

**Daemen College Manhattan Site**

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New York, NY 10018  
Phone: (646) 366-8500

**STUDENT HANDBOOK  
2010/2011**

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## **STUDENT HANDBOOK INTRODUCTION**

This Student Handbook contains helpful information guides and directories. It also contains policy statements and regulations, which every Daemen College student is expected to follow. Each student is responsible for knowing and observing the contents of both this handbook and the Daemen College Catalog.

## **MISSION STATEMENT**

The mission of Daemen College is to prepare students for life and leadership in an increasingly complex world. Founded on the principle that education should elevate human dignity and foster civic responsibility and compassion, the College seeks to integrate the intellectual qualities acquired through study of the liberal arts with the education necessary for professional accomplishment. This integration which recognizes equal value in liberal studies and professional programs aims at preparing graduates who are dedicated to the health and well-being of both their local and global communities.

With a Daemen education, students will acquire the skill to solve problems creatively and think critically. They will be comfortable with diversity and will recognize the importance of a global perspective. They will be able to work with others and be invigorated by environments that present challenges and demand innovation. Daemen students are expected to be active participants in their own education and informed citizens who understand that learning is a life-long journey.

At the heart of Daemen's integrated learning experience is the relationship that can develop between the College's faculty and its students. Daemen prides itself on maintaining a student-centered atmosphere and a close professional and collaborative association among all members of the College community. Assisted by a supportive faculty, Daemen students are encouraged to pursue goals beyond their initial expectations, to respond to academic challenges, and to develop habits of mind that enrich their lives and their community.

## **LEGAL DISCLAIMERS AND RESERVATIONS**

The right is reserved to change any of the rules and regulations of the College at any time, including those relating to admission, instruction, and graduation. The right to withdraw curricula and specific courses, alter course content, change the calendar, and to impose or increase fees similarly is reserved. All such changes are effective at such times as the proper authorities determine and may apply not only to prospective students but also to those who are already enrolled in the College.

## **MANHATTAN SITE ADMINISTRATION AND CONTACT INFORMATION**

Dr. Tschopp, Daniel

Manhattan Site Director  
dtschoop@daemen.edu  
Phone: (716) 839-8239

Ms. Robinson, Ann

Designated SEVIS Officer  
arobinson@daemen.edu  
Phone: (716) 566-7836

The following IAA Administration personnel may be contacted at (646) 366-8500 and by email.

Ms. Hsu, Michelle	President, IAA mhsu@iaaprograms.com
Ms. Tsong, Janet	Director of Business & Finance jhsu@iaaprograms.com
Ms. Huang, Lynn	Recruitment Director lhuang@iaaprograms.com
Ms. Wu, Jin	Program Coordinator jwu@iaaprograms.com
Mr. Chook, Tumin	Education Technology Officer tchook@iaaprograms.com
Dr. Tang, Song	Coordinator tsong@iaaprograms.com
Ms. Johanna Guzman	Student Advisor jguzman@iaaprograms.com
Ms. Linda Shen	Student Advisor lshen@iaaprograms.com

#### **CLASSROOM LOCATIONS**

1032 Avenue of the Americas, 3<sup>rd</sup> Floor  
New York, NY 10018

#### **ADMINISTRATIVE OFFICE**

1032 Avenue of the Americas, 4<sup>th</sup> Floor  
New York, NY 10018

#### **IAA OFFICE HOURS**

Monday to Thursday	9:00am to 9:00pm
Friday	9:00am to 6:00pm
Saturday and Sunday	9:00am to 5:00pm

#### **HEALTH & INSURANCE SERVICES**

##### **New York State Law**

In accordance with New York State law, any student born on or after January 1, 1957, must document proof of immunity to measles, mumps, and rubella. Students may not register for classes unless they are compliant with the law. A Student Health Form must be on file for all students, regardless of birth date.

In addition, New York State law requires that all students be informed about the risks to college students of contracting meningococcal meningitis and the availability of a vaccine. All students must complete a form acknowledging having received this information and indicating their informed decision whether or not they have received or will receive the vaccine. College students, particularly those living in the residence halls, are encouraged to have the vaccination. Information is available on the College website as well as in the Health & Insurance Services Office.

## **Confidentiality**

Every effort is made to protect the confidentiality of students' health records. Access to these records is limited to College personnel whose job responsibilities require information from these records.

## **Health Insurance**

All resident students, international students, student athletes, and those students enrolled in a health related field of study who will participate in a clinical clerkship/internship in the current year must be covered by health insurance. The College offers a plan that insures losses resulting from accident and illness to the extent stated in the brochure, under the provisions of the policy. This insurance coverage is available to any student (full or part-time) who wishes to enroll in the plan. Coverage for spouses and dependent children is also available. This coverage is fully explained on the Gallagher Koster webpage, [www.gallagherkoster.com](http://www.gallagherkoster.com), as well as on the Daemen website on the Health & Insurance Services web page.

As a student meeting the criteria above, you must either purchase the College plan or complete an insurance waiver form indicating you have other, comparable health insurance coverage. In addition, you must provide a photocopy of your current health insurance identification card. If the waiver is not completed by the date designated on the website, you will be enrolled in the Daemen College student Insurance Plan and the premium will be added to your student account. The fee is non-refundable.

International students: All international students of Daemen College are required to demonstrate proof of acceptable insurance coverage for accident and illness. Insurance must be in effect for the entire time the student is residing in this country, therefore, must be renewed annually. The Daemen College Student Insurance Plan is available to international students as well. As an international student, you must either purchase the Daemen College plan or complete a waiver form indicating you have other health insurance coverage that can be used in the United States. An explanation of benefits, as well as a photocopy of your insurance identification card is required. If the waiver form is not completed by the date indicated on the Gallagher Koster website, you will be enrolled in the Daemen College Student Insurance Plan and the premium will be added to your account. The fee is nonrefundable. Canadian students are encouraged to supplement their OHIP through any number of travelers' plans.

## **IDENTIFICATION CARDS**

All students at Daemen College receive a College ID card free of charge.

1) This card is the property of Daemen College and must be presented upon request by duly authorized College officials. Your ID is issued once (for free) after you arrive on campus and will be valid at all times while enrolled at Daemen College.

2) Acceptance of this card signifies agreement to abide by the rules governing its use. Failure to conform to these rules can result in the loss of those services to which the card gives access.

3) ID cards are not transferable. Lending the card to others is prohibited.

4) Students should not cut, bend, cut holes in, or otherwise deface the card. This may invalidate the card.

5) A replacement fee of \$20 is charged for lost/stolen cards. Damaged cards are replaced free of charge in exchange for your old ID. From time to time, you may be asked by a Security Officer or other College authority to show your ID card. Failure to present your ID card may lead to disciplinary action by the College.

## **LIBRARY**

The mission of the Daemen College Library is to support classroom instruction, provide information for independent research relating to the College curriculum, and to provide recreational reading for the College community. The library provides access to information in print, media, and digital formats, and well-trained and knowledgeable staff to meet the information needs of the College community. The library serves as a gateway to information resources found in Western New York and around the world.

### **Facility**

A library room located on the 4<sup>th</sup> floor holds textbooks, supplemental reading and reference materials that are related to the courses offered at the Manhattan Site. Students may also use the adjoining computer lab to access the Daemen on-line library, to prepare for classes or do their homework. Students are provided with internet access for linkage to on-line libraries, including all resources available to Daemen College residential students via the Marian Library. IAA and Daemen will maintain subscription of periodicals pertinent to the program subject areas, as well as supplemental text references for each course. Students can also make use of the public libraries and college libraries in the New York City area.

The instructional facilities include a computer classroom with 22 computer workstations with wireless internet, a sufficient number of electrical outlets in each classroom for students who wish to use personal laptop computers and have connection to wireless internet, a student area with six networked computer stations and two classrooms, each equipped with multi-media instructional equipment and include an overhead projector, Smart Board, and are T1 cabled.

### **Collection**

The Daemen College library has a print collection of over 161,000 volumes and 580 print serial subscriptions. The library also has access to over 37,000 electronic books and over 24,000 electronic full-text journal titles. Faculty, librarians, and students recommend new materials for purchase.

### **Services**

Reference Librarians are employed to help students, faculty, and staff to find the information they need and to use information technology. The library staff collectively possess the specialized skills necessary for the library to function in a diverse, global, and increasingly complex information environment. Please seek their assistance.

## **DAEMEN COLLEGE STUDENT CODE OF CONDUCT**

The students of Daemen College are viewed as adults and are expected to conduct themselves accordingly. The nature of the college environment requires this view, and various rules and regulations have been developed to support it. As adults, Daemen

College students are responsible, not merely to avoid harming the College community, but rather to improve it, support it, and encourage its growth.

The administration, faculty, and students are all members of the College and together constitute a unique and self-sufficient community with shared values. Upon entering Daemen, students are expected to subscribe to these values and base their conduct on campus, off-campus, and online— upon those standards which the Daemen community sees as necessary to the proper exercise of scholarly endeavor (Code of Conduct). This Code of Conduct reflects general principles of behavior accepted by society and by institutions of higher education. It also describes conduct about which Daemen College has made specific statements, rules, and regulations. All Daemen students are responsible for knowing the Code of Conduct and the other regulations which are part of the Student Handbook and the College Catalog. Copies of the handbook are free and may be obtained from the Student Affairs Office or online at [www.daemen.edu](http://www.daemen.edu).

### **GENERAL CONDUCT AND POLICIES**

Daemen College expects its students to obey all applicable federal, state, and local laws, to behave in moral, ethical, professional, civil, and courteous ways, and to observe the specific policies, procedures, regulations, rules, and standards that are promulgated by Daemen College for conducting its own affairs. **THE COLLEGE RESERVES THE RIGHT TO DISMISS OR REQUEST THE WITHDRAWAL OF ANY STUDENT WHOSE ACADEMIC STANDING, ACADEMIC OR SOCIAL CONDUCT, OR MANNER RENDERS HIS/HER CONTINUED ATTENDANCE AT DAEMEN COLLEGE UNDESIRABLE** (see the College Catalog).

Prohibited conduct is generally a matter of common sense. Listed below are some of the basic rules governing a person's behavior. Violation(s) of these rules, or other conduct which reflects unfavorably on the student or the College, may result in disciplinary action up to and including expulsion from the College. The following is **PROHIBITED** and is considered disorderly conduct:

- 1) Violence, including sexual assault, or the threat of violence, against any person.
- 2) Intimidation or harassment which has the intent or effect of preventing a person from performing his/her legitimate role at Daemen College.
- 3) The use, possession, sale, or purchase of any type of unlawful drug. Possession, consumption, or sale of drugs is a serious offense, which is subject to severe penalties.
- 4) As a matter of policy, the College will cooperate fully with all law enforcement agencies in the investigation and prosecution of substance abuse and trafficking cases. Violations of these regulations will cause the student to be subject to criminal prosecution, disciplinary action, or both. Distribution, sale, or use of drugs will ordinarily result in expulsion from the College.

Prohibited drugs are defined as including, but not limited to:

marijuana  
cocaine / crack  
LSD  
D.M.T.

barbiturates  
mescaline  
opiates  
amphetamines  
psilocybin  
tranquilizers  
rohypnol (the "date rape" drug) and similar substances  
and all other drugs which are either outlawed outright or illegal  
when not prescribed by a physician.

- 5) While on-campus or participating in Daemen College activities, possession or use of explosives, firearms, fireworks, knives, incendiaries, or other dangerous weapons, including gas or air guns.
- 6) Tampering with fire alarms and/or other fire safety equipment or otherwise hindering the proper function of the College's fire and/or safety procedures. No fires may be set by students at any time for any reason.
- 7) Cheating, plagiarism, or any other form of academic dishonesty (see "Academic Honesty" in the College Catalog and in this handbook under Specific Policies for additional description).
- 8) Abusive or disruptive behavior on campus or at any College activity or event (on or off campus), the effect of which might bring discredit to Daemen College.
- 9) Disregard of the rights of other members of the campus community and/or their guests.
- 10) Failure to follow the directive of an official of the College or his/her representative.
- 11) Giving false information to any College official or office.
- 12) Gambling in any form, except legal raffles, lotteries, or casino gambling conducted by recognized student organizations and approved by the College.
- 13) Destruction, damage, or defacement of College property or that of students, vendors, or guests of the College.
- 14) The use, possession, sale, or purchase of alcoholic beverages by students under the legal age of 21.
- 15) Violation of any other College policies, procedures, and/or regulations.

### **CONDUCT (DISCIPLINARY) PROCEDURES**

1) A student is expected to know what conduct is permitted or prohibited by reading the Student Handbook, the College Catalog, Student Code of Conduct, Residence Hall Contract, and all other College policies pertaining to students.

2) Any member of the College community who becomes aware of any conduct, activity, or incident that appears to violate the Student Code of Conduct, the Student Handbook, and/or specific policies may bring such matter to the attention of a faculty member, divisional deans, or administrator at the level of a director or above (including the Director of Dining Service and the Director of Security).

3) In the case of minor violations, faculty, division chairpersons, or administrators can restrict a student from specific areas, facilities, activities, events and/or privileges for a specified time, usually not more than one semester. Notice of this restriction should be sent to the Vice President for Student Affairs and Dean of Students, and, if appropriate, to the Director of Security.

4) In the case of major violations, where more severe discipline may be considered, a General Incident Report (GIR) containing a written, detailed statement of the prohibited activity (including names of witnesses, if any) should be completed and forwarded to the Vice President for Student Affairs and Dean of Students. GIR forms are available in the Office of Student Affairs. In the case of an emergency (potential danger to the College community), College security personnel should be contacted and a verbal complaint given. Thereafter, a written follow-up should be given to the Vice President for Student Affairs and Dean of Students.

5) When a GIR is filed, the Vice President for Student Affairs and Dean of Students, or his or her designated representative, will conduct an investigation. This investigation should commence within seven (7) days, and should be concluded as soon as possible.

6) Where appropriate, the Vice President for Student Affairs and Dean of Students may refer matters to the Directors of Student Activities, Residence Life, Athletics, Security, Dining Service, etc. for investigation and recommended disciplinary action.

7) The investigation should be conducted in a manner to determine the facts as expeditiously and fairly as possible. As a minimum, any individual who is subject to discipline should be interviewed, advised of any specific charges, and given an opportunity to respond. Where possible, all relevant witnesses should be interviewed and relevant evidence considered.

8) Three (3) days following the investigation, the Vice President for Student Affairs and Dean of Students, or the designated representative, shall render a written decision regarding the matter. Such decision shall contain any discipline to be imposed.

9) The Vice President for Student Affairs and Dean of Students, and/or the designated representative have authority to impose the following discipline. Where appropriate, recommendations for suitable disciplinary action should be sought from chairpersons or other administrators.

- Written reprimand
- Financial penalties - to be charged against the student's account
- Removal from the residence halls (if residential student)
- Disciplinary Probation - with conditions and expectations
- Temporary Suspension - usually immediate but temporary
- Disciplinary Suspension - usually for a specified time period
- Disciplinary Dismissal - irrevocable separation from the College

- Restrictions on the use of any College facility or participation in any College event or activity.

10) The Vice President for Student Affairs and Dean of Students, the Vice President for Academic Affairs and Dean of the College, or the President may summarily and temporarily suspend a student, pending the investigation, in order to protect the campus community or the student.

11) A record of disciplinary actions will be kept on file in the office of the Vice President for Student Affairs and Dean of Students.

12) In a case where discipline is imposed, a student has the right to request that his/her case be reviewed through the STUDENT DISPUTE RESOLUTION PROCEDURE.

## **STUDENT DISPUTE RESOLUTION PROCEDURE**

### **Purpose and Scope**

Should a dispute arise concerning the interpretation or application of any College policy affecting a student, or if a student wishes review of an imposed discipline, it shall be exclusively resolved in accordance with the Dispute Resolution Procedure.

### **Formal Procedure**

1) Within 30 calendar days of the act or omission giving rise to the dispute, or within seven (7) days of the discipline, the matter shall be reduced to writing and submitted to the Vice President for Student Affairs and Dean of Students.

2) It is recommended that, where practicable, the matter first be discussed with the administrator or faculty member who imposed the discipline, or who is otherwise involved in the dispute, with a view toward resolving the matter as quickly and easily as possible. Subsequent levels of review shall consider compliance with the spirit of this provision in rendering a decision.

3) Within 30 calendar days after the written dispute is submitted, the Vice President for Student Affairs and Dean of Students or his/her designated representative (Hearing Officer) shall hold a hearing to resolve the dispute. The Vice President for Student Affairs and Dean of Students may, in his/her discretion, suspend the discipline pending a resolution following the hearing.

4) In hearings involving more than one student, the Hearing Officer, at his/her discretion, may conduct separate hearings for each student.

5) The complainant shall have the right to be assisted by an advisor, at his/her own expense. The advisor may be an attorney. The complainant is responsible for presenting his/her own case; therefore, advisors may not participate directly in the hearing, but may only render advice to the complainant.

6) The complainant shall have the right to present evidence and witnesses, subject to cross-examination by the Hearing Officer. The Hearing Officer may also present evidence and call witnesses subject to cross-examination by the complainant.

7) All procedural and evidence questions are subject to the discretion of the Hearing Officer.

8) Admission of any person to the hearing shall be at the discretion of the Hearing Officer. In cases of sexual offenses, both the accuser and the accused are entitled to the same opportunities to have other persons present during the hearing.

#### **Hearing Officer's Decision**

- 1) Within ten calendar days after completion of the hearing, the Hearing Officer shall render a written decision, which will be delivered to the complainant.
- 2) The Hearing Officer's determination shall be based on a preponderance of the evidence.
- 3) There shall be a single verbatim record, such as a tape recording, of all hearings.
- 4) The record shall be the property of the College.
- 5) Except in the case of a student charged with failing to obey the summons of a Hearing Officer or other College official, no student may be found to have violated the Student Code solely because the student failed to appear before the Hearing Officer. In all cases, the evidence in support of the complaint shall be presented and considered. Rescheduling of the hearing based on the failure of the student to appear will be based on the schedule of the Hearing Officer.
- 6) The decision of the Hearing Officer shall be final unless reversed or modified by the President of the College within seven (7) days.

#### **CLASS ATTENDANCE**

Regular and prompt attendance is expected at all classes and officially scheduled programs and activities. A student who is absent from class for any reason whatsoever will be required to make up the work to the satisfaction of the instructor. A student anticipating or having a prolonged absence from class (3 or more class days), due to illness, accident, or death in the family, should report this absence to the Registrar, who will convey the information to the appropriate instructors. Upon return, it is the student's responsibility to discuss his or her standing in the course with the instructor who will advise of the appropriate course of action to be taken.

#### **POLICY ON ACADEMIC HONESTY**

Academic dishonesty, of which cheating and plagiarism are the most common examples, is a serious violation of the principles of higher education. Daemen College takes the position that academic honesty is to be upheld with the highest degree of integrity. The College has a responsibility to support individual thought and the generation of new ideas. This cannot be done when violations of academic honesty go unchallenged.

Examples of academic dishonesty include, but are not limited to:

- 1) use of any unauthorized assistance in taking quizzes, tests, or examinations;

- 2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; or
- 3) the acquisition, without permission, of tests or other academic material belonging to a member of the College faculty or staff.
- 4) any form of plagiarism, which includes, but is not limited to:
  - a. the use, by paraphrase or direct quotation, the published or unpublished work of another person without full and clear acknowledgement; or
  - b. the unacknowledged use of materials prepared by another person or agency engaged in the selling or distributing of term papers or other academic materials.
- 5) In an instance where there has been a violation of the principles of academic honesty, the instructor may choose to follow one or more of a number of possible alternatives including but not limited to: (1) automatic failure of the work; (2) automatic failure of the entire course; (3) recommending expulsion from the degree program; or (4) recommending expulsion from the College. The student may appeal the instructor's determination in accordance with the Grade Appeal Procedure.
- 6) When a faculty member determines a violation of academic honesty has occurred, he/she will first notify the student in writing. A copy of this letter, together with a written description of the case with supporting evidence will also be submitted to the Associate Dean of the College. Should there be no additional notifications of academic dishonesty, the initial record will be destroyed one year after the student's graduation from Daemen College.
- 7) Upon receipt of additional reported offenses, the Associate Dean will formally present the materials in the file to the Committee on Academic Standards for review and recommendation of any additional sanctions beyond those imposed by the instructor. The Associate Dean will also notify the student that the materials will be the subject of CAS deliberation and will recommend that the student write a letter regarding the offense to the CAS for purposes of clarification, explanation or denial. CAS review will be held in a timely manner as determined by CAS. All faculty members who have reported offenses on the part of the student will be invited to participate in the deliberations. In cases where expulsion is recommended, either from the degree program or the College, final authority rests with the Dean of the College.

## **GRADING SCALES**

**Please refer to the Catalog for undergraduate and graduate grading scales.**

### **Grade Appeal Procedure**

- 1) A student with questions or complaints about an assigned final course grade shall first discuss the matter with the course instructor within 30 days of the

- posting of the grade. In the event of the serious illness or absence from the area of either the student or the faculty member, an extension may be granted by the appropriate divisional dean. The instructor is expected to provide an appropriate explanation of the student's grade and, if the student's appeal is meritorious, to be willing to change the grade. If the student's concerns remain unresolved following discussion with the instructor, the student may appeal in writing to the chair of the department in which the grade was given. This written appeal must be made within 45 days of the posting of the original final grade. All supporting documentation must be submitted at this time, with the written appeal. The department chair shall review the student's appeal and consult with the course instructor. The department chair may support the instructor's evaluation or may recommend to the instructor that the grade be changed. (If the department chair is the course instructor whose grade is under appeal, the divisional dean shall handle the appeal at this stage.)
- 2) Should the complaint still remain unresolved, an ad hoc grade appeal committee shall be constituted, comprising:
    - a) All full-time faculty within the department, including the department chair and, if applicable, members of the Departmental Personnel Advisory Committee (see handbook section V, C. A department with fewer than 3 full time, tenured faculty shall have a DPAC consisting of all full time members of the department and up to 3 total tenured faculty members from other departments.
  - 3) For departments with fewer than 3 full time, tenured faculty members, the DAPC serves the function of the department faculty).
    - a) The dean of the division in which the department is housed, unless the grade under appeal has been given by said dean (or the dean is a member of the departmental faculty as described above), in which event, the dean of the other division shall serve.
    - b) Two faculty members from the Committee on Academic Standards - one to be chosen by the student and one by the course instructor.
    - c) If the grade under appeal is given by an adjunct, then he or she will be invited to join the committee.
    - d) Formal minutes will be taken of the meeting. The first committee meeting will be called by the department chair. If the grade under appeal has been given by the department chair, the first meeting will be called by the division dean. The committee shall meet within 2 weeks of receiving the written appeal.
    - e) It will be the responsibility of the student to demonstrate that the grade should be changed.
  - 4) This committee shall examine all pertinent documentation, may interview the student and the course instructor, or consult with any other parties it may deem appropriate. The divisional dean shall act in a non-voting, advisory capacity with regard to observance of all pertinent College policies and procedures. The ad hoc grade appeal committee shall render its written decision to the student and faculty member within 7 days. The committee may recommend that the instructor change the grade; if the instructor refuses, s/he shall provide a written explanation to the committee. Should the committee find the explanation unpersuasive, it will recommend to the department chair that the grade be

changed. If, following consultation with the instructor, the instructor still refuses to change the grade, the department chair shall have authority to change the grade notwithstanding the objection of the instructor. (If the instructor is the department chair, the divisional dean shall handle the chair's duties here described.)

- 5) Grade appeal procedure for Interdisciplinary (IND) courses: The "department chair" shall be either the chair of the department in which the instructor is housed, if applicable, or the Core Coordinator, at the discretion of the department chair (if applicable). Departmental faculty members of the ad hoc grade appeal committee shall be appointed by the Committee on Interdisciplinary Studies; both divisional deans shall serve; and two members of the Committee on Academic Standards shall be selected as per point 2.c. above.

### **ACCOMMODATION OF STUDENTS WITH DISABILITIES**

Daemen College complies with the Rehabilitation Act of 1973, the Americans with Disabilities Act, and applicable state and local laws providing for nondiscrimination against individuals with disabilities. This policy applies to admission to the College and participation in all College programs and activities. Daemen College will also provide reasonable accommodations for qualified individuals with disabilities so that they may participate at a level equivalent with that of non-disabled students. In this connection, Daemen College has established an accommodation assessment procedure for evaluation of requested accommodation in light of legal guidelines.

#### **It is Daemen College's policy to:**

- 1) Ensure that qualified individuals with disabilities are treated in a nondiscriminatory manner in the admissions process and that qualified students with disabilities are treated in a nondiscriminatory manner with respect to all services, programs, and activities.
- 2) Keep all medically related information confidential in accordance with the requirements of the Rehabilitation Act, the Americans with Disabilities Act, and Family Educational Rights and Privacy Act.
- 3) Provide qualified applicants and students with disabilities with reasonable accommodation, except where such an accommodation would create an undue hardship on the College.
- 4) Notify individuals with disabilities that the College provides reasonable accommodations to qualified individuals with disabilities by including this policy in the College Catalog and the Student Handbook.

#### **Procedure For Requesting An Accommodation**

If a qualified applicant for admission to the College or a student of the College anticipates a need for an accommodation to complete a course of study or to participate in a College program or activity (student housing, etc.), the request for accommodation should be brought to the attention of the Admissions Office in the case of an applicant or to the EO/AA Officer (Associate Vice President for Academic Affairs and Associate Dean of the College) in the case of a student. The individual shall submit current medical evidence of the disability and the limitations that require accommodation. The

College's EO/AA Officer (Associate VP) may discuss with the applicant or student the precise limitation resulting from the disability and the potential reasonable accommodations that the College might make.

The College has established specific guidelines for the documentation of learning disabilities, attention deficit disorders and psychiatric disabilities; the guidelines may be obtained from the College's EO/AA officer (Associate VP) or from the College's website. The EO/AA Officer, in conjunction with the appropriate faculty and, if necessary, a medical evaluator retained by the College, will determine the feasibility of the requested accommodation, considering various factors including, but not limited to, the nature and the cost of the accommodation, the availability of funding, and whether the accommodation will impact the fundamental nature of the course or program. The applicant/student will be informed of the College's decision on the accommodation request. If a student is not satisfied with the determination made by the College with respect to the request for accommodation, the student may file a grievance pursuant to the College's Grievance Procedure in Discrimination Cases, a copy of which may be found in the Student Handbook or obtained from the Office of the Associate VP.

### **Procedure for Receiving Approved Accommodations**

The EO/AA Officer (Associate VP) will give the student an Accommodation Form specifying the accommodations approved by the College. It is the student's right and responsibility to request approved accommodations in College programs, activities, or services. In keeping with the College's nondiscrimination policy, accommodations are to be made only at the request of the student, not assumed or imposed by other parties. The student shall present his/her Accommodation Form to the appropriate faculty member or administrator to substantiate a request for accommodation. Accommodations should not be provided to students without evidence that the accommodation has been approved by the College. A student lacking such documentation should be referred to the EO/AA Officer according to the above procedure for requesting an accommodation. Should any problem arise in securing an approved accommodation, the student should bring the problem to the immediate attention of the EO/AA Officer, who will assist in resolving the matter. In addition, any member of the College community with questions or concerns about the College's disability policy and procedures should contact the EO/AA Officer.

### **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

Daemen College complies with the Family Educational Rights and Privacy Act (FERPA). Pursuant to this law, the College shall maintain the confidentiality of student "education records" and shall not release them to any person or entity without the written consent of the student except as set forth below. Moreover, the College shall provide students access to their education records pursuant to the procedures outlined in this policy. "Education records" are the records, files, documents, and other materials maintained by the College, which contain information directly related to a student except:

- 1) Records of faculty and administration, which are in their sole possession and are not revealed to any persons other than a representative.
- 2) Records of campus security that were created for law enforcement purposes.

- 3) Employment records maintained solely for such purpose.
- 4) Medical records. College policy is that no person shall have access to, nor will the institution disclose, any information from a student's education records without the written consent of the student except to the student; to appropriate College officials who have legitimate educational interest; to certain state and federal officials; to officials at other schools in which the student seeks to enroll; to persons or organizations in connection with the student's application for financial aid; to organizations conducting studies for educational purposes, but only under conditions that protect confidentiality; to accrediting agencies carrying out their accreditation function; in compliance with a judicial order; and for reasons in an emergency in order to protect the health or safety of a student or other persons.

The College may include in a student's education records disciplinary action taken against the student for conduct that posed a significant risk to the safety or wellbeing of that student or other members of the College community. Nothing in this policy shall prevent the College from disclosing such information to teachers or other institutions who have a legitimate educational interest in the behavior of the student. Moreover, the College may disclose to an alleged victim of any crime of violence the results of a disciplinary proceeding conducted by the College against the alleged perpetrator of such crime. Additionally, the College reserves the right to notify the parents/family of a student determined to have violated the College's policies and/or New York State laws regarding underage drinking or illegal use of drugs.

Within the Daemen College community, only those officials with a legitimate educational interest are allowed access to student education records. Such persons include: personnel in the Offices of the Dean of the College, Vice President for Student Affairs and Dean of Students, Vice President for Academic Affairs and Associate, Academic Support Services, Academic Computing Services, Higher Education Opportunity Program, Registrar, Comptroller, Financial Aid, Admissions, faculty members, and other College officials within the limitation of their need to know. College officials may include students who serve on official College committees or who are employed in College offices. Internship supervisors (e.g., supervising teachers, clinical preceptors), consultants, and other contractors (e.g., attorneys, auditors) may also be considered College officials within the limitation of their need to know.

At its discretion, the College may provide "directory information" to others and the College's confidentiality policy shall not be applicable to such information. "Directory information" includes: student name, address, telephone number, email address, date and place of birth, major field of study, dates of attendance, enrollment status (includes advance registration data, anticipated graduation year, class status), resident status (commuter or resident), degrees and awards received, recent educational institution attended by student, participation in recognized activities and sports, and weight and height of members of athletic teams. The College will withhold directory information if a student makes a written request to the Office of the Registrar. Students have the right to inspect and review information contained in their educational records, to challenge the contents of their education records, to have a hearing if the outcome of the challenge is unsatisfactory, and to submit explanatory statements for inclusion in their record if they feel the decision following the hearing is unacceptable.

The College Registrar has the responsibility to coordinate the inspection and review procedures for student education records. The Registrar will maintain, with the education records, a list of all persons and entities (other than College personnel with a legitimate educational interest) who have requested or obtained access to a student's records. This list, which is available to the student about whom information has been requested, will show the interest of persons or entities. Students wishing to review their education records must make a written request to the Registrar listing the records or information of interest. The pertinent record or information will be made available within forty-five days of the request. At their expense, students may have copies made of their records with certain exceptions (e.g., a copy of the academic record for which a financial "hold" exists). The following documents and information will not be disclosed to students: financial information submitted by their parents; confidential letters and recommendations associated with admissions, employment, or job placement; references to which they have waived their rights of inspection and review, provided they are used solely for such purpose; education records containing information about more than one student, in which case the College will permit access only to that part of the record which pertains to the inquiring student.

A student who believes that the education records contain information that is inaccurate, misleading, or inappropriate should discuss the problem with the Registrar in an effort to resolve the matter informally. If not resolved, the student will be afforded a formal hearing pursuant to the Student Dispute Resolution Procedure contained in the Student Handbook. The request for a hearing must be made in writing to the Vice President for Academic Affairs, who, within a reasonable period of time after receiving a request, will inform the student of the date, place, and time of the hearing. A student may present evidence relevant to the issues raised in accordance with the Student Dispute Resolution Procedure. The hearing will be conducted by the Vice President of Academic Affairs and/or any other individual so designated.

The decision of the hearing will be final and will consist of a written report summarizing the evidence and stating the reasons for the decision. If the decision is in favor of the student, the student's record will be amended accordingly. If the student is not satisfied with the decision, the student may prepare a written statement explaining the disputed contents of the record. This statement will be maintained as part of the student's education records and released whenever the pertinent record is disclosed. Inquiries regarding this policy should be directed to the Registrar.

### **NONDISCRIMINATION, EQUAL OPPORTUNITY, AND AFFIRMATIVE ACTION POLICY**

Daemen College is committed to compliance with its obligations under Title IX of the Educational Amendments of 1972, Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Executive Orders, the New York State Human Rights Law, and other applicable anti-discrimination laws.

It is the policy of Daemen College to provide all students, applicants, and employees an equal access to all programs, facilities, and employment opportunities without regard to race, color, sex, sexual orientation, age, religion, national origin, marital status, veteran status, disability, genetic predisposition or carrier status. Furthermore, the College will not discriminate against any individual with respect to the application of College policies,

terms and conditions of employment, or the criteria for the successful completion of any course or program on the basis of race, color, sex, sexual orientation, age, religion, national origin, marital status, veteran status, disability, genetic predisposition, or carrier status. To the extent required by law, the College will also take affirmative action to ensure that qualified women, minorities, veterans, and disabled persons are provided full employment opportunities. Every person in the Daemen College community is required to be familiar with and act in accordance with this policy. This includes administrators, faculty, staff, students, contractors, and vendors. All violations of this policy will be addressed and, where appropriate, discipline will be administered. Any person or entity found in willful violation of this nondiscrimination policy shall be subject to termination, expulsion, or contract termination as appropriate. The College President has assigned day-to-day responsibilities for the implementation and administration of this policy to the Vice President for Academic Affairs and Associate, who shall be the College's Equal Opportunity and Affirmative Action Officer. Any questions concerning this policy and any complaints of discrimination should be communicated to the Associate Vice President, Room Duns Scotus Hall, 102, x8301.

A student also has the right to file a complaint of discrimination with the Office for Civil Rights (OCR) of the U.S. Department of Education. Complaints are to be filed within 180 calendar days of the alleged act of discrimination and may be made to the New York regional office of OCR:

New York Office  
Office for Civil Rights  
U.S. Department of Education  
32 Old Slip, 26th Floor  
New York, NY 10005-2500  
Telephone: 646-428-3900  
Fax: 646-428-3843; TDD: 877-521-2172  
Email: OCR.NewYork@ed.go

### **POLICY ON STUDENT EXPRESSION**

Daemen College deeply values freedom of expression and encourages all members of the College community to engage in thoughtful discourse, debate, and the exchange of ideas. The very nature of a college environment challenges members of its community continually to question the world in which we live, and to think critically and creatively in an effort to enrich our lives and our community. The College does not guarantee or even endeavor to provide a campus environment free of expressions that may offend currently held paradigms; however, the College does retain the right to limit expressions that are antithetical to the values of the Mission of Daemen College or that violate the Student Handbook Code of Conduct. The student newspaper is additionally regulated by the College's affiliation with the Associated Collegiate Press and their attendant guidelines. See the STUDENT DISPUTE RESOLUTION PROCEDURE in this Handbook, to appeal decisions made that limit freedom of expression, and/or other disciplinary decisions made by the College.

### **POLICY PROHIBITING UNLAWFUL HARASSMENT INCLUDING SEXUAL HARASSMENT**

It is the policy of Daemen College not to discriminate on the basis of sex, including sexual harassment, in its educational programs, activities or employment policies as

required by Title IX of the 1972 Education Amendments and other applicable antidiscrimination laws.

Sex discrimination in the form of harassment on the basis of sex includes unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a nature when (1) submission to such conduct is either explicitly or implicitly a term or condition of an individual's education or employment, (2) submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting the individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's performance or creating an intimidating, hostile, or offensive educational or working environment. Further, Daemen College will take all steps necessary to prevent such discrimination, including the imposition of appropriate sanctions.

Sexual harassment is illegal under both state and federal law. Inquiries regarding compliance with Title IX may be directed to the Title IX campus coordinator, the Associate Vice President for Academic Affairs (Associate Dean of the College) at x8301. As examples, the following kinds of conduct, or others with a similar harassing effect, are absolutely prohibited if such conduct falls within the definition stated above:

- Abusing an employee or student through insulting or degrading sexual remarks, jokes, innuendoes, or other sexually oriented conduct (including, among other things, graphic or descriptive comments relating to an individual's body or physical appearance, sexually oriented teasing or pranks, improper suggestions, objects or pictures, or unwanted physical contact); or
- Threats, demands or suggestions that a student's status depends in any way upon tolerating or accepting sexual advances or sexually oriented conduct.
- Any harassment of Daemen College employees, students, or applicants in violation of these rules is absolutely prohibited and will not be tolerated.

### **Other Unlawful Harassment**

Unlawful harassment is defined as verbal or physical conduct which denigrates or shows hostility or aversion to an individual because of his or her race, color, gender, sexual orientation, age, religion, national origin, marital status, veteran status, disability, genetic predisposition, or carrier status, or that of his or her relatives, friends, or associates, and which:

- 1) Has the purpose or effect of creating an intimidating, hostile, or offensive working or educational environment; or
- 2) Has the purpose or effect of unreasonably interfering with an individual's performance; or
- 3) Otherwise adversely affects an individual's educational or employment opportunities.

As examples, the following kinds of conduct, or others with similar harassing effect, are absolutely prohibited if such conduct falls within the definition stated above:

- Abusing a student or employee through epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts (even if claimed to be "jokes" or "pranks") which relate to race, color, gender, sexual orientation, age, religion, national

- origin, marital status, veteran status, disability, genetic predisposition, or carrier status; and
- Written or graphic material which denigrates or shows hostility or aversion toward an individual or group because of race, color, gender, sexual orientation, age, religion, national origin, marital status, veteran status, disability, genetic predisposition, or carrier status; and is displayed or circulated in the educational environment or workplace.
  - Any harassment of Daemen College employees, students or applicants in violation of these rules is absolutely prohibited and will not be tolerated.

### **Retaliation**

Retaliation against students, applicants, or employees for exercising their rights under this policy is also strictly prohibited and will not be tolerated. This includes retaliation for inquiring about one's rights, or for making an honest complaint of a violation or possible violation, or for truthfully assisting in a complaint investigation.

### **No One Has Authority to Violate This Policy**

Under no circumstance does any faculty member, administrator, other employee, or student of the College, or any other person, have any authority whatsoever to engage in discriminatory, harassing, or retaliating conduct in violation of this policy. If anyone claims to have such authority, or you have any questions about whether conduct that you find objectionable is authorized by the College, please contact the Associate Dean of the College who is the College's Equal Opportunity and Affirmative Action Officer.

### **Academic Freedom**

As an institution of higher education, Daemen College, its employees and students also must be aware of the need for freedom of inquiry and openness of discussion in its educational and research programs, and must strive to create and maintain an atmosphere of intellectual seriousness and mutual tolerance in which these essential features of academic life can thrive. No college can or should guarantee that every idea expressed in its classrooms or laboratories will be inoffensive to all; pursued seriously, education and scholarship necessarily entail raising questions about received opinions and conventional interpretations. Daemen College does guarantee, however, that credible accusations of inappropriate remarks or conduct that may violate the College policy prohibiting discrimination and harassment will be investigated promptly, thoroughly, and fairly.

### **Procedures**

Students, applicants, and employees are encouraged to promptly report any conduct that they believe violates this policy. If the College does not know about the conduct, it cannot act. Complaints or inquiries should be made confidentially to the Associate Dean of the College who is the College's Equal Opportunity and Affirmative Action Officer. Alternatively, you may initially discuss the matter with any other employee of the College, or involve any other person to help you in bringing your complaint forward, so long as your complaint is promptly brought to the attention of the Associate Dean. The matter must always be reported to the Associate Dean because of the need for consistency and centralized decision-making in the application of this policy. Complaints will be handled pursuant to the Grievance Procedure in Discrimination and Harassment Cases. Complaints and inquiries will be kept confidential to the extent practicable, consistent with the need to conduct an adequate investigation. Any employee or student who is found to have violated this policy will be subjected to

appropriate disciplinary measures up to and including termination or expulsion. Please do not allow conduct that may violate this Policy to continue unreported. It is extremely important that this be reported so that the College can act to stop such conduct at the earliest possible time.

### **GRIEVANCE PROCEDURE IN DISCRIMINATION and HARASSMENT CASES**

It is the policy of Daemen College, in accordance with federal and state laws including, but not limited to, the Civil Rights Act of 1964, the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, the Americans with Disabilities Act, and the New York State Human Rights Law not to discriminate on the basis of sex, sexual orientation, race, color, age, disability, religion, national origin, veteran status, marital status, genetic predisposition or carrier status against any person with respect to employment, admission to the College, or participation in any College program or activity. Also in accordance with these laws, it is the policy of the College to prohibit harassment of any student, employee or applicant on the basis of sex, sexual orientation, race, color, age, disability, religion, national origin, veteran status, marital status, genetic predisposition or carrier status. All complaints alleging a violation of this policy will be investigated and appropriate remedies will be instituted.

#### **Responsibility**

Every person in the College community is responsible for compliance with this policy. The Associate Dean of the College, as the College's Equal Opportunity and Affirmative Action Officer, has been given day-to-day responsibility for implementing this policy.

#### **Grievances**

All grievances or complaints alleging a violation of the College's nondiscrimination policy and policy prohibiting unlawful harassment should be submitted to the Associate Dean of the College, Room DS 102, ext. 8301. Grievance forms are available in the office of the Associate Dean, but any form or format may be used provided it is identified as a grievance. A grievance should contain a statement of the facts identifying the violation and as much supporting documentation as possible. Upon request, assistance in preparing the grievance will be supplied by the Associate Dean. Those filing a grievance should also express their view of a possible resolution to the problem. A grievance should be filed as soon as possible after the alleged discrimination has occurred (usually within 30 days). A delay in filing a grievance may impact the ability of the College to investigate and resolve the grievance.

#### **Grievance Processing**

**Step 1.** The Associate Dean will attempt to resolve the matter as simply and as quickly as possible by informally meeting with the relevant persons in an effort to reach an acceptable agreement.

**Step 2.** If an acceptable resolution is not reached in Step 1, the grievant may request that the matter be referred to the appropriate cabinet member for a more formal investigation. Such request should be made within ten (10) days after the Step 1 procedure is completed. Within thirty (30) days thereafter, the Cabinet member/Vice President or his/her designated representative (Grievance Officer) will conduct an investigation with respect to the grievance.

During the investigation, the grievant shall have the right to present evidence and witnesses. The Grievance Officer will also examine other relevant evidence and witnesses, including professionals where appropriate. Within thirty (30) days after being appointed, the Grievance Officer shall render a written decision on the grievance. A copy of the decision will also be forwarded to the President of the College. The decision of the Grievance Officer shall be final unless reversed or modified by the President of the College within seven (7) days.

## **SEXUAL ASSAULT**

All perpetrators of sexual assault (including acquaintance rape) will be aggressively sanctioned. The College will work in close cooperation with local law enforcement agencies to address this serious criminal activity. Daemen College will not tolerate this violation of individuals' rights and safety. In addition, the College will terminate the enrollment and/or employment of any perpetrator of sexual assault, including summarily suspending the violator to protect the College community.

## **SPECIFIC PROCEDURAL STEPS TO TAKE IF SEXUALLY ASSAULTED. YOU SHOULD IMMEDIATELY:**

- 1) Get to a safe, secure place.
- 2) Report the crime incident. Call a friend and/or CRISIS SERVICES at (716) 834-3131 or call another support agency or office.
- 3) Do not be reluctant or embarrassed to call the police - you are a victim of a crime.
- 4) Seek immediate medical attention for the collection of physical evidence. Do not shower or change clothes if at all possible prior to examination. Do take a change of clothes to the medical examination location.
- 5) Also, be examined for pregnancy, sexual disease, and physical or psychological injuries. Your reluctance or unwillingness to make a complete report to the police will make it impossible for either the police or the College to take appropriate action or safety measures; this includes reporting the dangers to the College community.

## **Victim Support**

It is very important to seek help for any sexual assault and/or attempts of sexual assault (including "ACQUAINTANCE RAPE/DATE RAPE") from any of the following:

## **ENFORCEMENT AGENCIES**

New York City Police Department, 9-1-1  
New York City Sheriff's Office (212) 788-8770  
New York City District Attorney's Office (212) 864-7884