will pose during the hearing.

8. **Party.** A Complainant or Respondent may be referred to as a Party, or collectively, the Parties.
9. **Reporting Party.** The term Reporting Party refers to the person who made the report. This may or may not be the same as the Complainant, a witness, or a bystander.
10. **Respondent.** The term Respondent refers to the person alleged to have committed a violation of this policy.
11. **Sexual Misconduct.** Sexual misconduct is an umbrella term used in this policy to more conveniently refer to any form of conduct prohibited by this policy.

#### **Definitions, Conduct Violations:**

This policy sets forth conduct expectations for our community and provides a process for the reporting, investigation and adjudication of alleged violations. This policy applies to alleged conduct violative of Title IX of the Education Amendments of 1972 (i.e., “Title IX Category” violations) and also applies to a broader range of contexts and behaviors inconsistent with the college’s commitment to equal opportunity (i.e., “College Category” violations).

The designation of conduct or allegations as either “Title IX Category” or “College Category” is not a function of the seriousness of the alleged conduct but rather a function of the scope and coverage of Title IX versus the college’s broader jurisdiction to prohibit and discipline a larger scope of inappropriate behavior.

#### **Title IX Category Violations**

Title IX of the Education Amendments of 1972 provides: “No person in the United States shall, on the basis of sex, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

In accordance with Title IX as interpreted by the Department of Education, the college recognizes the following as conduct violations within the meaning of Title IX, provided that the context and circumstances of the conduct fall within the scope of Title IX, including but not limited to that the complainant was in the United States at the time of the alleged conduct, that the complainant be participating in or seeking to participate in the college’s education program or activity at the time of the complaint, and that the conduct have occurred in the context of the college’s education program or activity:

1. **Sexual harassment.** “Sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:
  - a. An employee of the college conditioning the provision of an aid, benefit, or service of the college on an individual’s participation in unwelcome sexual conduct (commonly referred to as a “quid pro quo”);
  - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access



to the college's education program or activity (commonly referred to as a sexually or gender-based "hostile environment").

2. **Sexual assault.** "Sexual assault" includes any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving affirmative consent. Sexual assault consists of the following specific acts:
  - a. Rape. The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  - b. Fondling. The touching of the private body parts<sup>3</sup> of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her/their youth or because of his/her/their temporary or permanent mental or physical incapacity.
  - c. Incest. Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - d. Statutory Rape. Non-forcible sexual intercourse with a person who is under the statutory age of consent. The statutory age of consent in New York is 17.
3. **Dating violence.** "Dating violence" means violence committed by a person: (1) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (2) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship. (ii) The type of relationship. (iii) The frequency of interaction between the persons involved in the relationship.
4. **Domestic violence.** "Domestic violence" means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction where the college is located, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
5. **Stalking.** "Stalking" is engaging in a course of conduct on the basis of sex directed at a specific person that would cause a reasonable person to: (1) fear for his or her safety or the safety of others; or (2) suffer substantial emotional distress. Stalking that does not occur on the basis of sex may be addressed under as a College Category Violation as described below.

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<sup>3</sup> Private body parts include genital area, anus, groin, inner thigh, buttocks or breast.

## College Category Violations

The college prohibits the following behavior. For purpose of College Category violations, the below conduct is prohibited even if the conduct occurs off-campus, outside the United States, the Complainant is not participating or seeking to participate in the college's education program or activity, or otherwise in circumstances over which the College does not have influence or control, including but not limited to during College academic breaks. The college retains discretion to not respond to, investigate or adjudicate circumstances in which no college interest is implicated.

1. **Sexual harassment.** "Sexual harassment" means unwelcome, offensive conduct that occurs on the basis of sex, sexual orientation, self-identified or perceived sex, gender, gender expression, gender identity, gender-stereotyping or the status of being transgender, but that does not constitute sexual harassment as a Title IX Category Violation as defined above. Sexual harassment can be verbal, written, visual, electronic or physical.

The fact that a person was personally offended by a statement or incident does not alone constitute a violation. Instead, the determination is based on a "reasonable person" standard and takes into account the totality of the circumstances. The college considers the context of a communication or incident, the relationship of the individuals involved in the communication or incident, whether an incident was an isolated incident or part of a broader pattern or course of offensive conduct, the seriousness of the incident, the intent of the individual who engaged in the allegedly offensive conduct, and its effect or impact on the individual and the learning or working community.

2. **Sexual assault.** "Sexual assault" includes any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving affirmative consent, but that does not constitute sexual assault as a Title IX Category Violation as defined above because of the context in which it occurs (for example because the complainant was not in the United States at the time of the alleged conduct, because the complainant was not participating in or seeking to participate in the college's education program or activity at the time of the complaint, or because the conduct did not occur in the context of the college's education program or activity). Sexual assault consists of the following specific acts:
  - a. Rape. The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the affirmative consent of the victim.
  - b. Fondling. The touching of the private body parts<sup>4</sup> of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving affirmative consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
  - c. Incest. Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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<sup>4</sup> Private body parts include: genital area, anus, groin, inner thigh, buttocks or breast.

- d. Statutory Rape. Non-forcible sexual intercourse with a person who is under the statutory age of consent.
3. **Dating violence.** “Dating violence” means violence committed by a person: (1) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (2) where the existence of such a relationship shall be determined based on a consideration of the following factors:
- a. the length of the relationship;
  - b. the type of relationship; and
  - c. the frequency of interaction between the persons involved in the relationship;
- but that does not constitute dating violence as a Title IX Category Violation as defined above because of the context in which it occurs (for example, because the complainant was not in the United States at the time of the alleged conduct, because the complainant was not participating in or seeking to participate in the college’s education program or activity at the time of the complaint, or because the conduct did not occur in the context of the college’s education program or activity).
4. **Domestic violence.** “Domestic violence” means violence committed by a or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction where the college is located, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction, if the conduct does not constitute domestic violence as a Title IX Category Violation as defined above because of the context in which it occurs (for example because the complainant was not in the United States at the time of the alleged conduct, because the complainant was not participating in or seeking to participate in the college’s education program or activity at the time of the complaint, or because the conduct did not occur in the context of the college’s education program or activity).
5. **Stalking.** “Stalking” is engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for his or her safety or the safety of others; or (2) suffer substantial emotional distress, but that does not constitute stalking as a Title IX Category Violation as defined above because of basis on which it occurs or the context in which it occurs (for example because the complainant was not in the United States at the time of the alleged conduct, because the complainant was not participating in or seeking to participate in the college’s education program or activity at the time of the complaint, or because the conduct did not occur in the context of the college’s education program or activity).
6. **Sexual Exploitation.** Sexual exploitation occurs when, without affirmative consent, a person takes sexual advantage of another in a manner that does not constitute another

violation under this Policy. Examples of sexual exploitation include, but are not limited to: prostitution, acts of incest, observing or recording (whether by video, still photo or audio tape) of a sexual or other private activity (such as consensual sexual activity, undressing or showering) without the affirmative consent of all involved; taking intimate pictures of another, but then distributing the pictures to others without the photographed person's affirmative consent; engaging in voyeurism, engaging in consensual sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually transmitted disease (STD) without informing the other person of such infection; or exposing one's genitals in non-consensual circumstances.

7. **Retaliation.** Retaliation is an adverse act perpetrated to "get back" at a person because the person reported sexual misconduct, filed a complaint, or participated in an investigation or proceeding conducted pursuant to this policy by the college or by an external agency. An act of retaliation may be anything that would tend to discourage an individual from reporting sexual misconduct, pursuing an informal or formal complaint, or from participating in an investigation or adjudication as a party or a witness. A person who acts in good-faith is protected from retaliation. The fact that a statement is not determined to be proven or established following investigation and adjudication does not mean that the statement lacked good-faith; a person may provide inaccurate information believing it is accurate, which is still good-faith. If a person who makes a statement knowing that it is false, the person has acted without good-faith.

#### **SECTION V – TITLE IX COORDINATOR, DEPUTY COORDINATOR, AND ADMINISTRATIVE AGENCIES**

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity.

Title IX prohibits all forms of discrimination on the basis of sex (gender), including all forms of sexual violence, sexual assault and sexual harassment. This prohibition applies to all Vaughn College faculty, staff, students and third parties in both the educational and employment settings. If inappropriate sexual behavior occurred, the College will take prompt and effective steps to end the behavior, prevent its reoccurrence, and address its effects.

Inquiries concerning the application of Title IX and its implementation may be referred to the Title IX Coordinator or to the U.S. Department of Education or the Office for Civil Rights.

##### **A. TITLE IX COORDINATOR**

The Title IX Coordinator is responsible for monitoring the overall Title IX implementation for Vaughn College and coordinating compliance with all areas and departments covered under Title IX regulations. If a Complaint is filed, one of the Deputy Title IX Coordinators will meet with the Complainant to explain the available options, the process used to investigate the Complaint, and any available support, resources, and protective measures. The Title IX Coordinator works in conjunction with the Deputy Title IX Coordinators who will also be informed of all Title IX claims filed and their ultimate disposition.

##### **Title IX Coordinator**

Elaine T. White, Assistant Vice President of Student Affairs/Dean of Students/Title IX Coordinator

[Elaine.white@vaughn.edu](mailto:Elaine.white@vaughn.edu)

(718) 429-6600 Ext. 366

**Title IX Coordinator Responsibilities:** The Title IX Coordinator is a neutral administrator in any Sexual or Gender-Based Misconduct investigatory and resolution proceedings, including any allegations pertaining to incidents of Retaliation and Intimidation in this Policy. The Title IX Coordinator is responsible for:

- Overseeing all Title IX complaints and investigations to provide prompt, fair, and equitable resolutions and working with all parties (the Title IX Coordinator does not, however, determine if a Sexual or Gender-Based Misconduct Policy violation has occurred);
- Identifying and addressing any patterns or systemic problems that may arise;
- Being available to meet with students and employees, provide support and answer questions;
- Working with other College officials;
- Coordinating training, education, and communication pertaining to Title IX, as well as periodic reviews of the College's climate and culture with regard to Sexual and Gender-Based Misconduct;
- Determining appropriate Interim Measures for a Complainant upon learning of a report or complaint of Sexual or Gender-Based Misconduct;
- Being available to assist with Vaughn College Security Department and local law enforcement if necessary;
- Ensuring that appropriate policies and procedures are in place for working with local law enforcement and coordinating services with local victim advocacy organizations and service providers, including rape crisis centers;
- Ensuring that the College carries out its Title IX responsibilities.
- The Title IX Coordinator also assists with:
  - Access to medical and mental health treatment;
  - Victim support and resources; and
  - Serving as someone to talk to.

In addition, the Title IX Coordinator maintains an annual report documenting: (1) the number of reports or Complaints received pursuant to the College's Sexual and Gender-Based Misconduct Policy; (2) the categories of those involved in the allegations; (3) the number of Policy violations found; and (4) examples of sanctions imposed for each violation of this Policy.

#### **B. DEPUTY TITLE IX COORDINATORS**

The Deputy Title IX Coordinators work cooperatively with the Title IX Coordinator to assist with the handling of Title IX-related Complaints. The Deputy Title IX Coordinators may serve as the Assigned Title IX Coordinator in connection with a given Complaint.

**Inquiries and/or reports of misconduct should be directed to either of the following Deputy Title IX Coordinators. If one of the Deputy Title IX Coordinators is not immediately available, please contact the other Deputy.**

Kelli Smith, Vice President of Student Affairs/Deputy Title IX Coordinator

[Kelli.smith@vaughn.edu](mailto:Kelli.smith@vaughn.edu)

(718) 429-6600 Ext. 371

Michael Harrington, Assistant Vice President of Human Resources/Deputy Title IX Coordinator

[Michael.harrington@vaughn.edu](mailto:Michael.harrington@vaughn.edu)

(718) 429-6600 Ext. 105

#### **C. OFFICE FOR CIVIL RIGHTS**

In addition to the College's Title IX Coordinator, inquiries regarding Title IX from members of the campus community may be directed to the United States Department of Education's Office of Civil Rights ("OCR"). This agency may be contacted as follows:

The OCR regional office for New York is located at:

**United States Department of Education, Office for Civil Rights**

**Region 2 – New York**

Jacob Javits Federal Building

26 Federal Plaza - Suite 3312

New York, NY 10278

Voice Phone (800) 368-1019

FAX (212) 264-3039

TDD (800) 537-7697

**E. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

**U. S. Equal Employment Opportunity Commission - New York District Office**

33 Whitehall Street, 5th Floor

New York, NY 10004

1-800-669-4000

TTY: 1-800-669-6820

Fax: 212-336-3790

**SECTION VI – REPORTING SEXUAL AND GENDER-BASED MISCONDUCT, RETALIATION OR INTIMIDATION INCIDENTS**

All individuals may report alleged incidents of Sexual or Gender-Based Misconduct, Retaliation or Intimidation to the College, to outside resources, and/or to law enforcement.

**A. REPORTING OPTIONS WITHIN THE COLLEGE**

Victims and witnesses do not need to determine whether incidents of Sexual or Gender-Based Misconduct qualify as Title IX or College Violations before reporting in good faith to the College. The various confidential and non-confidential disclosure options available to members of the Vaughn College community are set forth below:

**1. Professional, Licensed College Counselors (Confidential Resource)**

Individuals have the option to report alleged Sexual and Gender-Based Misconduct to the Confidential Sources on campus listed below. Individuals may choose this option if they want to discuss the incident in a confidential setting but do not want any action to be taken. Confidential Sources can provide individuals with both immediate and long-term help. They will listen and help access additional assistance and explain options for making a non-confidential report to the College and reporting to the police.

The professional or non-professional counselor or advocate listed below will preserve an individual's privacy to the extent possible by the law. This means that Personally Identifiable Information shared with these professionals is not part of students' or employees' College education or personnel records and will not be reported to other College personnel (including the Title IX Coordinator), to the Respondent, or to others unless the disclosing individual gives his or her consent to the disclosure or the law requires it (as may be the case with alleged Sexual or Gender-Based Misconduct involving a minor or under conditions involving imminent harm to one or more members of the College community.) Therefore, disclosures to these employees generally will not trigger a College investigation into an incident against the victim's wishes.

A victim who speaks to one of the professional or non-professional counselors or advocates listed below must understand that, if he or she wants to maintain confidentiality, the College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the Respondent. Even so, these counselors and advocates will still assist the victim in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules. Moreover, a victim who at first requests confidentiality may later file a Complaint with the College and/or report the incident to local law enforcement.

Individuals can make a confidential report of Sexual or Gender-Based Misconduct by contacting a professional, licensed counselor at the **Office of Counseling and Wellness** during posted business hours:

**Office of Counseling and Wellness**

Dr. Stacey Dutil, Director

[counseling@vaughn.edu](mailto:counseling@vaughn.edu)

(718) 429-6600 Ext. 350

The licensed professional(s) in the **Office of Counseling and Wellness** may also be visited in person during the normal business hours: Monday-Friday 10 a.m. – 4 p.m.

**2. Formal, Non-Confidential Reporting to the College**

Individuals who believe that they have been the subject of or have witnessed an incident of Sexual or Gender-Based Misconduct, Retaliation or Intimidation are encouraged to report the conduct to the College so that it can take immediate and appropriate steps to investigate or otherwise determine what occurred (subject to the confidentiality provisions), and, if it is determined that Sexual or Gender-Based Misconduct has occurred, take appropriate steps to address the situation.

There are several ways to formally report Sexual or Gender-Based Misconduct, Retaliation or Intimidation incidents to the College:

Elaine T. White, Assistant Vice President of Student Affairs/Dean of Students/Title IX Coordinator

[Elaine.white@vaughn.edu](mailto:Elaine.white@vaughn.edu)

(718) 429-6600 Ext. 366

**Inquiries and/or reports of misconduct should be directed to either of the following Deputy Title IX Coordinators. If one of the Deputy Title IX Coordinators is not immediately available, please contact the other Deputy.**

Kelli Smith, Vice President of Student Affairs/Deputy Title IX Coordinator

[Kelli.smith@vaughn.edu](mailto:Kelli.smith@vaughn.edu)

(718) 429-6600 Ext. 371

Michael Harrington, Assistant Vice President of Human Resources/Deputy Title IX Coordinator

[Michael.harrington@vaughn.edu](mailto:Michael.harrington@vaughn.edu)

(718) 429-6600 Ext. 105

**b. Vaughn College Security Department**

Sexual and Gender-Based Misconduct, Retaliation or Intimidation may be reported to the Vaughn College Security Department.

The Vaughn College Security Department is located at:

**MAIN BUILDING: 86-01 23<sup>rd</sup> Ave, Flushing 11369**

**RESIDENCE HALL 22-40 90<sup>th</sup> St, Flushing 11369**

**ASTORIA 43-05 20<sup>th</sup> Ave, Astoria 11105**

The Vaughn College Security Department is also available by phone at **718-429-6600**:

**MAIN BUILDING - EXT. 130**

**MAIN BUILDING - LIBRARY - EXT 301**

**RESIDENCE HALL - EXT. 300**

**ASTORIA - EXT. 270**

Vaughn College Security Officers are available 24 hours a day, seven days a week. Vaughn College Security Department personnel will immediately report to the Title IX Coordinator all relevant details about the alleged Sexual or Gender-Based Misconduct that the College will need to determine what happened – including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

**c. Human Resources**

In addition to the Deputy Title IX Coordinators, incident of Sexual and Gender-Based Misconduct, Retaliation or Intimidation may also be reported to the Human Resource Office if the Complainant or witness is an employee, or Third Party. Human Resource Office is located in the Main Building. Human Resource staff members are available during business hours (9:00 a.m. to 5:00 p.m., Monday through Friday) by phone at **718-429-6600, Extensions -105, 224 and 115.**

**d. All Vaughn College Faculty and Staff are Responsible Employees**

All Vaughn College faculty and staff are deemed Responsible Employees and are designated by the college to respond on the college's behalf to allegations of violations of this Policy. Responsible Employees are a Non-Confidential Resource.

An individual who reports an incident to a college employee or office other than one of the Responsible Employees and offices listed above risks that the information may not be acted upon by the college. Therefore, a person who wishes for the college to take action is strongly encouraged to report to one of the offices listed above.

## **B. REPORTING OPTIONS OUTSIDE THE COLLEGE**

### **1. Privileged and Confidential Communications to Community Resources**

Off-campus counselors, advocates, and health care providers will generally maintain confidentiality and not share information with the College unless the victim requests the disclosure and signs a consent or waiver form. Confidential community resources are set forth in the Resource Table of Appendix A.

Note: While off-campus community counselors and advocates may maintain a victim's confidentiality vis-à-vis the College, they may have reporting or other obligations under state law.

### **2. Law Enforcement**

Any member of the College community who has experienced an incident of Sexual and Gender-Based Misconduct may also report the conduct to local law enforcement. Victims of Sexual and Gender-Based Misconduct are not required to report to local law enforcement. The College's investigation and resolution of a case of Sexual and Gender-Based Misconduct is not contingent upon a party's decision to report or not report to local law enforcement. Reports to the police may be made at the same time and in addition to reports to the College. In some circumstances, the College, however, may be obligated to report the matter to local law enforcement, such as in the case of violent felonies or missing persons.

Victim support and resources are available even if a student, employee or Third Party elects not to pursue criminal charges or file a report or Complaint with the College.

The College will assist individuals in making a report to local law enforcement.

A criminal investigation into the matter does not preclude the College from conducting its own investigation. If a report is filed with both the College and law enforcement, the College will proceed with its normal investigation process. The College, however, may need to temporarily delay its fact-finding portion of the investigation while law enforcement is gathering initial evidence.

Neither the results of a criminal investigation nor the decision of law enforcement to investigate or decline to investigate the matter is determinative of whether Sexual or Gender-Based Misconduct, for purposes of this Policy, has occurred.

Individuals can file a police report 24 hours a day by contacting the Vaughn College Security Department at **718-429-6600: Main Building - Ext. 130; Library – Ext 301; Residence Hall - Ext. 300; Astoria - Ext. 270.**

If the incident occurred off campus in the East Elmhurst and or Astoria NY area, individuals can file a report with the **NY Police Department:**

**Emergency: Dial 911**

**Non-Emergency Contact:**

115<sup>th</sup> Precinct, 92-15 Northern Blvd., Jackson Heights, NY 11372; (718) 533-2002

114<sup>th</sup> Precinct, 34-16 Astoria Blvd., Astoria, NY 11103; (718) 626-9311

If a victim chooses to file a police report, those on and off-campus resources listed in the Resources Table of **Appendix A** can provide assistance in contacting local law enforcement.

### **3. Protective Orders**

Orders of protection and other forms of legal protection may be available to individuals who have experienced or are threatened with violence. The College can assist such individuals in obtaining judicial protective orders. For more information on how to obtain an order of protection from the courts, **contact Title IX Coordinator, Title IX Deputy Coordinators or the Office of Wellness and Counseling** who can explain and support you through the process.



The College will provide a copy of any order of protection that it receives to the parties affected by it, explain the order of protection and the consequences for violating it, call upon and assist local law enforcement in effecting an arrest for violation of the order of protection or similar document, and follow legally issued orders of protection or similar documents, including denying the restricted person access to the College's property, if necessary.

#### **4. Preservation of Evidence/Emergency Medical Attention**

Preservation of evidence is critical, especially in cases of possible violence and sexual violence, and it must be done properly and promptly. In sexual assault cases, it is important not to shower, change clothes or brush one's hair, as physical evidence may be lost, although having showered or changed does not mean that a sexual assault forensic exam (rape kit) cannot be completed. In cases of violence or physical abuse, it is important to document injuries, including by taking photographs.

For more information about support services and resources see **Appendix A**.

For more information for local, non-College affiliated confidential hotlines and crisis centers see **Appendix D**.

### **SECTION VII - GENERAL PROVISIONS APPLICABLE TO ALL ALLEGATIONS OF SEXUAL AND GENDER-BASED MISCONDUCT**

#### **A. TIME FRAME FOR RESOLUTION**

The College will investigate and resolve all reports of Sexual and Gender-Based Misconduct in a prompt but meaningful way. The complexity and severity of a Complaint, holiday or semester breaks and availability of witnesses, for example, may influence the length of time needed to do so. In general, a Complainant and Respondent can expect to receive periodic updates from the Title IX Coordinators and/or Investigator.

#### **B. PUBLIC AWARENESS EVENTS**

Public awareness events such as candlelight vigils, protests, or other forums in which students disclose incidents of Sexual Misconduct, are not considered notice to the College of Sexual or Gender-Based Misconduct for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the College will provide information about students' Title IX rights at these events.

#### **C. FALSE INFORMATION AND MALICIOUS ACCUSATIONS**

Any individual who knowingly files a false report or Complaint under this Policy, who knowingly provides false information to College officials, or who intentionally misleads College officials who are involved in the investigation or resolution of a report of Sexual or Gender-Based Misconduct, Retaliation, and/or Intimidation may be subject to disciplinary action up to and including termination or dismissal.

#### **D. CLERY ACT STATISTICAL AND TIMELY WARNING REPORTING OBLIGATIONS**

Statistical Reporting: The Clery Act is a federal law requiring institutions of higher education to collect and report statistics on certain crimes in an annual Security Report. Campus Security Authorities at the College have a duty to provide the College's Security Department with information regarding certain crimes when they are reported to them. All personally identifiable information is kept confidential, but statistical information regarding Clery reportable crimes must be shared, including the date and location of the incident (but not the specific address) and information about the reported crime to allow for proper classification. This report provides the College community with information about the extent and nature of crime on the College's campus and helps ensure greater community safety.

All faculty and staff at Vaughn College, except for the professional staff in the Office of Counseling and Wellness, are Campus Security Authorities (CSAs) and are required to inform the Vaughn College Security Department of crimes reported to them.

Timely Warning Notifications: If a report of Sexual or Gender-Based Misconduct reveals that there is an immediate threat to the health or safety of students or employees on campus, or that an ongoing serious or continuing threat to the campus community exists, an emergency Timely Warning notification will be issued. The purpose of the Timely Warning notification is to enable individuals to protect themselves and to increase safety awareness, as well as seek information that will lead to the arrest and conviction of the perpetrator.

The victim's names and other personally identifiable information will not be included in any emergency notification or public safety advisory.

#### **E. INDIVIDUALS WITH DISABILITIES AND INTERNATIONAL STUDENTS**

This Policy is accessible to students, employees and third parties with disabilities. The College will make arrangements to ensure that individuals with disabilities are provided appropriate accommodations as needed to participate in the steps and procedures outlined in this Policy.

Requests for accommodations by students must be made to Vaughn College's ADA (Americans with Disabilities Act) Coordinators. All other members of the campus community should contact the Human Resource Office. The ADA Coordinators or the Human Resource Office as applicable will review the supporting disability-related documentation, make a decision about the request, notify the individual about approved accommodations and make arrangements for the accommodations. Accommodations may include, but are not limited to, providing interpreters for the deaf, providing recordings of materials for the blind, and assuring a barrier-free location for any proceedings.

In addition, this Policy is accessible to students who are English language learners and is distributed on campus in such a way that all students are aware of their rights under Title IX and the Violence Against Women Act.

#### **F. COOPERATION WITH LOCAL LAW ENFORCEMENT**

Vaughn College will cooperate with local law enforcement investigations.

### **SECTION VIII – INITIATING A FORMAL COMPLAINT OF SEXUAL OR GENDER-BASED MISCONDUCT**

#### **A. INITIATION OF A FORMAL COMPLAINT**

A formal complaint is necessary to initiate the college's grievance process, meaning an investigation and adjudication process. A formal complaint must be in written form and must be signed by the complainant. A third-party or anyone other than the victim of the misconduct may not file a formal complaint. However, a formal complaint may be filed by a parent or guardian of a minor person.

A formal complaint is a document filed by a complainant or signed by the college's Title IX Coordinator alleging sexual harassment against a respondent and requesting that the college investigate the allegation. The respondent may be either a student or an employee or a visitor, independent contractor, intern, or volunteer of the college. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail to:

Vaughn College  
Attn: Elaine T. White, Assistant Vice President of Student Affairs/Dean of Students/Title IX Coordinator  
86-01 23<sup>rd</sup> Ave.  
Flushing, NY 11369  
[Elaine.white@vaughn.edu](mailto:Elaine.white@vaughn.edu)  
(718) 429-6600 Ext. 366

In order to qualify as a formal complaint, the document must contain the complainant's physical or electronic signature, or otherwise indicate that the complainant is the person filing the formal complaint.

If a complainant declines to sign a formal complaint or does not wish to participate in the complaint and adjudication process, or the complainant's identity is unknown, and the Title IX Coordinator determines there is sufficient cause to file a formal complaint, the Title IX Coordinator may file a formal complaint. In such cases, the Title IX Coordinator is not considered to be a complainant or other party under this Policy.

The Title IX Coordinator will consider the wishes of the complainant not to proceed with the investigation and adjudication process. However, the Title IX Coordinator may file a formal complaint if the Title IX Coordinator determines that the allegations are such that it would be unreasonable not to proceed despite the wishes of the complainant. In making this determination, the Title IX Coordinator will consider, among other factors:

- the risk that the alleged perpetrator will commit additional acts of sexual misconduct or other violence, which may be assessed by evaluating:
- whether there have been other complaints about the same alleged perpetrator;

- whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
- whether the alleged perpetrator threatened further sexual violence or other violence against the victim or others;
- whether the sexual violence was committed by multiple perpetrators whether the sexual violence was perpetrated with a weapon;
- whether the victim is a minor;
- whether the college possesses other means to obtain relevant evidence of the prohibited conduct (e.g., security cameras or personnel, physical evidence);
- whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

Additionally, where the respondent is not enrolled at the college and is not employed by the college, the college may decline to process the complaint through the Grievance Process. The college may take the steps it deems appropriate under the circumstances.

Once a formal Complaint is initiated, an alleged victim will be referred to as a "Complainant" and an alleged perpetrator will be referred to as a "Respondent."

#### **B. MANDATORY DISMISSAL OF TITLE IX CATEGORY CHARGES**

The Title IX Coordinator will review a formal complaint filed by a Complainant. In order to comply with Title IX regulations, the Title IX Coordinator must "dismiss" the Title IX Category violation(s) if it is apparent that the allegations are not within the scope of Title IX, including that the conduct alleged:

- would not constitute sexual harassment as defined in Section XX, even if proved,
- did not occur in the college's education program or activity, or
- did not occur against a person in the United States.

Notice of dismissal of the Title IX Category violation(s) will be in writing and issued to both the Complainant and Respondent. The Title IX Coordinator may determine at any point in the process that facts have emerged that require the dismissal of a Title IX Category violation. A decision to dismiss a Title IX Category violation is immediately appealable by the complainant.

Even if Title IX Category violations are subject to dismissal, the college may continue to process the allegations as College Category violations, assuming that the allegations, if true, would constitute College Category violations.

#### **C. DISCRETIONARY DISMISSAL OF TITLE IX CATEGORY CHARGES**

The Title IX Coordinator may, but is not required to, dismiss formal complaints in the following circumstances:

- When the complainant withdraws a formal complaint;
- When the respondent is no longer enrolled in or employed by the college; and
- Where specific circumstances prevent the college from gathering evidence (such as where a complainant refuses to cooperate but does not withdraw a formal complaint).

The decision to dismiss or not to dismiss a charge under these circumstances will depend on the totality of the situation.

#### **D. INTERIM MEASURES**

##### **Supportive Measures**

Once a report is made under this Policy, the complainant will be contacted by the Title IX Coordinator and offered individualized support as more fully described below. A report that triggers supportive measures need not be a formal complaint, and it may be made by a third-party (i.e., someone other than the complainant himself/herself). Once the respondent is informed of a report or a formal complaint, the respondent will be contacted by the Title IX Coordinator and offered individualized support as more fully described below.

Supportive measures are intended to restore or preserve, to the extent practicable, equal access to the college's educational programs and activities and protect the safety of all parties without unreasonably burdening the other party or parties. As required by federal regulation, these supportive measures must be non-disciplinary and non-punitive to the parties.

Supportive measures could include, but are not limited to:

- Changes or adjustment in academics such as the extension of deadlines or other course-related adjustments or allowing a withdrawal from a course without penalty;
- Changes to housing, transportation and campus working situations if those changes are requested by a party and reasonably available;
- Mutual "No Contact" orders and, possibly, in rare cases, such as when legal restraining orders or orders of protection have been issued, one-way no contact orders.
- Access to campus escorts or other reasonable security or monitoring measures;
- Counseling services; and
- Interim removal of a student from college will only be done pursuant to the Emergency Removal protocol, discussed below.

The Title IX Coordinator is responsible for coordinating the implementation of supportive measures, including coordinating with the various college departments and offices that may be involved. Supportive measures will be offered free of charge.

If a party's request for a supportive measure is denied, the party will be afforded an opportunity to have the denial promptly reviewed to assess whether the supportive measure is reasonable under the circumstances. In addition, each party will, upon request, be afforded the opportunity for a prompt review of the need for supportive measures that have been implemented, including the potential modification of these measures, to the extent that the party is affected by the measure(s) being reviewed. Each party will be allowed to submit evidence in support of, or in opposition to, the request to the extent the supportive measures under review affects that party. Information about how to request a review will be included in a written communication that will outline the supportive measures offered and any that were requested by the party but denied.

### **Emergency Removal**

In some cases, the college may undertake an emergency removal of a student respondent in order to protect the safety of college community, which may include contacting local law enforcement to address imminent safety concerns.

Emergency removal is not a substitute for reaching a determination as to a respondent's responsibility for the sexual harassment allegations; rather, emergency removal is for the purpose of addressing imminent threats posed to any person's physical health or safety, which may arise out of the sexual harassment allegations.

Prior to removing a student respondent through the emergency removal process, the college will undertake an individualized safety and risk analysis. If the individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student, including the student respondent, or other individual justifies removal, then a student respondent will be removed. This is the case regardless of the severity of the allegations and regardless of whether a formal complaint was filed.

After determining a student respondent is an immediate threat to the physical health or safety of an individual, the Title IX Coordinator will provide written notice of the emergency removal to both the complainant and respondent. This notice will contain: (1) the date the removal is set to begin, (2) the reason for the emergency removal, (3) the consequences of non-compliance, and (4) how to appeal the decision.

If a student respondent disagrees with the decision to be removed from campus, the respondent may appeal the decision. The respondent must provide written notice of the intent to appeal, which shall include the substance of the appeal, to Robert Waldmann, Vice President, within 10 days of receiving the notice of removal. The burden of proof is on the student respondent to show that the removal decision was incorrect.

This section applies only to student respondents. Employee respondents are not subject to this section and may be placed on administrative leave pursuant to the college's policies and/or collective bargaining agreements during the pendency of a Title IX grievance process.

## **E. INITIAL MEETINGS**

### **Meeting with the Complainant**

The Title IX Coordinator or deputy will contact the Complainant in writing to schedule an initial meeting. At this initial meeting, the Title IX Coordinator or deputy will, as applicable:

- Provide the Complainant a copy of this Policy, and review his or her rights under the Policy (see **Appendix C**);
- Provide the Complainant information about on and off-campus resources, such as the Office of Counseling and Wellness;
- Explain the avenues for formal and, if applicable, informal resolution of the Complaint;
- Explain the steps involved in a Formal Title IX investigation;
- Advise the Complainant that he or she may have an advisor of his or her choice present throughout the Title IX investigation and resolution process. The advisor may be an attorney, retained at the Complainant's own expense. Any advisor will function as a silent observer in any meeting or proceeding related to the investigation or resolution process. If the Complainant is a member of the Vaughn College community and does not have an advisor, the College will provide him or her with a list of faculty or staff who have volunteered to act as an advisor to parties involved in the Title IX investigative and resolution process;
- Discuss confidentiality standards and concerns;
- Discuss the importance of preserving relevant evidence or documentation in the case (e.g., texts, emails, notes, photographs (etc.);
- Discuss protection from, and reporting of, Retaliation and Intimidation; and
- Discuss with the Complainant, as appropriate, possible Interim Measures that can be provided to him or her during the pendency of the investigative and resolution processes. (If Interim Protective Measures have already been implemented, the Title IX Coordinator will evaluate whether they should continue to be provided and whether other Interim Measures should also be implemented.) The College may implement such measures regardless of whether a formal Complaint has been filed (with either campus officials or law enforcement agencies) or whether an investigation has commenced (by either campus officials or law enforcement agencies).
- The Title IX Coordinator will promptly inform the Complainant (no later than it is communicated to the Respondent) of the imposition of any Interim Measures and, to the extent that it affects him or her, the Respondent.

### **Meeting with Respondent**

If the Complainant wishes to pursue resolution through the College or if the College otherwise deems that further investigation is warranted, the Title IX Coordinator will contact the Respondent in writing to schedule an initial meeting. During the initial meeting with the Respondent, the Title IX Coordinator will, as applicable:

- Provide the Respondent, in writing notice of charges, information consistent with state and federal privacy laws and, if applicable, the alleged victim's request for confidentiality, that is sufficient to allow him or her to respond to the substance of the allegation, including, if possible, the name of the Complainant and the date, location, and nature of

the alleged Sexual or Gender-Based Misconduct;

- Provide the Respondent a copy of this Policy, including a review of his or her rights under the Policy (see **Appendix C**);
- Explain the College's procedures for resolution of the Complaint;
- Explain the steps involved in a Formal Title IX investigation;
- Advise the Respondent that he or she may have an advisor of his or her choice present throughout the Title IX investigation and resolution process. The advisor may be an attorney, retained at the Respondent's own expense. Any advisor will function as a silent observer in any meeting or proceeding related to the investigation or resolution process. If the Respondent is a member of the Vaughn College community and does not have an advisor, the College will provide the Respondent with a list of faculty or staff who have volunteered to act as an advisor to parties involved in the Title IX investigative and resolution process;
- Discuss confidentiality standards and concerns with the Respondent;
- Discuss non-Retaliation and Intimidation requirements with the Respondent;
- Inform the Respondent of any Interim Measures to be provided to the Complainant that directly affect the Respondent (e.g., changing the Respondent's class schedule, or moving the Respondent to an alternate residence hall);
- Discuss the importance of preserving relevant evidence or documentation in the case (e.g., texts, emails, notes, photographs (etc.);
- Refer the Respondent to the **Office of Counseling and Wellness** or other resources, as appropriate; and
- Discuss with the Respondent, as appropriate, possible Interim Measures that can be provided to the Respondent during the pendency of the investigative and resolution processes. The College may implement such measures if requested and/or appropriate, and reasonably available, whether a formal Complaint has been filed (with either campus officials or law enforcement agencies) or whether an investigation has commenced (by either campus officials or law enforcement agencies). Such determination will promptly be communicated to the Respondent (no later than it is communicated to the Complainant) and, to the extent that it affects him or her, the Complainant.

#### **F. TITLE IX COORDINATOR'S INITIAL ASSESSMENT**

After meeting with the Complainant and the Respondent, the Title IX Coordinator will make a determination as to whether (a) a Formal Title IX Investigation is warranted to resolve the case; (b) the case can possibly be resolved through Informal Resolution; or (c) there is insufficient evidence to pursue charges of alleged Sexual or Gender-Based Misconduct.

In the event that the Title IX Coordinator determines there is insufficient evidence to pursue charges of the alleged Sexual or Gender-Based Misconduct as defined by this Policy, the Title IX Coordinator will determine (in separate consultation with the Complainant, the Respondent, and other College administrators) and document the appropriate resolution of the Complaint, will promptly notify the parties of the resolution and will close the Complaint. Either party may appeal the Title IX Coordinator's decision according to the procedures for appeal below.

#### **SECTION IX - INFORMAL RESOLUTION**

An Informal Resolution Process is a voluntary process in which a trained facilitator assists the parties in resolving the allegations made by a complainant. An Informal Resolution prioritizes educational and conciliatory approaches over more adversarial contestation of the facts. One objective of the Informal Resolution is to provide to the parties an opportunity to hear each other's concerns and address them as collaboratively and usefully for the parties as possible, with the assistance of the facilitator.

The intent of an Informal Resolution Process is for the parties to undertake a facilitated discussion regarding the matters at issue related to the allegations to see if they can reach agreement on a resolution that leaves both parties feeling satisfied with that resolution.

The Informal Resolution Process is not available if the respondent in a sexual misconduct complaint is a faculty or staff member of college and the complainant is a student. The Informal Resolution Process is also not available in a complaint involving more than two parties unless (1) all parties consent to use the Informal Resolution Process, (2) there is an understanding among all parties about what happens when the right of any party to stop the Informal Resolution process and return or proceed to the formal grievance and hearing process is invoked, and (3) there is an understanding among all parties about whether some parties, but not all, can agree to a resolution.

Supportive measures are available to both parties in the same manner as they would be if the formal complaint were proceeding under the formal grievance and hearing process.

#### **A. Steps Prior to the Informal Resolution Process**

The Title IX Coordinator will offer the Informal Resolution Process to the parties after a formal complaint is filed by a complainant. Both parties must consent to use the Informal Resolution process. Either party in an Informal Resolution process may terminate it at any time and the complaint will proceed to the formal grievance and hearing process. In some instances, as detailed below, the facilitator in the Informal Resolution process may terminate the process as well.

A written notice will be given to both parties before entering an Informal Resolution Process, and both parties must consent to the process in writing. No party should feel intimidated, coerced or threatened to participate in an Informal Resolution Process, or to withdraw from an Informal Resolution Process.

If both parties consent to participate in the Informal Resolution process, the college will assign a facilitator who will act in an independent, impartial manner to facilitate a resolution between the parties. The facilitator will be trained on how to perform the role. The facilitator will also be screened to ensure that such person is free from conflicts of interest and bias.

#### **B. How the Process Works**

The facilitator will schedule one or more meetings with the parties. The facilitator will assist the parties in communicating information and opinions to the facilitator and each other regarding the allegations in an effort to find common ground and a resolution of the allegations that is satisfactory to both parties. The facilitator may meet separately with each party to explore the party's views about the allegations and desired outcome from the process. Either party can elect to have any meeting occur so that the parties are in different rooms and the facilitator "shuttles" between the parties.

Informal Resolution may be appropriate if the parties are willing to openly exchange views and reach a resolution acceptable to both parties. The parties to this process should have a clear understanding of the allegations in the complaint and the issues that are in dispute since the investigation phase of the formal grievance and hearing process will not occur if an Informal Resolution is reached.

#### **C. Role of the Facilitator**

The facilitator's role is to conduct the Informal Resolution process in a way that is impartial and does not favor one party over the other. If the facilitator believes at any point in the Informal Resolution process that one party is not behaving in a way that allows for a productive resolution between the parties, the facilitator will discuss the matter in confidence with the Title IX coordinator and either another facilitator will be appointed or the college will require that the Informal Resolution process be cancelled and the complaint will return to the formal grievance and hearing process.

#### **D. Confidentiality**

For the Informal Resolution process to have the best chance for success, the parties should be free to express themselves. As a result, the information received from both parties during the Informal Resolution process will be kept confidential by the facilitator but may share information with the Title IX Coordinator if, in the judgement of the facilitator, there is merit to the disclosure.

In addition, the facilitator will not be available as a witness in any hearing that may occur should either party terminate the Informal Resolution process before a resolution. This is in keeping with the concept that the facilitator is impartial and is only facilitating the interaction between the two parties and is not listening or taking notes for any purpose other than assisting the parties.

Should the Formal Complaint be returned to the formal grievance and hearing process of this policy, the parties and any support persons may not disclose information shared by the other party during the process in the hearing. All persons participating in the Informal Resolution process must sign a confidentiality agreement that provides that no information revealed by a party in the Informal Resolution process will be used against that party in a hearing. This confidentiality protection does not apply to information that is learned outside the Informal Resolution process through the investigation or otherwise (but not learned through a violation of the confidentiality agreement).

#### **E. Support Persons During Informal Resolution Process**

Each party may have a support person accompanying them to any Informal Resolution meeting. A support person is someone who provides support to a party during the Informal Resolution process. This role should be distinguished from the role of an Advisor under the formal grievance and hearing process of this policy. For instance, the support person will not cross-examine the other party.

A support person can help a party understand or explain the issues under discussion or simply help the party feel more comfortable during the Informal Resolution process. A support person should be someone the party feels comfortable with. A party may need to tell your support person sensitive things related to the facts and circumstances surrounding the allegations. The support person may be a friend or relative or any other person the party trusts.

A support person cannot be someone who has been involved in the facts and circumstances in the allegations in any way. In addition, the other party and the facilitator must agree to the support person attending. The facilitator can also exclude a support person if their presence is disruptive during the Informal Resolution process.

A party should let the facilitator know if they would like a support person to attend any Informal Resolution meeting and the name of the support person and that person's relationship to the party. The facilitator will check with the other party to confirm that such party agrees to continue with the Informal Resolution with the support person present.

Support can be provided in several ways. Support people do not necessarily have to be in an Informal Resolution session. Support people can be available to offer support in a nearby area and the facilitator can schedule breaks so that a party can talk with their support person outside the meeting. The support person can attend the Informal Resolution meeting but may not participate or speak during it. The support person can ask for a break if the person wishes to confer with the party.

Neither party is permitted to have a support person participate in meetings with the facilitator through an electronic device such as a cell phone or computer.

#### **F. Possible Outcomes of the Process**

A resolution is reached only if both parties agree. The facilitator will not impose an outcome, although they may assist the parties in suggesting resolutions that appear to meet the parties' needs. If there is no agreement on a resolution, the complaint is returned to the formal grievance and hearing process outlined in this policy. A party may terminate the informal process at any time before the final written resolution is signed.

The facilitator will draft a document reflecting the agreement between the parties that becomes final once it is signed by both parties. This written and signed resolution indicates that the complaint has been resolved under this policy without the need for further investigation or to pursue the formal grievance and hearing process.

After a written resolution has been finalized, the college will keep a record of the parties' written consent to the Informal Resolution process and the written resolution.

#### **G. Consequences if Informal Resolution Process Does Not Result in an Agreed-Upon Resolution**

The Informal Resolution process should proceed with due promptness. The college imposes no specified timeframe for the process but the facilitator may choose to terminate the Informal Resolution Process (and either party may elect to terminate the Informal Resolution) if insufficient progress is being made.

If an Informal Resolution Process does not result in an agreed-upon resolution, the complaint returns to the formal grievance and hearing process outlined in this Policy. Any investigation of the allegations in the complaint will resume and the formal grievance process will proceed from there. The college encourages terms of resolution that meets the parties' needs, and may include a disciplinary sanction. In unusual circumstances, the Title IX Coordinator may determine that the parties' agreed upon resolution cannot be approved by the college.

The college and the facilitator will maintain confidentiality concerning the Informal Resolution process. The parties and any support persons may not disclose information shared by the other party during the process in the hearing. This confidentiality protection does



not apply to information that is learned outside the Informal Resolution process through the investigation or otherwise (but not learned through a violation of the confidentiality agreement).

## **SECTION X – FORMAL TITLE IX INVESTIGATION PROCEDURES**

If the Title IX Coordinator determines that a Formal Resolution is warranted to resolve the Complaint or Informal Resolution efforts are not successful, the Title IX Coordinator will refer the matter for Formal Resolution, which includes a thorough and prompt investigation and provides for a fair and impartial evaluation and resolution.

### **A. Appointment of Investigator**

Where a formal complaint has been filed, and in the absence of an informal resolution, the college will appoint an investigator to conduct an investigation into the allegations in the formal complaint.

The COLLEGE may appoint any qualified investigator, who may be a person internal or external to the college. The college also may appoint more than one investigator in the college's sole discretion. The investigation is an impartial fact-finding process.

### **B. Temporary Delay Due to Concurrent Law Enforcement Investigation**

The college's investigation may be temporarily delayed where there is a concurrent law enforcement investigation if necessary to avoid interference with the law enforcement investigation. Any such delay shall not exceed ten (10) days unless the law enforcement agency requests and justifies a longer delay.

### **C. Notice of Investigation**

The Complainant and Respondent shall receive a notice of investigation referencing the violation(s) of this policy alleged to have been committed and the range of possible disciplinary sanctions and remedies following any determination of responsibility. The notice of investigation will include, to the extent known:

- the identities of the involved parties;
- the date, time, location and factual allegations concerning the alleged violation;
- the policy provisions allegedly violated;
- a description of the investigation and adjudication process;
- potential sanctions;
- the right to an advisor of their choice, who may be, but is not required to be, an attorney;
- their right to inspect and review evidence in accordance with this policy;
- notice that knowingly making false statements or knowingly submitting false information is prohibited; and
- that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the process

If, in the course of the investigation, the college decides to investigate allegations that are not included in the notice initially provided to the parties, the Title IX Coordinator or designee will provide notice of the additional allegations to the parties.

### **D. Notice of and Opportunity to Object to Investigator**

The Complainant and Respondent will be provided with notice of the name of the appointed investigator and an opportunity of not more than three (3) days after the notice to raise an objection to the investigator based on any alleged conflict of interest known to the party. If an objection is raised, the Title IX Coordinator will determine whether a conflict of interest in fact exists and necessitates the replacement of the investigator.

### **E. Meetings and Interviews to Gather Information**

The Complainant and Respondent will be provided with advance written notice of the date, time, location, participants, and purpose of any meeting or interview in which they are invited to or expected to participate. The Complainant and Respondent have a right to be accompanied by an advisor of their choice, who may be an attorney. The college does not appoint an advisor for a party during the investigation phase of the process.

The Complainant and the Respondent will be given an equal opportunity to present information. This includes the opportunity to present fact or expert witnesses and other evidence that the party believes tends to prove or disprove the allegations. However, at all times, the burden of gathering evidence remains with the college. The investigator may decline to interview any witness or to gather information the investigator finds to be not relevant or otherwise excludable (e.g., sexual history of the complainant with a person other than the respondent, materials subject to a recognized privilege, medical records in the absence of a release by the subject of the records, etc.). The investigator will determine the order and method of investigation.

No unauthorized audio or video recording of any kind is permitted during investigation meetings or interviews. If the investigator elects to audio and/or video record interviews, all involved parties involved in the meeting or interview will be made aware that audio and/or video recording is occurring.

#### **F. Opportunity for Inspection and Review of Evidence**

The Complainant and Respondent will be provided an equal opportunity to inspect and review any evidence obtained in the investigation directly related to the allegations gathered in the investigation and regardless of whether the information will be relied on in reaching a determination. Prior to the conclusion of the investigative report, the Complainant and Respondent, and each party's advisor of choice, if any, will be provided a copy (which may be sent in hard copy or electronic format or made available through an electronic file sharing platform) of the evidence, subject to redaction permitted and/or required by law. The Complainant and Respondent will be provided with at least ten (10) days to submit a written response, which the investigator will consider prior to completion of the investigative report. The investigator will determine if additional investigation is necessary and, if so, will complete any additional investigative steps.

#### **G. Investigative Report**

At the conclusion of the investigation, the investigator will complete a written investigative report that fairly summarizes the relevant evidence. The investigator need not include information in the investigative report that the investigator determines not relevant or otherwise excludable. The investigator will submit the investigative report to the Title IX Coordinator.

At least ten (10) days prior to a hearing to determine whether there is responsibility for the allegations, the Complainant and Respondent, and each party's advisor if any, will be provided a copy of the investigative report (which may be sent in hard copy or electronic format or made available through an electronic file sharing platform), subject to redaction permitted and/or required by law.

#### **H. Consolidation of Cases**

The Title IX Coordinator may determine that cases where the allegations arise out the same set of facts should be consolidated for purpose of the investigation and/or adjudication. Instances where consolidation of complaints may occur include but are not limited to cross-complaints filed by the parties against each other, multiple complaints by a single complainant against a respondent, or multiple complaints by a single complainant against multiple respondents.

#### **I. Investigation Timeframe**

The college will endeavor to complete an investigation within thirty (30) days. An investigation may be extended for good cause, such as witness unavailability, breaks in the academic schedule, or other similar circumstances.

### **SECTION XI – FORMAL TITLE IX HEARING PROCEDURES**

A hearing before a Hearing Officer designated by the Title IX Coordinator will be convened not less than ten days after the parties have been provided access to the final investigative report, for the purpose of determining whether the Respondent is responsible or not responsible for the charge(s).

The Title IX Coordinator will notify the parties in writing of the date, time, and location of the hearing, the name of the Hearing Officer, and how to challenge participation by the Hearing Officer for bias or conflict of interest. Bias or conflict of interest will be judged by an objective standard (whether a reasonable person would conclude the decision maker is biased).

Participants in the hearing will include the Hearing Officer, the Complainant and the Respondent, their respective advisors, the investigator(s) who conducted the investigation, and witnesses (solely during their own testimony). Hearings are private. Observers or additional support personnel, other than the parties' advisors, are not allowed unless deemed necessary by the Title IX Coordinator for

purposes such as accommodation of a disability. Cell phones and recording devices may not be used by the parties or their advisors in the hearing room(s).

Hearings may be conducted with all parties physically present in the same location or, at the Title IX Coordinator's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling the Hearing Officer and the parties to simultaneously see and hear any party or witness providing information or answering questions. If either party so requests, the hearing will be conducted with the parties located in separate rooms using technology as described in the preceding sentence.

The Title IX Coordinator may postpone the hearing for good cause as determined by the Title IX Coordinator. Good cause may include, without limitation, unavailability of one or more participants due to unanticipated events or circumstances, the timing of academic breaks or holidays, or other extenuating circumstances.

#### **A. Procedural Matters**

The Hearing Officer is in charge of organizing the presentation of information to be considered at the hearing. Formal rules of evidence will not apply. Except as otherwise expressly prohibited by this Policy, any information that the Hearing Officer determines is relevant may be considered, including hearsay, history and information indicating a pattern of behavior, and character evidence. All evidence previously made available to the parties for inspection and review prior to completion of the investigative report will be made available at the hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of questioning. Absent extraordinary circumstances as determined by the Hearing Officer, no party may seek to introduce at the hearing any evidence not previously made available in accordance with the preceding sentence, other than the investigative report itself and any responses to the investigative report submitted by the parties pursuant to this policy.

The Hearing Officer will address any concerns regarding the consideration of information prior to and/or during the hearing and may exclude irrelevant information. Subject to the terms of this Policy, the Hearing Officer will have discretionary authority to determine all questions of procedure, to determine whether particular questions, evidence or information will be accepted or considered, to call breaks or temporary adjournments of the hearing, to alter the order of the proceedings from that described above, and/or to recall parties or witnesses for additional questions as the Hearing Officer deems necessary or appropriate. The Hearing Officer may impose additional ground rules as Hearing Officer may deem necessary or appropriate for the orderly and efficient conduct of the hearing, which will apply equally to both parties.

#### **B. Advisors**

The Complainant and the Respondent may each have present with them during the hearing an advisor of their choice (at the party's expense, if the advisor is a paid advisor). If a party does not have an advisor present at the hearing, the College will provide, without fee or charge to that party, an advisor of the College's choice for the limited purpose of conducting questioning on behalf of that party as provided in this Policy.

Except with respect to questioning as described below, the advisor's role is limited to consulting with their advisee, and the advisor may not present evidence, address the Hearing Officer during the hearing, object to any aspect of the proceeding, or disrupt the hearing in any way, and any consultation with the advisee while the hearing is in progress must be done in a quiet nondisruptive manner or in writing. The advisor may consult with the advisee verbally outside the hearing during breaks, when such breaks are granted by the Hearing Officer. An advisor's questioning of the other party and any witnesses must be conducted in a respectful, nonintimidating and non-abusive manner. If the Hearing Officer determines that an advisor is not adhering to these or other ground rules, the advisor may be required to leave the hearing, and the hearing will proceed without an opportunity for the party to obtain a replacement advisor; provided, however, that the College will assign an advisor of the College's choosing, without charge, for the purpose of conducting questioning on behalf of the party as provided below.

Witnesses are not permitted to bring an advisor or other person to the hearing, absent an approved disability accommodation. The Hearing Officer may be advised by and/or consult with the College's legal counsel as the Hearing Officer deems necessary or appropriate.

#### **C. Questioning Procedures**

The Hearing Officer will permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility; provided that questions that seek disclosure of information protected under a legally recognized privilege will not be permitted unless the person or entity holding the privilege has waived the privilege in writing. Questioning must be conducted by the party's advisor in a respectful, nonintimidating and non-abusive manner, and never by a party personally. If a party does not have an advisor present at the hearing, the Title IX Coordinator will arrange for the College to provide without fee or charge to that party, an advisor of the College's choice to conduct cross-examination on behalf of that party.

Only relevant questions may be asked by a party's advisor to a party or witness. Before the party or witness answers a question posed by an advisor, the Hearing Officer will first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The advisor posing the question may request that the Hearing Officer reconsider any decision to exclude a question and the Hearing Officer, after soliciting the other party's advisor's opinion, will render a final determination]. Such decisions by the Hearing Officer are final and not subject to further objection or reconsideration during the hearing.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, other than questions and evidence about the Complainant's prior sexual behavior that (a) are offered to prove that someone other than the Respondent committed the alleged misconduct, or (b) concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

If a party or witness does not submit to cross-examination at the hearing by a party's advisor as described above, the Hearing Officer may not rely on any statement of that party or witness, during the hearing or otherwise, in reaching a determination regarding responsibility. The Hearing Officer will not draw an inference as to responsibility based solely on a party's or witness's absence from the hearing or refusal to answer cross-examination questions.

#### **D. Hearing Determinations**

Following conclusion of the hearing, the Hearing Officer will deliberate and render a determination as to whether the Respondent is responsible or not responsible for the alleged violation(s). [The Hearing Officer will use "preponderance of the evidence" as the standard of proof to determine whether each alleged violation of the Policy occurred. "Preponderance of the evidence" means that the Hearing Officer must determine whether, based on the evidence presented, it is more likely than not that the Respondent engaged in the conduct charged. Hearing Officer must determine whether, based on the evidence presented, it is highly and substantially more likely to be true than untrue that the Respondent engaged in the conduct charged.

Each party may submit a written personal impact statement to the Title IX Coordinator for consideration by the Hearing Officer in determining an appropriate sanction if there is a finding of responsibility on one or more of the charges. The parties must submit their statements to the Title IX Coordinator within 24 hours after the conclusion of the hearing. The Title IX Coordinator will provide each of the parties an opportunity to review any statement submitted by the other party.

In addition to the impact statement(s), if any, factors considered when determining sanctions may include:

- the nature and severity of, and circumstances surrounding, the violation(s);
- the Respondent's state of mind at the time of the violation(s) (intentional, knowing, bias-motivated, reckless, negligent, etc.);
- the Respondent's previous disciplinary history;
- the need for sanctions to bring an end to the conduct; and/or to prevent the future recurrence of similar conduct;
- the need to remedy the effects of the conduct on the Complainant and/or the community;
- the impact of potential sanctions on the Respondent;
- sanctions imposed by the College in other matters involving comparable conduct; and
- any other lawful factors deemed relevant by the Hearing Officer.

The following are the sanctions that may be imposed upon students or organizations singly or in combination:

- **Warning:** A formal statement that the behavior was unacceptable and that further infractions of any College policy, procedure, or directive may result in more severe disciplinary action.
- **Probation:** A written reprimand for violation of the Policy, providing for more severe disciplinary sanctions in the event that the Respondent is found in violation of any College policy, procedure, or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified privileges, exclusion from extracurricular activities, no-contact orders, and/or other measures deemed appropriate.

- Suspension: Cessation of student status for a definite period of time and/or until specific criteria are met.
- Expulsion: Permanent termination of student status.
- Withholding Degree and/or Diploma: The College may withhold a student's degree and/or diploma for a specified period of time and/or deny a student participation in commencement activities.
- Other Actions: In addition to or in place of the above sanctions, the Hearing Officer may assign any other sanctions as deemed appropriate, including but not limited to the following:
  - Mandated counseling so the Respondent has the opportunity to gain more insight into his/her/their behavior.
  - A "no contact" directive (including but not limited to continuation of a no contact directive imposed as a supportive measure) prohibiting contact with one or more identified persons, in person or through telephonic, electronic, written or other means. A no contact directive may include additional restrictions and terms.
  - Requiring the Respondent to write a letter of apology.
  - Requiring unpaid service to the campus or local community stated in terms of type and hours of service.
  - Restitution for damage to or misappropriation of property, or for personal injury, and other related costs.
  - Loss, revocation or restriction of housing privileges (e.g., exclusion from specified locations or alteration of status in the housing lottery or other selection system).
  - Monetary fines.

For those crimes of violence that the College is required by federal law to include in its Annual Security Report, the transcripts of suspended or expelled students found responsible after a hearing and appeal, if any, will include the notation "Suspended after a finding of responsibility for a code of conduct violation" or "Expelled after a finding of responsibility for a code of conduct violation". Transcript notations for suspensions may be removed at the discretion of the Title IX Coordinator, but no earlier than one year after the conclusion of the suspension. Transcript notations for expulsion may not be removed.

#### **E. Notice of Outcome**

The Hearing Officer will issue a written determination including the following information:

- A description of the charges that were adjudicated;
- A description of the procedural steps taken from the submission of the formal complaint through the determination, including notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the Policy to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions to be imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the College's educational programs or activities will be provided to the Complainant; and

- The procedures and permissible bases for the Complainant and Respondent to appeal.

The Hearing Officer will provide the written determination to the parties simultaneously.

#### **F. Appeals**

A respondent or complainant may appeal: (1) a determination regarding responsibility, and (2) the college's dismissal of a formal complaint or any allegations therein.

If a party wishes to appeal a determination regarding responsibility or the dismissal of a formal complaint, the party must submit written notice to the Title IX Coordinator of the party's intent to appeal within 10 days of receiving the written notification of the appealable decision.

A respondent or complainant may appeal on the following bases:

- Procedural irregularity that affected the determination regarding responsibility or dismissal of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the determination regarding responsibility or dismissal of the matter; and
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the determination regarding responsibility or dismissal of the matter. The professional experience of an individual need not disqualify the person from the ability to serve impartially. Furthermore, bias is not demonstrated by working in complainants' or respondents' rights organization.

In addition to the three bases for appeal, the college reserves the right to add additional bases for appeal that will be available equally to both the respondent and the complainant. Any additional bases of appeal that are added will not be applied retroactively to previous determinations and dismissals.

When a party submits a written notice of its intent to appeal to the Title IX Coordinator within 10 days of the appealable decision, college will notify the other party in writing and implement appeal procedures equally for both parties. If no written notice of either party's intent to appeal is sent, then the written determination becomes final after the time period to file an appeal (10 days) has expired.

Each party will be given a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome. Each party will have at least 10 days to submit its written statement. If a party needs additional time, it can request such additional time from the decision-maker for the appeal. Such requests will be granted on a case-by-case basis. If the decision-maker for the appeal grants a request for additional time to submit a written statement, all parties will be granted the additional time.

The decision-maker for the appeal will not be the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator.

The decision-maker for the appeal will issue a written decision describing the result of the appeal and the rationale for the result. This decision will be provided to both parties simultaneously and in writing.

Once the appeal decision has been sent to the parties, the appeal decision is final.

#### **SECTION XII. APPLICATION TO FACULTY AND STAFF**

One or more of the college's personnel policies or faculty and staff handbook policies may overlap with this policy in a particular situation. This policy applies to any situation where a student is the complainant or respondent. In all other situations, the college reserves the right to apply this policy or another applicable college policy or process. The college will apply this policy to any situation where the college determines that Title IX requires the application of this policy.

#### **XIII. ACADEMIC FREEDOM**

The college is an academic institution at which academic freedom possessed by those who are teaching/conducting research and their students is necessary and valued. The college will not construe this policy to prevent or penalize a statement, opinion, theory, or idea offered within the bounds of legitimate, relevant, and responsible teaching, learning, working, or discussion.

#### **XIV. COORDINATION WITH OTHER POLICIES**

A particular situation may potentially invoke one or more college policies or processes. The college reserves the right to determine the most applicable policy or process and to utilize that policy or process.

#### **XV. DELEGATION OF AUTHORITY**

Any college administrator or official empowered by this policy, may delegate their authority to any other appropriate college official. Delegation of authority may be necessary to avoid conflicts of interest or where time constraints or other obligations prevent a college official named in this policy from fulfilling their designated role.

#### **XVI. POLICY ENFORCEMENT**

The person responsible for the implementation of this policy internally is:

Elaine T. White, Assistant Vice President of Student Affairs/Dean of Students/Title IX Coordinator

[Elaine.white@vaughn.edu](mailto:Elaine.white@vaughn.edu)

(718) 429-6600 Ext. 366

Inquiries and complaints may be made externally to:

Office for Civil Rights (OCR)

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-1100

Customer Service Hotline #: 800-421-3481

Facsimile: 202-453-6012 TDD#: 877-521-2172

E-mail: [OCR@ed.gov](mailto:OCR@ed.gov)

Web: <http://www.ed.gov/ocr>

#### **SECTION XVII – PREVENTION AND EDUCATION**

##### **A. Educational Programs**

Vaughn College provides resources for education about and prevention of Sexual and Gender-Based Misconduct. They include:

- Alcohol and Drug Workshops
- Sex Signals
- Life Reality Skit Demonstration
- Meeting of Minds Workshop; Understanding the Differences
- Rape Aggression Defense Training
- Know Your Campus
- The Do's and Don'ts of Dating
- Sexuality, Sexual Preference and Anatomy
- Title IX Awareness and Understanding
- Women's Health Fair
- Adjusting to College Life

##### **B. Training**

Sexual and Gender-Based Misconduct prevention training, which includes training with respect to sexual offenses, is required for members of the College campus community according to the following schedule:

- All students on an annual basis;
- Student athletes;
- Student organization leaders;
- New faculty and staff;
- All faculty and staff- biennially;
- Key students, camp counselors and program leaders prior to performing the duties or participating in the qualifying activity; the College's training includes, but is not limited to, information on (a) Title IX and a review of the College's prohibition against Dating Violence, Sexual Assault, Domestic Violence and Stalking, (b) how to file a formal Title IX Complaint with the College, (c) resources available to Sexual and Gender-Based Misconduct victims such as counseling, health services and interim measures, (d) Bystander Intervention Training; and (e) options for reporting an incident of Sexual or Gender-Based Misconduct to campus or local law enforcement. In addition, all incoming students are educated regarding the legal definitions for dating violence, sexual assault, domestic violence, stalking and affirmative consent in the State of New York.

#### **SECTION XVIII – ANNUAL REPORTING**

The Title IX Coordinator maintains an annual report documenting: (1) the number of reports or Complaints received pursuant to this Policy; (2) the categories of those involved in the allegations; (3) the number of Policy violations found; and (4) examples of sanctions imposed for Policy violations.



## **APPENDIX A**

### **IMMEDIATE ASSISTANCE FOLLOWING A SEXUAL OR GENDER-BASED MISCONDUCT INCIDENT**

Vaughn College recognizes that deciding how to respond to an incident of Sexual or Gender-Based Misconduct can be difficult and encourages all individuals to seek the immediate support of and use all available resources on- and off-campus, regardless of when or where the incident occurred. Confidential and non-confidential care and support resources, which are listed below, are available both on and off campus on an immediate and ongoing basis.

#### **A. IMMEDIATE ASSISTANCE AND RESOURCES**

It is the College's goal to empower individuals who believe they have experienced an incident of Sexual or Gender-Based Misconduct to make the decisions that are best for them. Various campus and community advocates, counselors, and emergency first responders are available to offer assistance in this regard. Moreover, seeking assistance and advice promptly from one of these resources may also be important to ensure one's physical safety or to obtain medical care or other support. It may also be necessary to preserve evidence, which can assist the College and/or law enforcement in responding effectively. Assistance is available 24 hours a day, 7 days a week. The Resource Table below provides contact information for the various campus and community advocates, counselors, and emergency first responders available to provide assistance.

**Get to a Safe Place:** First and foremost, an individual who is the victim of Sexual Assault (non-consensual sexual contact and non-consensual sexual intercourse), Domestic Violence, Dating Violence, Stalking or other violent actions is urged to get to a safe place away from the perpetrator or from any other potential danger as soon as possible. Individuals on campus that are not in a safe place should contact Vaughn College Security Department at **718-429-6600: Main Building - Ext. 130; Library – Ext 301; Residence Hall - Ext. 300; Astoria- Ext. 270** (24 hours) or Local Law Enforcement at 911 immediately (24 hours). Individuals off campus should contact Local Law Enforcement at 911 immediately (24 hours).

**Preserve Evidence:** Collecting evidence does not obligate an individual to any particular course of action but can assist law enforcement should criminal charges ultimately be pursued. For evidence collection purposes, it is important that, if possible, victims do not shower, bathe, wash, comb their hair, use the toilet, smoke, brush their teeth, eat or drink, and wash clothes, sheets, blankets or other items. Anything of evidentiary value should be placed in a paper bag (plastic bags are discouraged). Also, victims are urged to photograph visible injuries. Pictures should be taken zoomed in and panned out to show location. A credit card, coin, or dollar bill should be used for reference of size.

**Confidential Counselor or Healthcare Providers:** Individuals who believe that they or someone they know has been a victim of Sexual or Gender-Based Misconduct may seek medical, counseling, support and reporting information from any of the College or off-campus confidential resources listed in the Resources Table below. Discussing a matter with these offices or individuals is not considered a report to the College or a request that any action be taken by the College in response to a Sexual or Gender-Based Misconduct incident, unless specifically requested by the victim. Conversations with these resources are confidential, except as described in the Resources Table below.

The confidential counselors and healthcare members listed in the Resources Table can provide individuals with both immediate and long-term help. They will listen and help access additional assistance and explain options for obtaining additional support from the College and others. They can also arrange for medical care and accompany victims, or arrange for someone to accompany individuals, to seek such care. In addition, they can provide assistance in filing a complaint with local law enforcement. These resources may be used regardless of whether the victim wants to file an official report or participate in College investigation and resolution proceedings or the criminal process. They are familiar with the College's investigation and resolution process, can explain what to expect, and provide support while College or legal processes are pending, all on a confidential basis.

**College Resources (Non-Confidential):** In addition to confidential resources, any individual who has experienced or witnessed an incident of Sexual or Gender-Based Misconduct has the option and is encouraged to contact any of the *non-confidential* College resources listed in the Resource Table below for immediate assistance.

Upon the receipt of the initial report, the victim's immediate health and safety needs will be assessed by the First Responder (usually a Vaughn College Security Department Officer). The First Responder will outline all of the options for the Complainant, including but not limited to medical treatment, access to an on-campus safe room, the importance of preserving relevant evidence or documentation, and filing a report with the appropriate law enforcement authority. Additionally, the First Responder will advise the Complainant that the College has a duty to investigate the report in order to remedy the effects of any hostile environment created for the Complainant and the campus community.

**Local Law Enforcement (Non-Confidential):** Any member of the College community who has experienced an incident of Sexual or Gender-Based Misconduct involving potential criminal conduct has the option to report the conduct to local law enforcement. If the conduct is reported to the College, a victim will be informed of his or her option to also report any potential criminal activity to local law enforcement. A criminal complaint and a report with the College may be filed at the same time, however, individuals may pursue a Complaint with the College without pursuing criminal charges and vice versa. Because the standards for finding a violation of criminal law are different from the standards in this Policy, criminal investigations or reports are not determinative of whether or not Sexual or Gender-Based Misconduct under this Policy has occurred. Any of the College resources listed in the Resource Table can provide assistance in filing a complaint with local law enforcement and obtaining an order of protection.

**Health Care Options:** Whether a member of the College community who has experienced an incident of Sexual Assault (non-consensual sexual contact and non-consensual sexual intercourse), Domestic Violence, Dating Violence, or other violent actions, elects to report the incident or not, it is important that medical attention be sought as soon as possible. This will allow the individual to get care for any injuries that may have resulted from the assault, receive medications in order to prevent sexually transmitted infections in the event of a Sexual Assault and to properly collect and preserve evidence, if the patient consents to do so. A medical examination as soon as possible (ideally within 72 hours) is critical in preserving evidence of Sexual Assault and proving a criminal or civil case against a perpetrator.

A listing of local hospitals that have rape kits and/or Sexual Assault Nurse Examiners (SANE), which will assist law enforcement should criminal charges ultimately be pursued by the victim, are set forth in the Resources Table.

**Getting to the Hospital:** For victims with injuries that require emergency medical care, it is imperative that Vaughn College Security Department be called at **718-429-6600: Main Building - Ext. 130; Library - Ext 301; Residence Hall - Ext. 300; Astoria- Ext. 270** or that Emergency Medical Services be contacted at 911 to request emergency transport.

**Transportation Assistance:** If there are no pressing medical needs, the individual may make arrangements for travel to the hospital or contact any of the College or off-campus resources listed in the Resource Table for assistance in seeking medical attention off campus.

## **B. ONGOING ASSISTANCE**

### **1. Counseling, Advocacy and Support**

The counseling and support programs listed in the Resource Table are available for victims of Sexual or Gender-Based Misconduct at any time, whether or not the victim chooses to make an official report or participate in a College disciplinary or criminal process.

### **2. Interim Measures & “No Contact” Orders**

Upon learning of an incident of Sexual or Gender-Based Misconduct involving a member of the College community, the Title IX Coordinator will take immediate steps and interim measures to ensure the safety and well-being of the victim, such as the ability to move dorm room, change work schedules, alter academic schedules, withdraw from/retake a class without penalty, and access academic support (e.g., tutoring).

An additional Interim Measures that will be implemented if the accused is a student is the issuance of a “no contact” order. Continued intentional contact with the reporting individual is a violation of institution policy and may be subject to additional conduct charges. It is the accused’s responsibility to leave the area if the reporting individual and the accused observe each other in a public place. Both the accused and the reporting individual may request a review and modification of a “no contact” orders.

## **APPENDIX B**

### **Student Alcohol and Drug Use Amnesty Policy**

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

It is the College's intention to partner with students in promoting health and safety. The College will provide students with the assistance needed to respond to high risk drinking and other drug abuse.

In a crisis, students are encouraged to seek such assistance by contacting:

Campus Security Department at 718-429-6600

Main Building - Ext. 130

Library – Ext. 301

Residence Hall - Ext. 300

Astoria- Ext. 270

## **APPENDIX C**

### **STUDENTS' BILL OF RIGHTS**

All students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.

#### **Confidential College reporting options:**

- Office of Counseling and Wellness at Vaughn College (718) 429-6600, Ext. 350

## **APPENDIX D**

### **RESOURCE TABLE**

- Queens Hospital Center  
82-68 164<sup>th</sup> Street  
Jamaica, NY 11432  
(718) 883-3000

- Elmhurst Hospital Center  
79-01 Broadway  
Elmhurst, NY 11373  
(718) 334-4000
- Long Island Jewish/North Shore  
Behavioral Health College Partnership Program  
Dr. Laura Braider - Director  
Dr. Lalima – (718) 470-8894
- Plaza Del Sol Family Center  
37-16 108<sup>th</sup> Street  
Corona, NY 11368  
(718) 561-4000
- Family Justice Center  
Domestic Violence (confidential)  
126-02 82<sup>nd</sup> Avenue  
Kew Gardens, NY 11415  
(718) 575-4500
- Get Help Now
- 1 (800) 352-2919 or 1 (877) 222-8387 (Veteran Affairs)
- 1 (800) SUICIDA (Spanish Speaking suicide hotline)
- 1 (800) PPD-MOMS (Post-partum depression hotline)
- Catholic Charities Mental Health Treatment Center  
67-29 Myrtle Avenue  
Glendale, NY 11385  
(718) 779-1234
- Advance Center for Psychotherapy  
110-20 71<sup>st</sup> Road  
Forest Hills, NY 11375  
(718) 793-3133
- Queens Rape Counseling Center  
71-49 Loubet Street  
Queens, NY 11315  
(718) 263-2013
- Safe Horizon (212) 227-3000

- Crime Victims/Stalking Hotline (866) 689-4357
- Domestic Violence Hotline (800) 621-4673 (English/Spanish)  
TDD Assistance (866) 604-5350
- National Sexual Assault Hotline (800) 656-HOPE (4673)
- New York State Coalition Against Sexual Assault (800) 942-6906 or (800) 818-0656
- Miles Foundation (203) 270 – 7861  
Advice and services about family violence for military personnel and their friends
- National Center for Victims of Crime Stalking Resource Center (202) 467-8700
- National Domestic Violence Hotline (800) 799-SAFE (7233)  
Support, shelter, or services - free, confidential, 24 hours
- Service Women's Action Network (SWAN) (646) 569-5200  
SWAN supports, defends, and empowers today's servicewomen and women veterans of all eras, through groundbreaking advocacy initiatives and innovative, healing community programs.
- NYC Anti-Violence Project (212) 714-1141  
24-hour hotline specifically for the LGBTQ Community

## **APPENDIX E**

### **New York Crime Definitions**

The Violence Against Women Act (VAWA) and its regulations require the College to include certain New York State definitions in their Annual Security Report and also require that these definitions be provided in other materials disseminated by the College. Relevant New York definitions are set forth below.<sup>5</sup>

CONSENT:<sup>6</sup> Lack of consent results from: forcible compulsion; or incapacity to consent; or where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct. Where the offense charged is rape in the third degree, a criminal sexual act in the third degree, or forcible compulsion in circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of lack of consent to such act under all the circumstances. A person is incapable of consent when he or she is: less than 17 years old; or mentally disabled; or mentally incapacitated; or physically helpless; or committed to the care and custody of the state department of correctional services, a hospital, the office of children and family services and is in residential care, or the other person is a resident or inpatient of a residential facility operated by the office of mental health, the office for people with development disabilities, or the office of alcoholism and substance abuse services, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such department or hospital.

CONSENT, ABBREVIATED: Clear, unambiguous, and voluntary agreement between the participating to engage in specific sexual activity.

DATING VIOLENCE: New York State does not specifically define "dating violence." However, under New York Law, intimate relationships are covered by the definition of domestic violence when the crime is committed by a person in an "intimate relationship" with the victim. See "Family or Household Member" for definition of "intimate relationship."

DOMESTIC VIOLENCE: An act which would constitute a violation of the penal law, including, but not limited to acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted murder, criminal obstruction or breaching or blood circulation, or strangulation; and such acts have created a substantial risk of physical or emotional harm to a person or a person's child. Such acts are alleged to have been committed by a family member. The victim can be anyone over the age of sixteen, any married person or any parent accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of the act.

FAMILY OR HOUSEHOLD MEMBER: Person's related by consanguinity or affinity; persons legally married to one another; person formerly married to one another regardless of whether they still reside in the same household; persons who have a child in common regardless of whether such persons are married or have lived together at any time; unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an "intimate relationship" include, but are not limited to: the nature or type of relationship regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an "intimate relationship"; any other category of individuals deemed to be a victim of domestic violence as defined by the office of children and

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<sup>5</sup> For purposes of enforcing the expectations and requirements of this Policy, Sexual and Gender-Based Misconduct is defined in the body of this Policy.

<sup>6</sup> For the purposes of this Policy, the College defines consent as *affirmative consent* as defined the body of this Policy, which is consistent with N.Y. Educ. Law § 6441.

family services in regulation. Intimate relationship status shall be applied to teens, lesbian/gay/bisexual/transgender, and elderly individuals, current and formerly married and/or dating heterosexual individuals who were, or are in an intimate relationship.

PARENT: means natural or adoptive parent or any individual lawfully charged with a minor child's care or custody.

SEXUAL ASSAULT: New York State does not specifically define sexual assault. However, sexual assault includes offenses that meet the definitions of rape, fondling, incest, or statutory rape.

SEX OFFENSES; LACK OF CONSENT: Whether or not specifically stated, it is an element of every sexual act committed without consent of the victim.

SEXUAL MISCONDUCT: When a person (1) engages in sexual intercourse with another person without such person's consent; or (2) engages in oral sexual conduct or anal sexual conduct without such person's consent; or (3) engages in sexual conduct with an animal or a dead human body.

RAPE IN THE THIRD DEGREE: When a person (1) engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) Being 21 years old or more, engages in sexual intercourse with another person less than 17 years old; or (3) engages in sexual intercourse with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

RAPE IN THE SECOND DEGREE: When a person (1) being 18 years old or more, engages in sexual intercourse with another person less than 15 years old; or (2) engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense to the crime of rape in the second degree the defendant was less than four years older than the victim at the time of the act.

RAPE IN THE FIRST DEGREE: When a person engages in sexual intercourse with another person (1) by forcible compulsion; or (2) who is incapable of consent by reason of being physically helpless; or (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

CRIMINAL SEXUAL ACT IN THE THIRD DEGREE: When a person engages in oral or anal sexual conduct (1) with a person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) being 21 years old or more, with a person less than 17 years old; (3) with another person without such persons consent where such lack of consent is by reason of some factor other than incapacity to consent.

CRIMINAL SEXUAL ACT IN THE SECOND DEGREE: When a person engages in oral or anal sexual conduct with another person (1) and is 18 years or more and the other person is less than 15 years old; or (2) who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense that the defendant was less than four years older than the victim at the time of the act.

CRIMINAL SEXUAL ACT IN THE FIRST DEGREE: When a person engages in oral or anal sexual conduct with another person (1) by forcible compulsion; (2) who is incapable of consent by reason of being physically helpless; (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

FORCIBLE TOUCHING: When a person intentionally, and for no legitimate purpose, forcibly touches the sexual or other 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. It includes squeezing, grabbing, or pinching.

PERSISTENT SEXUAL ABUSE: When a person commits a crime of forcible touching, or second or third degree sexual abuse within the previous ten year period, has been convicted two or more times, in separate criminal transactions for which a sentence was



imposed on separate occasions of one of one of the above mentioned crimes or any offense defined in this article, of which the commission or attempted commissions thereof is a felony.

**SEXUAL ABUSE IN THE THIRD DEGREE:** When a person subjects another person to sexual contact without the latter's consent. For any prosecution under this section, it is an affirmative defense that (1) such other person's lack of consent was due solely to incapacity to consent by reason of being less than 17 years old; and (2) such other person was more than 14 years old and (3) the defendant was less than five years older than such other person.

**SEXUAL ABUSE IN THE SECOND DEGREE:** When a person subjects another person to sexual contact and when such other person is (1) incapable of consent by reason of some factor other than being less than 17 years old; or (2) less than 14 years old.

**SEXUAL ABUSE IN THE FIRST DEGREE:** When a person subjects another person to sexual contact (1) by forcible compulsion; (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old; or (4) when the other person is less than 13 years old.

**AGGRAVATED SEXUAL ABUSE:** For the purposes of this section, conduct performed for a valid medical purpose does not violate the provisions of this section.

**AGGRAVATED SEXUAL ABUSE IN THE FOURTH DEGREE:** When a person inserts a (1) foreign object in the vagina, urethra, penis or rectum of another person and the other person is incapable of consent by reason of some factor other than being less than 17 years old; or (2) finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than 17 years old.

**AGGRAVATED SEXUAL ABUSE IN THE THIRD DEGREE:** When a person inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person (1)(a) by forcible compulsion; (b) when the other person is incapable of consent by reason of being physically helpless; or (c) when the other person is less than 11 years old; or (2) causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.

**AGGRAVATED SEXUAL ABUSE IN THE SECOND DEGREE:** When a person inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person by (1) forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old.

**AGGRAVATED SEXUAL ABUSE IN THE FIRST DEGREE:** When a person subjects another person to sexual contact: (1) By forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than eleven years old; or (4) when the other person is less than thirteen years old and the actor is twenty-one years old or older.

**STALKING IN THE FOURTH DEGREE:** When a person intentionally, and for not legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct (1) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or (2) causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or (3) is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

**STALKING IN THE THIRD DEGREE:** When a person (1) commits the crime of stalking in the fourth degree against any person in three or more separate transactions, for which the actor has not been previously convicted; or (2) commits the crime of stalking in the fourth degree against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime

and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) with an intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or (4) commits the crime of stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.

STALKING IN THE SECOND DEGREE: When a person: (1) commits the crime of stalking in the third degree and in the course of and furtherance of the commission of such offense: (a) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, sligshot, slungshot, shiriken, "Kung Fu Star," dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapons; or (b) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or (2) commits the crime of stalking in the third against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree; or (4) being 21 years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or (5) commits the crime of stalking in the third degree, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.

STALKING IN THE FIRST DEGREE: When a person commits the crime of stalking in the third degree or stalking in the second degree and, in the course and furtherance thereof, he or she intentionally or recklessly causes physical injury to the victim of such crime.

# **USE OF UNMANNED AIRCRAFT SYSTEMS ON VAUGHN COLLEGE CAMPUS AND PROPERTY**

## **Policy Statement**

The operation of an unmanned aircraft system (UAS) is regulated by the Federal Aviation Administration (FAA). As a private institution, Vaughn College of Aeronautics and Technology establishes the following policy to govern the operation by any person of a UAS from or above Vaughn College's campus or property. This policy extends to any and all property owned, rented, leased, and controlled by Vaughn College of Aeronautics and Technology.

## **Reason(s) for the Policy**

This policy is established to require and ensure compliance with all applicable laws, reduce safety risks, and preserve the security and privacy of members of the Vaughn College community.

## **Primary Guidance to Which This Policy Responds**

This policy primarily responds to FAA guidelines and requirements that promote the safe and responsible use of unmanned aircraft.

## **Responsible College Office and Officer**

Vaughn College is responsible for establishing this policy and Mr. Fred Parham, Associate Director of the Aviation Training Institute, hereby referred to as Enforcement Officer, is responsible for enforcing the policy.

## **Who is Governed by This Policy**

All faculty, employees, students, contractors, volunteers, guests, and the general public present on Vaughn College property are governed by this policy.

## **Who Should Know This Policy**

Any person who may be involved in operating a UAS from or above Vaughn College's campus or property should know about this policy.

## **Scope of Policy**

The FAA defines the UAS as the "Unmanned aircraft vehicle (UAV) and all of the associated support equipment, control station, data links, telemetry, communications and navigation equipment, etc., necessary to operate the unmanned aircraft."

An unmanned aircraft vehicle ("UAV"), sometimes called a "drone," is defined by the Federal Aviation Administration as an aircraft without a human pilot onboard, controlled from an operator on the ground.

This policy applies to those UAV weighing between 0.55 pounds and 10 pounds. The operation of UAV weighing over 10 pounds is strictly prohibited.

This policy applies to the area bordered by Grand Central Parkway in the North, 90th Street in the East, 23rd Avenue in the South, and 82nd Street in the West, and the Aviation Training Institute (ATI) building located at 43-05 23<sup>rd</sup> Avenue Astoria, NY 11105.

The term “hangar” refers to the Vaughn College of Aeronautics and Technology airplane hangar. The term “storage area” refers to the area in the rear of the ATI facility.

### **Commercial Use Prohibited**

The use of UAS for non-hobby or non-recreational activities is prohibited. Only recreational use is permitted.

The operator of the UAS is prohibited from receiving money in connection with operation of the UAS (e.g., delivering packages for a fee, receiving money for demonstrating aerobatics with a model aircraft, photographing a property or event and selling the photos).

### **Hobby or Recreational Use**

Any use of a UAS from or over the campus or inside a campus building is strictly prohibited except under the following circumstances, and subject to the following terms and conditions:

#### *Use of UAS Indoors*

The use of a UAS within netted areas of the Vaughn College of Aeronautics and Technology airplane hangar or storage area is permitted at times specified by Vaughn College. No other indoor use is permitted on the Vaughn campus or in Vaughn facilities.

#### *Use of UAS Outdoors*

The use of a UAS outside of the Vaughn College of Aeronautics and Technology airplane hangar or storage area is strictly controlled and the UAS operator must be able to meet all of the below conditions before any UAS use outside of the hangar or storage area:

- Must obtain prior written approval by the Enforcement Officer and Mr. Martin Capunay, Director of Security, Events and Scheduling, at least 7 calendar days prior to the use of the UAS.
- Must not photograph, video, or monitor areas where other members of the Vaughn College community or members of the general public would have a reasonable expectation of privacy.
- Must fly at or below 400 feet, or alternatively, at or below an altitude determined by the Enforcement Officer.
- Must stay away from surrounding obstacles.
- Must keep the UAV/drone within sight.
- Must not fly near other aircraft.
- Must not fly over areas of public assembly, stadium, or areas of construction.
- Must not fly over roadways.
- Must not fly near emergency response efforts such as fires.
- Must not fly under the influence of drugs or alcohol.
- Must not fly with the intent to harass or annoy an individual or individuals.
- Must not fly a UAV which weighs more than 10 pounds.

Any violations of law (e.g., trespassing, illegal surveillance, reckless endangerment) or violations of Vaughn College policies may subject the individual(s) to both criminal and/or disciplinary action. Students of the Vaughn College community who violate this policy will be subject to discipline as stated under the Vaughn College Student Handbook. Damages/injuries occurring to Vaughn College property or individuals will be the responsibility of the UAS operator. Vaughn College may also cooperate with government officials in pursuing violations of local, state or federal law having to do with the use of UAS and privacy.

### **Responsibilities**

Members of the Vaughn College community who wish to use a UAS in the hangar, storage area or, if permitted, on or adjacent to campus, must register the UAS with the Enforcement Officer in advance of any use at Vaughn College.

The Enforcement Officer maintains the authority to “ground” or suspend operations of any UAS that is not compliant with FAA regulations, this policy, other applicable law, or in the sole determination of Vaughn College, the operation of a UAS presents a danger to Vaughn College property or to the Vaughn College community. Vaughn College reserves the right to take other action against a student who does not comply with the UAS policy on or adjacent to campus.

#### **Contacts**

If you have any questions about any provision of this policy, contact Fred Parham, Enforcement Officer.

This policy is subject to periodic review and change.

## **Widespread Public Health Policy**

*The College takes the health and safety of its students and the entire college community seriously. In order to keep our community safe, when a pandemic or other prevalent health concern occurs, the College will follow guidance issued by federal, state, and local public health authorities. In addition, the College may implement additional measures as described below.*

Communications During a Health Concern. The College may modify, implement new, or additional policies and procedures that will supersede existing protocols in the interest of health and safety for our community. When this occurs, the college will communicate to the students via emails, text message, phone calls, and social media. Students are expected to comply with new policies and procedures, as issued, during the course of the pandemic or health concern. To receive timely information about new policies and procedures relating to the pandemic, students should ensure they have a current phone number and address on file with the college. Students may update this information through SONIS (the College's data information software platform) or by contacting the Registrar's office.

Modification of services and amenities. Students may experience interruptions, alternate deliveries or temporary delays in services as a result of the pandemic. The College will maintain its obligation to satisfactorily educate students in accordance with New York State and regulatory agencies. If/when the College needs to modify educational delivery, the schedule of tuition and fees will apply. The College Catalog describes the refund process and refunds will be issued in accordance with the refund schedule.

Health Insurance. The College recommends that all students have health insurance that provides coverage in the New York City area. Students who live in the residence hall are *required* to have health insurance and must provide a copy of the front and back of the card upon check-in.

Notification of Emergency Medical Services. The College may call EMS (Emergency Medical Services) to protect both individual and community health and safety at its sole discretion. If a student is transported, she/he will bear the financial cost of the services. Students may refuse transport; however, the College reserves the right to restrict a student's presence on campus and participation in college activities until the health needs are addressed to the College's satisfaction.

Disclosure of Information. The College may need to coordinate and communicate with public health authorities or other governmental agencies during the pandemic. This may require disclosure of information that would otherwise be confidential. In such cases, the College will provide appropriate notice of disclosure as required by law.

Compliance with Campus Safety Plans/Procedures. The health and safety of the college community requires a shared and steadfast commitment to modify the ways in members of the community live, learn, and work on and off campus during a pandemic or health concern.

When the College implements measures designed to reduce risks to the community, such as providing for social distancing, daily health checks, travel disclosure, and personal protective equipment, as well as reconfiguring spaces and providing medical resources, it expected that students scrupulously adhere to these expectations to avoid posing severe public health effects; and will make it more likely that students will not be able to stay on campus and enjoy in person instruction.

Accommodations; Illness. Students who are ill and require immediate assistance when on campus, should call 9-1-1, then security at 718-505-1024. The security phone line is staffed 24-hours a day when classes are in session. The guard will be able to direct emergency services personnel to your location upon their arrival. Students—who would like to request accommodations related to the pandemic, should contact our disabilities officer, Mr. Frank Wang at [frank.wang@vaughn.edu](mailto:frank.wang@vaughn.edu) .

## **STUDENT RESOURCES**

The pages that follow include collegiate resources, the Student Government by-laws, clubs and organizations and athletics and wellness opportunities.

There are many services and resources available to students at Vaughn College, resources may include:

### **Academic Success Center**

The Academic Success Center (ASC) is committed to fostering a system of advisement that enables students to flourish academically, personally and professionally from the point of acceptance to graduation. The ASC is designed to provide students with appropriate information on institutional policies, procedures and programs as they relate to degree completion. The ASC offers a variety of services including peer tutorial, computer-aided instruction, mini lectures, and audio-visual instructional library, workshops and a quiet study area. At Vaughn, we want to do all we can to make your first year here, and your entire college experience, a successful one. To help achieve this goal, we recently reorganized the Academic Success Center. In the ASC you'll find a quiet place to study, a welcoming environment where you can collaborate with faculty or fellow students, and an open door when you need some extra help. Peer tutoring is available to provide the extra support you may need during your academic tenure at Vaughn.

### **Accommodations for students with disabilities**

Students with disabilities are encouraged to consult with the executive director of the academic success center assistance. The goal of the College is to work with students with disabilities so that each student may benefit from the educational opportunities. As provided by law, where applicable, Vaughn will work with disabled students to fashion reasonable accommodations.

Any academic program accommodation sought by a student must be approved and administered by the administrator responsible for these determinations; and cannot be arranged directly or informally with faculty. Students should seek assistance as early as possible. Details on Vaughn's requirements for a student to be eligible for accommodations are available from the executive director of student academic advisement.

Students with disabling conditions should consult with Section 504 and the Americans with Disabilities campus coordinator identified throughout this handbook regarding services and accommodations. It is the College's goal that students should be able to participate fully in the College's programs and activities. Accordingly, the executive director of the student advisement center is the designated College administrator responsible for these matters and available to assist students.

### **Alumni Association**

The mission of the Alumni Association is to assist in improving communication between the College and alumni, students, parents, faculty and industry, thus creating a strong network of relations for the growth and development of the College and its student body. The alumni association hosts events throughout the year, as well as regularly scheduled meetings. Upon graduation, alumni are encouraged to keep the College informed of changes in address and to continue their association with the College through many of the services offered by the office of alumni development and relations. For more information call the office of alumni affairs at 718.429.6600 ext. 112.

### **Bookstore**

Vaughn's bookstore is owned and operated by Barnes and Noble, Inc. The Bookstore sells the educational materials needed by most students. You can also purchase clothing, stationery, models and other items of interest. The bookstore sells personal equipment and hand tools that are required by some courses and that meet course quality standards.

The College bookstore can also be accessed on-line at [www.vaughn.bkstore.com](http://www.vaughn.bkstore.com). You can purchase textbooks and materials using this Internet site. Textbooks for courses that are taught through the College's distance learning program are also available at [varsitybooks.com](http://varsitybooks.com).

### **Book Vouchers**

Vaughn has established a book voucher policy to help students purchase textbooks and necessary educational supplies with their financial aid funds prior to the scheduled refund date. The full policy on book vouchers is available from the office of financial aid. The following is a summary of the voucher policy:



Book vouchers are issued through the office of financial aid to students who have received a financial aid award, have credit on their tuition account, and have proof of registration. These vouchers may only be used at Vaughn's bookstore.

You may spend up to the amount indicated on the voucher, and the voucher must be used to purchase books and supplies for courses in which you are registered. Clothing, snacks and other non-course related items cannot be purchased with a voucher. A registration form must be presented with the voucher for all transactions.

Students may use a voucher as needed during the semester; however, students can obtain as many vouchers as necessary from the office of financial aid as long as there is credit on the student's tuition account. It is strongly advised that you meet with your instructor at least once before using your voucher, as students are responsible for ensuring that they purchase the correct textbooks and supplies. Subsequent purchases must be paid for out-of-pocket. Lost vouchers **will not** be replaced.

The book voucher is **not cash**. It cannot be combined with cash transactions (including cash, credit cards, checks, money orders, etc.). Cash back or cash refunds are not permitted.

Credit for any balance shown on your voucher will be assigned to your account once the office of student accounts has reconciled all transactions, which may be as early as the fifth week of classes, but no later than the end of the semester.

Returned books are subject to the policies established by Barnes and Noble, Inc., which is not controlled by the College. The policy stated here is that of Vaughn College of Aeronautics and Technology.

### **Bulletin Boards**

The College has bulletin boards for posting college news and information throughout the campus. All clubs and organizations shall have access to post information on the bulletin boards. Certain designated bulletin boards may be used for personal items or outside commercial interests. Anyone interested in posting an item to any of the college's bulletin boards must first have it approved for posting and stamped by the office of student activities and engagement.

### **Career Services**

The office of career services assists students and alumni with career guidance, preparation and **job search strategies**. Through this office, students can explore career interests, **research employment opportunities** and strengthen their awareness of career options. The office of career services assists students with résumés, cover letter writing, interview training and on-campus recruitment. In addition, it maintains a listing of available full-time, part-time, and summer positions, as well as internships opportunities through an online up-to-date database known as **Handshake**. For more information about this tool, please stop by the office. The career development office also sponsors two career fairs **and employer visit days**. Other sponsored activities include **industry** speakers and **a professional development workshop series**. These events are advertised throughout the campus, via email and posted on Vaughn's web site ([www.vaughn.edu](http://www.vaughn.edu)). **Students are encouraged to visit the career services office early in their college career and to make good use of the CD 101 course.**

### **Internships**

Students interested in participating in an internship should contact the office of career development and the chair of their specific academic department. Internships serve as experiential learning opportunities and are strongly encouraged. International students must consult with the international advisor regarding special regulations pertaining to their participation in internships.

### **College Catalog**

The catalog contains information on programs of study, course descriptions, academic and graduation requirements, as well as financial aid. The College catalog governs the academic and curricular expectations of students. It is available on the College's web site at [www.vaughn.edu](http://www.vaughn.edu). Students are responsible for being familiar with its contents.

### **College Closings**

Closings are generally caused by inclement weather, such as heavy rains or snowstorms. When these conditions make travel difficult, listen to local radio news stations WINS (1010 AM) and WCBS (880 AM), call Vaughn for the automated announcement on whether or not the College will be closed, check your Vaughn email or look for a text message from the College. You can also visit the home page at [www.vaughn.edu](http://www.vaughn.edu).

### **Common Hour**

The period from 11 a.m. to 12 p.m. on Tuesday and Thursday is reserved as common hour. This is a free period that is generally used for club meetings, activities, guest speaker events and intramural games. Students are encouraged to use this

time productively by meeting with instructors or advisors, attending in-house workshops or taking care of College-related administrative items (e.g., financial aid, student accounts or the registrar's office).

### **Counseling Services**

The office of counseling and wellness provides counseling services for enrolled Vaughn College students. Walk-in assessment and referral services as well as short-term individual and group counseling services are available. The mission of the office is to assist students in transitioning to college and succeeding in their academic programs by providing services that address their mental, social, emotional and personal needs. The mental health counselor helps the individual identify presenting problems, aids in setting goals, and lends support as the goals are reached and changes are made. Students who require long-term or acute counseling may be referred off-campus. Services provided by the Office of Counseling and Wellness are free to students.

#### **Counseling Code of Ethics**

The mental health counselor maintains and protects the confidentiality of their counselees. Exceptions to the rule exist in the event a counselee represents danger to self or others. Counselee information can be provided to others upon completion of a release of information form by the counselee.

#### **Referrals for Services**

Referrals by faculty or staff may be made by calling the counseling office to schedule an appointment or completing a "Counseling & Wellness referral" through the Starfish software platform. The use Starfish is preferred, but not required. Walk-ins are accepted, although making an appointment gives the greatest assurance that the counselor will be available.

### **Food Services**

Breakfast, lunch, dinner, and snacks are available in Vaughn's **newly opened West Wing Café**. Resident students are required to purchase a declining balance meal plan for their food consumption needs. The **Café is located where the east side of the main building meets the west side**. This area can be used for eating, studying or socializing. It's open to all members of the College community and their invited guests. Daily hours and specials are posted. The **Café** follows both the academic calendar and the residence hall calendar.

### **Housing**

Our three-story residence hall, opened in December 2007, provides accommodations for up to 200 students, and supplements the learning experience through educational, cultural and social programming. Residents live in either a two-person, three-person or four-person suite with a semiprivate bathroom. The residence hall has laundry, study and kitchen facilities in common areas within the building. Residence hall rooms are furnished with a bed, dresser, desk, chair and wastebasket for each individual student. Each room is also equipped with a phone connection, cable hookup and an Ethernet connection. The hall also has wireless capability. All inquiries about on-campus housing can be directed to the office of residence life at 718-429-6600, ext. 316 or via email at [reslife@vaughn.edu](mailto:reslife@vaughn.edu).

Additionally, the office of residence life offers housing information assistance to students and prospective students in finding off-campus housing upon request Vaughn does not review or inspect available off-campus listings and students are responsible for exercising their independent judgment about the appropriateness of housing options and lease terms.

### **Immunizations**

New York state law requires all students born on or after January 1, 1957, and who are taking six or more credits at Vaughn College, to demonstrate that they have current immunizations for measles, mumps, and rubella (MMR). Effective August 15, 2003, all students enrolled in six or more credit units are required to have a meningitis vaccine response form on file; and beginning Fall 2019 all resident students are required to be vaccinated against Meningitis. In addition, in accord with NYC Emergency Executive Order 225, "Key to NYC", all students attending indoor in-person functions (classes, programs, activities, meetings) must be fully vaccinated against COVID-19.

A student who fails to submit timely proof of immunizations will be prohibited from registering for classes, or administratively withdrawn from classes. Immunization records will be checked to ensure compliance with all local, state and federal laws as a routine aspect of early registration, as well as regular course registration.

### **Information Technology Services**

Vaughn College has invested significant resources in its computing infrastructure. Network access to computing labs, classrooms, faculty offices and student is provided via a high-speed, fiber optic network backbone, with secure wireless access available in many academic and all residential locations.

All campus computer labs are equipped with state-of-the-art HP computers running the latest version of Microsoft Office Professional through Outlook 365 using your Vaughn email account, and many other industry standard software programs. These computing labs are used for teaching and are available for general student use during non-class hours. All labs are also equipped with high-speed laser printers.

In addition to providing well-connected academic and residential facilities, Vaughn College has also invested heavily in modern instructional technology. Classrooms have been equipped with large screen computer and video projection equipment. While this audio-visual equipment is used to present course content in a digital format in the classroom, the College also provides digital access to course content outside of the classroom using an online learning management system. Both of these technologies serve to augment the traditional classroom based learning approach.

Registered students also have access to student information through the "Vaughn Portal," under MyVaughn at [www.vaughn.edu](http://www.vaughn.edu). The portal provides customizable information, a daily campus calendar, as well as news and information.

### **International Student Services**

Many students from countries around the world have chosen to further their education at Vaughn. Their presence adds to the richness of our diverse population.

The international student advisor helps to acclimate international students to life at Vaughn, New York City and the United States. The advisor also helps with campus and community services, social security, travel and immigration matters and liaisons with other offices and government agencies and departments. Designated representatives from admissions serve as the primary international student advisors.

### **Library**

Vaughn's library has an extensive collection that includes thousands of books, periodicals, videos, computerized aircraft manuals, e-books and software. The College offers students online access to a wealth of [research databases](#) with a Vaughn email address and to a collection of videos—in DVD and Blu-ray formats.

#### **Research Databases and Information Literacy**

Vaughn's library offers extensive general, technical, resource and periodical material totaling more than 42,000 volumes. The real and virtual resources include books, periodicals, videos, and research databases. There are research databases available that contain more than 22,000 full text periodicals and newspapers. In addition, the library has an e-book collection of more than 80,000 full text online books. All faculty, staff and students can access these databases through Vaughn's website. To utilize this service, you must have a Vaughn email account. The library also houses an assortment of subject specific DVD's as well as a collection of current movie titles that are available for overnight use.

Vaughn's library opened in the fall of 2014. This multimillion dollar "learning commons" houses the services of a traditional library combined with information technology support and the resources of the Teaching and Learning Center. The result is a new information "hub" that is nearly triple the size of the current library where students can find support for all of their academic coursework. There are 30 computer stations and four virtual flight simulator stations in the library. All library services are available at this location.

### **Lockers**

A limited number of lockers are available for rent for a minimal fee on campus. Lockers are located on the lower level of the Main building. Students may rent lockers on a semester basis. Lockers must be emptied at the completion of the rental period. Items left in lockers one week beyond the rental period will be removed and discarded. To rent a locker, contact the student affairs office located in W142.

The lockers are the property of Vaughn College, and the College reserves the right to inspect any locker and search its contents. A student shall have no expectation of privacy regarding the contents of a campus locker. A student may not store dangerous or illegal items and materials or flammable substances in a locker. See also, Locker Process in the addendum of this handbook.

## **Lounges**

There are three lounges that are available for use by all students. The student lounges are designed to be used for relaxation and recreation between classes. They are also available for club and organization functions, at the discretion of the office of student activities. Students are expected to abide by the code of conduct outlined in this handbook while in the lounge particularly regarding civility, noise, respect, smoking, and substance use. We expect that use of the lounge does not disrupt educational activities, nor create an unsafe environment.

### **ATI Lounge**

The main lobby of the building that houses our Aviation Training Institute is designated as a lounge. Currently, there is a pool table, and a variety of seating options for relaxation when students have breaks between classes. There are vending machines available for snack purchases. While eating is permissible in the lounge, care should be taken not to place food/beverages on the pool table to avoid damaging it.

### **Main Building Lounge**

The lower level of the main building is designated as a student lounge space. There is a pool table, and a variety of seating options for relaxation when students have breaks between classes. Currently, the cafeteria is adjacent to the lounge. While eating is permissible in the lounge, care should be taken not to place food/beverages on the pool table to avoid damaging it.

### **Residence Hall Lounge**

The lobby level lounge is available to all students. There are two large screen television monitors used to both watch programming and to play video games, i.e. Play Station, X Box, Switch, etc.

The operational hours for lounges are consistent with the building hours that they are located within. The residence hall and the lounge are typically open 24-hours a day; however, students are not permitted to sleep in the residence hall lounge nor store personal items therein.

## **Parking**

Parking is provided as a service for students, faculty and staff. Anyone using the College parking facilities must register their vehicle with the College and obtain the appropriate parking permit. Students can obtain their parking permit from the office of student services. The College's policies and regulations on parking can be found in the rules and regulations section of this book.

## GETTING HELP

Vaughn is small enough that almost any problem can be handled satisfactorily and, in most cases, informally. Concerns should be brought to the appropriate person as quickly as possible, so that the problem does not interfere with a student's studies. The following list has been provided to help you to bring your question or concern to the right person.

<b>Questions About:</b>	<b>Contact</b>	<b>Title/Office</b>
Academic Advisement	Mr. Wang	executive director, academic success center
Academic Success	Dr. Troudt	associate vice president, academic affairs
Arts and Sciences	Dr. LaVergne	interim chair
Aviation Training Institute (ATI)	Mr. Proscia	vice president
Aviation /Flight	Mr. Ruggiero	acting chair
Athletics/varsity sports teams	Mr. Ceaser	coordinator, athletics and wellness
Engineering/Technology	Dr. Rahemi	chair
Career development	Ms. Daniels	director
Clubs/Organizations	Mr. Martino	coordinator of student activities and engagement
Code of Conduct	Ms. Alaba	coordinator, student conduct, compliance, communication
Counseling	Dr. Dutil	director, counseling and wellness
Dining Services	Ms. Smith	vice president of student affairs
Disability services/accommodations	Mr. Wang	executive director, academic success center
Discrimination/harassment	Ms. Smith	vice president, student affairs
Financial Aid	Ms. Novoa-Cruz	associate vice president
Fitness Center	Mr. Ceaser	coordinator, athletics and wellness
Grievances	Ms. White	assistant vice president/dean of students
HEOP students	Ms. Cajade	assistant director, Higher Education Opportunity Program
Immunization	Ms. Alaba	coordinator, student conduct, compliance, communication
International students	Mr. Alvarez	associate vice president, admissions
Intramurals/recreation	Mr. Wright	coordinator, athletics
Judicial Affairs	Ms. Alaba	coordinator, student conduct, compliance, communication
Locker rentals	Mr. Martino	coordinator of student activities and engagement
Management Program	Dr. Lubner	chair
New Student Orientation	Ms. Tsang	director of student success
Parking permits	Mr. Wright	coordinator, athletics
Residence Life/Housing	Ms. Falto	director of residence life and housing
Safety, Security, Scheduling	Mr. Capunay	director, security
Sexual Misconduct/Title IX	Ms. White	assistant vice president/dean of students
Student Activities	Mr. Martino	coordinator of student activities and engagement
Student Government	Mr. Sutera	president, student government association
Student Handbook	Ms. White	assistant vice president/dean of students
Student Success	Dr. Troudt	associate vice president, academic affairs
Tutoring	Mr. Wang	executive director, academic success center
Writing and Language Lab	Dr. Wemert/Mr. Jimmo	faculty, academic success center



# Vaughn College of Aeronautics and Technology

## BY-LAWS OF

### THE STUDENT GOVERNMENT ASSOCIATION

*Amended 5 Feb 2019 by Board of Trustee Decision*

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## Article I: Name

The name of this organization shall be the Student Government Association of Vaughn College of Aeronautics and Technology, hereafter referred to as S.G.A.

## Article II: Purpose

The purpose of this organization shall be:

- Section A To form a student government to give expression to the opinions of the students of Vaughn College of Aeronautics and Technology upon matters effecting the student body as a whole.
- Section B To serve as liaison, and in advisory capacity to the President Vaughn College of Aeronautics and Technology and its Deans in matters related to student affairs.
- Section C To consult with the President of Vaughn College of Aeronautics and Technology and the Deans on matters of student welfare, discipline and morale and to make known the school administration those factors that might enhance academic achievement.
- Section D To promote and ensure responsible self-governance through the election of qualified student representatives as defined by Article IV.
- Section E To coordinate extracurricular activities and charter student organizations.
- Section F To facilitate the execution of necessary business affecting the student activities and organizations of Vaughn College of Aeronautics and Technology.
- Section G To assist the student judicial system as requested and act as a liaison between the students and the administration, and between the students and the faculty.
- Section H To ensure existence, maintenance and growth of a non-profit, student-controlled government for student activities.

## Article III: Membership

There shall be three categories of membership:

- Section A            General Members Any matriculated student, registered and in good standing at Vaughn College of Aeronautics and Technology is eligible to be a member of S.G.A. These students, as general members may vote in elections and attend S.G.A. meetings as non-voting members.
- Section B            Active Members in S.G.A. will include: Elected Officers, Department Representatives and Recognized Club Representatives. Each active member is entitled to one vote, except for the president who shall vote only to break a tie.
- Section C            Associate Members in the S.G.A. shall be members of the student body eligible            to be a member of S.G.A., an appointed by committee heads to serve on their respective committees. Associate Members are entitled to one vote during committee meetings and when conducting committee business only.

## **Article IV: Officers of the Student Government**

Officers of the Student Government Association shall be elected in accordance with            procedures approved by the Dean of Student Services.

The elected officers of the S.G.A. shall be:

President  
Vice-President  
Secretary  
Treasurer  
Chair - Student Activities Committee  
Chair - Academic Affairs Committee

The Executive Board of the S.G.A. shall consist of:

President  
Vice-President  
Secretary  
Treasurer  
Chair - Student Activities Committee  
Chair - Academic Affairs Committee

The duties of the elected officers shall include:

Section A            **President**

Clause 1:            The President shall preside over all meetings of the Student Government Association.

Clause 2:            The President shall appoint all committee chairpersons except for the Student Activity Committee Chair and Academic Affairs Committee Chair.

Clause 3:            The President shall be the chief liaison between the student body and the administration of Vaughn College of Aeronautics and Technology.

Clause 4: The President shall hold a seat on the Executive Council of the College and shall be responsible to attend all such meetings and delegate another officer to attend if he/she is unable to attend. It is their responsibility to report the proceedings of such meetings.

Clause 5: The President shall represent the student body at commencement.

Clause 6: The President shall reserve the right to call emergency meetings and to make executive decisions in the absence of the other executive members and in accordance with these By-Laws, subject to ratification by the active voting members of the S.G.A.

Clause 7: It is the responsibility of the President to maintain records of his/her own S.G.A. related activities which shall be available over to his/her successor.

## Section B **Vice-President**

Clause 1: The Vice-President shall assume the duties of the President, should the office become vacant or in his/her absence.

Clause 2: The Vice-President shall be the parliamentarian at all S.G.A. meetings.

Clause 3: The Vice-President shall be responsible to attend any Executive Council meetings for which the President has been excused or delegate if necessary, another officer to attend.

Clause 4: The Vice-President shall be responsible for all appointed committee chairs and shall assume the position of chair in case of a vacancy until such time as new chair is appointed.

Clause 5: The Vice-President shall serve as chairperson of any committee that is to revise the By-Laws.

Clause 6: The Vice-President shall oversee the operation of Student Government Association.

Clause 7: It is the responsibility of the Vice-President to maintain records of his/her own S.G.A.-related activities which shall be turned over to his/her successors.

## Section C **Secretary**

Clause 1: The Secretary shall be responsible for recording and the keeping of minutes for all S.G.A meetings.

Clause 2: The Secretary shall be in charge of office management.

Clause 3: The Secretary shall have current copies of the S.G.A. By-Laws, and maintain a record of all amendments.



Clause 4: The Secretary shall provide a copy of the minutes to each elected officer, and also have copies available for the other Student Government members and a copy shall be posted for the student body.

Clause 5: The Secretary shall maintain a complete and accurate account of all S.G.A. correspondence, and file them accordingly.

Clause 6: The Secretary shall assume the duties of the President if the Vice- President is not able to assume the President's duties.

Clause 7: It is the responsibility of the Secretary to maintain records of his/her own S.G.A.related activities which shall be available to his/her successors.

Section D: **Treasurer**

Clause 1: The Treasurer shall be the financial advisor to the Student Government Association and to all S.G.A.-funded organizations.

Clause 2: The Treasurer shall oversee all purchasing and spending of the Student Government Association and all S.G.A.- funded organizations and activities.

Clause 3: The Treasurer shall oversee the S.G.A. Finance Committee.

Clause 4: In the event that the Vice-President or Secretary is unable to assume the duties of the President, the Treasurer shall assume such duties.

Clause 5: The Treasurer shall administer the budget and maintain all necessary income and spending records to this effect for the S.G.A. funded organizations and activities.

Clause 6: It is the responsibility of the Treasurer to maintain records of his/her own S.G.A.-related activities which shall be available to his/her successors.

Section E **Student Activities Chair (S.A.C.)**

Clause 1: The S.A.C. shall chair the Student Activities Committee.

Clause 2: The S.A.C. shall, along with the Student Activities Committee, be responsible for the recognizing of all student clubs and all organizations in accordance with student club guidelines.

Clause 3: The S.A.C. shall be responsible for programming a diversified selection of activities.

Clause 4: The S.A.C. shall form the necessary committee to accomplish the above duties.

Clause 5: It is the responsibility of the Student Activities Chair to maintain records of his/her own S.G.A.-related activities which shall be available to his/her successors.

Section F **Academic Affairs Chair (A.A.C.)**

Clause 1: The A.A.C. shall attend meetings of the Faculty Senate as an invitee, and submit a report of all meetings to Student Government Association.

Clause 2: The A.A.C. shall be the liaison between the student body and faculty on academic issues.

Clause 3: The A.A.C. shall oversee the department representatives.

Clause 4: The A.A.C. shall actively seek to utilize his/her resources as an S.G.A. officer to assist in resolving all academic-related grievances through the processes established by the Dean of Student Services, and relevant Administrative Bulletins.

Clause 5: The A.A.C. shall be responsible for appointing students to a grievance committee established in accordance with the Student Handbook, and chair this committee in a non-voting capacity.

Clause 6: It is the responsibility of the A.A.C. to maintain records of his/her own S.G.A. related activities which shall be available to their successors.

Section G **Department Representatives**

Clause 1: The Department Representative shall act as liaison between the student body and his/her Department.

Clause 2: The Department Representatives shall act as active members of Academic Affairs Committee.

Clause 3: Department Representatives shall act as liaison with the students under the portfolio of their department to direct any concerns about academic grievances to the A.A.C. in accordance with procedures established by the Dean of Student Services.

Section H **Club Representatives**

Clause 1: The Club Representatives shall act as a liaison between the respective clubs, S.G.A., S.A.C., and A.A.C.

Clause 2: Each S.G.A.-recognized club shall internally elect one representative to the S.G.A.

Clause 3: Upon request, each Club Representative shall give a report as to their club's activities.

**Article V: Meetings**

Section A There will be at least one meeting per school week of the S.G.A.

- Section B                    The S.G.A. will conduct at least two general meetings for all students per semester.
- Section C                    All S.G.A. meetings will be conducted according to Robert's Rules of parliamentary procedure.
- Section D                    A quorum for the S.G.A. to take action shall consist of at least 2/3 of the elected officers and is necessary to conduct any business during a meeting.
- Section E                    All elected officials shall attend all S.G.A. scheduled meetings.
- Clause 1:                    Any elected official with excess of three unexcused absences is subject to removal by the Executive Board.
- Clause 2: All excuses will be promptly reviewed for approval by a meeting consisting of the Executive Board chaired by the Vice-President.
- Clause 3: The following explanations shall be acceptable defenses for absences from meetings:
- A-            Illness
- B-            Conflict in schedule, either with classes or work.
- C-            Religious holiday or personal emergency.

- Section F                    All official meetings of the S.G.A. require minutes to be kept.
- Section G                    The presiding officer shall vote only under the following circumstances:
- 1-            To break ties.
- 2-            Matters of removal.
- 3-            Matters of removal except in a situation involving the presiding officer.

## **Article VI: Advisor**

- Section A                    The Advisor for the S.G.A. shall perform in an advisory consultant capacity and shall be appointed by and will coordinate with the Dean of Student Services.
- Section B                    The Advisor's attendance at scheduled meetings shall not be required to conduct business.

## **Article VII: Eligibility for Elected and Appointed Members**

- Section A                    Anyone wanting to run for a position in the S.G.A. shall be required to be enrolled in Vaughn College of Aeronautics and Technology for at least a semester, have completed the semester successfully, and comply with the requirements of Article III.

Section B Other members shall be students in good standings as provided in Article III.

## **Article VIII Removal**

Section A Any active member may bring a request for removal before the Executive Board of the S.G.A.

Section B Removal requires a 2/3 vote of the Executive Board, excluding an Executive Board member subject to the charge, and, if applicable, an Executive Board member bringing the charge.

Section C Removal proceedings shall be conducted in a closed meeting consisting only of the Executive Board and the S.G.A. Advisor.

Section D The member bringing a charge shall be given an opportunity to present information about the charge to the Executive Board, including documents, and shall respond to relevant questions to the Executive Board, but may not participate in the Executive Board's deliberation of the charge or decision.

Section E The Executive Board member subject to the charge will be advised in writing of the nature of the charge, be given adequate time to prepare a presentation, be given an opportunity to present his or her position fully to the Executive Board (including providing information and documents), and shall respond to relevant questions of the Executive Board. The individual charged may not participate in the Executive Board's deliberation of the charge decision.

Section F

The Executive Board's deliberation and decision is to be based only on the information provided during the removal proceeding and should be given to the individual charged and the charging party writing. Sanctions may range from a reprimand, to a warning, to a suspension, to a fine, to removal.

Section G The Executive Board may recommend to the Student Advisor that an individual subject to a charge may be temporarily suspended for up to two weeks from his or her position pending resolution of the charge.

Section H A student removed from his or her officer's position may appeal the sanction to the Dean of Students, who has discretion to review the matter, request additional information, refer the matter back to the Executive Board, or to affirm, reverse or modify the decision or sanction.

## **Article IX Elections**

Section A Elections shall be held during the eleventh school week for the Spring semester and all appointments are for the following two consecutive semesters (summer sessions are not a semester).

Section B All details of election shall be run according to an election code established with the assistance and under the guidance of the Dean of Student Services.

Section C Campaign ticketing is not permitted; all candidates shall run independently.

## **Article X Committees**

The Student Government Association may establish such committees as the Executive Board deems advisable to conduct its business.

## **Article XI Amendments**

Section A Any active member may recommend an amendment to these By-Laws by submitting it in writing and presenting it in two meetings.

Section B Ratification of the recommendation to amend these By-Laws is accomplished by a 3/4 vote of all active members.

Section C The Dean of Student Services must concur with all proposed amendments prior to their presentation to the Board of Trustees. Proposed amendments to these ByLaws will be presented to the Board of Trustees by the President of the College, or his/her designated agent.

Section D The Board of Trustees of Vaughn College of Aeronautics and Technology is the final approval authority for the By-Laws of the Student Government Association, therefore an amendment to these By-Laws becomes effective upon approval of the Board of Trustees.

## Student Clubs and Organizations

(Clubs and Organizations are formed or become inactive based on the interest and activity of current students)

The 2022-2023 year is a rebuilding year, as we return to more in person activities. As such, there may be groups listed below that have vacancies in leadership. Current students wanting to learn more about these groups should contact [activities@vaughn.edu](mailto:activities@vaughn.edu).

*AeroNAUGHTYcal Vibes (Music Club)* - A music group that performs song covers with live instrumentals either at their own events, or events organized by the College. They also teach students how to play instruments.

*Alpha Eta Rho* – is a professional collegiate aviation fraternity founded to bring together students that have a common interest in the field of Aviation.

*Alpha Phi Delta Fraternity* – The College's first social fraternity aims to create a sense of brotherhood on campus.

*American Association of Airport Executives* - Connects students to the aviation management world.

*Art and Photography Club* – provides students a creative outlet in an extra-curricular organization

*Automotive Club* - Organize car and automotive-related activities such as maintenance workshops, car meets and car modification.

*Circle K International* - This club was created to provide community service and outreach opportunities to Vaughn Students and serve as peer leaders for the student body.

*Caribbean Students Club* – This is a social club that explores and celebrates Caribbean culture.

*Chinese Student Association*- This group provides support and affinity for Chinese and Chinese-American students.

*E-Sports/Gaming*- a social club for students who casually and/or seriously compete/paly video and other interactive games

*Engineers Without Borders* – Engineers Without Borders aims to build a better world through engineering by helping communities meet their basic needs and leave them with the knowledge and power to be self-sustaining.

*Gay/Straight Alliance* – This group provides support and advocacy for students.

*National Society of Black Engineers* – Aims to increase the number of culturally responsible black engineers who excel academically, succeed professionally, and positively impact the community. Vaughn hosts a chapter of the national organization.

*Ping Pong* - This is a special interest club dedicated to providing a friendly and comfortable venue for students interested in the casual and competitive play of table tennis.

*R.O.T.C.* – select students may participate in the military Reserve Officer Training Corps

*Robotics Club* - The robotics club at Vaughn College participates in a competition provided by VEX Robotics. The club seeks to engage students of all majors in the fields of engineering.

*Society of Automotive Engineers* – A club sponsored through an academic department to increase co-curricular experiences

*Society of Hispanic Professional Engineers* - SHPE is a Hispanic community that empowers its members to realize their fullest potential and impact the world through STEM awareness, access, support, and development. Vaughn hosts a chapter of the national organization.

*Society of Women Engineers* – The vision of the Society of Women Engineers is to create a group that supports and empowers the female gender in engineering. Vaughn hosts a chapter of the national organization.

*UAV Club* - This club promotes safe, knowledgeable design, construction, and use of UAV (drone) technology. The UAV Club engages with the Vaughn community and with aviation industry leaders in the ongoing international discourse around the benefits of this emerging field, including next-generation academic and career possibilities.

*Vaughn Air Traffic Control Organization* - Vaughn Air Traffic Control Organization was created to prepare the next generation of Air Traffic Controllers by providing learning tools, networking and simulator training.

*Veterans Organization* - This organization was established to enable veteran students to transition their military leadership skills to their student life experience. The club holds student elections for its officers and hosts activities including a resource fair, Veterans Day event and guest speaker series.

*Women in Aviation* - Non-profit club dedicated to women empowerment within the aviation field. The chapter of the international organization helps to provide resources for students such as scholarships, educational events, scholarships, and career-oriented opportunities.

#### **Faculty/Staff Advisers**

All recognized student organizations must have an approved adviser. The role of the adviser is to serve as a consultant and mentor to the group. Advisers should have a strong interest in the organization's mission and should provide guidance and professional advice. All advisors must be a faculty member or a full-time employee of Vaughn College and sign the "Adviser Contract." It is up to the members of the organization to select an adviser. If the selected individual agrees to serve in this capacity, the College administration and the vice president of student affairs must finalize the appointment.

The adviser is expected to attend the organization's meetings, support their activities and work with the office of student activities. The members of the student organization are required to keep their advisor informed of their plans and activities at all times.

Starting a club/organization that is not on this list is possible; however, students should first make sure that the purpose of the proposed group is not already represented by an existing group. Additionally, there needs to be sufficient student support and campus resources to support the group.

## **General hours when school is in session**

### **Main Building Hours**

Mondays - Fridays	6:00 a.m. – 11:00 p.m.
Saturdays and Sundays	6:00 a.m. - 7:00 p.m.

### **Cafeteria**

Mondays – Friday	7:00 a.m. – 9:00 p.m.
Saturdays	10:00 a.m. – 7:00 p.m.
Sundays	11:00 a.m. – 7:00 p.m.

ATI Building is generally open one hour before the start of the first class and closed one hour after the conclusion of the last class.



## ATHLETICS AND WELLNESS

### Sports Program

Vaughn College currently has intercollegiate sports programs that compete in the Hudson Valley Intercollegiate Athletic Conference ([www.HVIAC.net](http://www.HVIAC.net)) as well as the United States Collegiate Athletic Association ([www.theuscaa.com](http://www.theuscaa.com)). These programs were established to provide athletic opportunities for Vaughn students to compete against NCAA Division III programs and other HVIAC and USCAA participants. Our sport programs are specifically tailored to the needs of the student body. It is designed to help students develop physical fitness, mental health, competitiveness, and leadership skills while enhancing a healthy spirit of fair play and team unity.

For more information about all the teams, please contact the office of athletics and wellness located within the student affairs suite, W142.

### Intramurals and Recreation

Students who are interested in a less competitive environment may participate in intramural sports including flag football, fun runs, 3 on 3 basketball, volleyball, bowling, ping pong and billiards.

### Fitness Center

The student fitness centers have weight training and cardiovascular equipment, free weights, as well as Nautilus equipment, Stairmasters, treadmills and stationary bicycles.

There are two fitness center locations. One is located on the lower level of the main building and the other on the third floor of the residence hall. The fitness centers are staffed by part-time student workers. Students who wish to utilize the fitness center must sign the Vaughn College fitness center waiver and release agreement as well as get a fitness sticker placed on the back of their student identification card. All users must abide by the posted guidelines for effective and safe use of the center. Only Vaughn College residential students, faculty, and staff may utilize the residence hall fitness center. Non-residential students or visitors must be signed in as a guest and accompanied by their host who resides in the residence hall to gain access to the fitness center. Hours of operation are posted on the doors.

### BQE Fitness

Students may have access to an expansive local sports complex that has more cardiovascular fitness machines, fitness classes, and a swimming pool. Contact the athletics staff for more information. [athletics@vaughn.edu](mailto:athletics@vaughn.edu)

### Health Services

The College endeavors to assist students in addressing important health issues and in providing information about health insurance and safety requirements and services. The office of counseling and wellness is the primary source of information and assistance in matters of health and wellness.

The College does not maintain a healthcare facility on campus. Some members of the staff have been trained in basic first aid, and first aid supplies are available on campus for minor injuries. In the event of a significant health-related problem or emergency, the College will utilize the New York City 911 emergency system to obtain immediate assistance.

To assist Vaughn personnel in the event of an emergency, students should provide the College with the name and telephone number of an individual for contact in an emergency, and whether the student has any medical conditions, limitations, or allergies which would be significant in the event of a medical emergency.

If there is a medical emergency, injury, or accident, on or adjacent to campus, it must be reported immediately to the College's office of student affairs. This will enable the College to respond promptly, to take appropriate follow-up actions, and file a report of the incident.

International students are required to have health insurance that applies in the US. All resident students must provide a copy of their health insurance at check-in.

### Student Health Insurance

Vaughn College would like for all eligible students to have health insurance coverage because inadequate or no coverage could cause a financial burden. However, health insurance coverage is REQUIRED for all residential students. If you are covered under a family group

health plan, please contact your plan administrator to review and confirm your coverage while staying on campus in the State of New York. Group health plans often do not cover full-time student dependents once they have reached a specific age, or when they are married. In addition, students who have declared financial independence for financial aid may not be covered. We also urge students who are covered by an HMO, PPO or similar policy to determine the extent of coverage available while living in New York. Students in need of health insurance should review all available plans carefully. Be sure to obtain a full description of coverage including costs, benefits, exclusions, reductions, limitations, and the terms under which the coverage of each plan may remain in effect. There are many resources in New York to assist individuals looking for low-cost health plans. You may wish to contact. WellCare at 1.800.288.5441 or Affinity Health Plan at 1.866.247-5678.

### **Immunizations**

New York state law requires all students born on or after January 1, 1957, and who are taking six or more credits at Vaughn College, to demonstrate that they have current immunizations for measles, mumps, and rubella (German measles). A student who fails to submit timely proof of recent immunizations will be prohibited from registering for classes, or administratively withdrawn from classes. Immunization records will be checked to ensure compliance with all local, state and federal laws as a routine aspect of early registration, as well as regular course registration. All students enrolled in six or more credit units are required to have a meningitis vaccine response form on file.

### **Smoking**

In accordance with New York state law and Vaughn policy, smoking is prohibited in all campus buildings and facilities. Students who violate this policy will be subject to disciplinary action. Community members are also asked not to smoke near entrances to campus buildings.

## **A FINAL WORD**

We hope that your journey through Vaughn College will be smooth, pleasant and a learning experience that assists you in achieving your professional and life goals. If you have any problems, please feel free to approach any staff member. That's why we're here. The amount of information contained in this handbook may be daunting at first. However, it's essential that you know what resources are available to you; where to go if you need help; what the campus rules and regulations are; and some of the local laws. Your suggestions for the next student handbook are encouraged and welcomed. Please forward your comments to the Dean of Students. Best wishes for a successful academic year.