

Student Handbook 2020/2021

THE COLLEGE OF WESTCHESTER®



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Directory of Student Services

Department	Room	Phone	E-Mail
Student Services Center	Fourth Floor, Room 406	(914) 831-0433	studentservices@cw.edu
Admissions	Second Floor	(914) 831-0200	admissions@cw.edu
Office of Bachelor Studies & Returning Students	Fifth Floor, Room 505A	(914) 831-0222	bbacenter@cw.edu
Career Services	Third Floor, Room 335	(914) 831-0400	careerservicesoffice@cw.edu
Counseling Center	Fourth Floor, Room 421	(914) 831-0441	counseling@cw.edu
Information Technology	Third Floor	(914) 831-0448	helpdesk@cw.edu
The Learning Center	First Floor, Room 405	(914) 831-0370	learningcenter@cw.edu
Library	First Floor, (Lower Level)	(914) 831-0280	library@cw.edu
New Student Financial Assistance	Third Floor, Room 327	(914) 831-0473	nsfa@cw.edu
Student Financial Services	Fourth Floor, Room 406	(914) 831-0473	studentfinancialservices@cw.edu
Student Accounts	Fourth Floor, Room 407	(914) 831-0389	studentaccounts@cw.edu
Student Life	Fourth Floor, Room 411	(914) 831-0401	studentactivities@cw.edu
Testing Center	Second Floor, Room 211	(914) 831-0439	testingcenter@cw.edu
Veterans	Third Floor, Room 321	(914) 831-0363	cwveterans@cw.edu

STUDENT LIFE

ACADEMIC ADVISEMENT

The Student Services office is the centralized advising office serving all students. The academic advising program is designed to ensure accurate information regarding degree requirements and graduation, to promote positive and productive faculty and student relationships, and to aid in student retention. Advisors discuss the students' academic progress as well as any other concerns or questions about achieving goals and success at The College of Westchester. Academic advisors can also assist students in appropriate referrals to other departments, including The Counseling Center, the Office of Student Financial Services, Career Services, and The Learning Center. While each student is assigned an academic advisor upon enrollment, students are free to consult with any available advisor, as the professional advising staff is proficient in advising across all majors. All advising can be completed via web chat, phone, email, or face to face. Student announcements regarding policies and special events are available in the CW Everywhere mobile app and in Moodle.

ALUMNI ASSOCIATION

Maintaining close ties with our alumni is an important goal of our college. We encourage graduates to remain active by gathering with fellow graduates for recreational outings, and speaking to classes as an Alumni Ambassador. Lifetime career placement is also available to alumni.

BOOKSTORE

New, used, rental textbooks/workbooks, College apparel, and various stationery items may be purchased from the Bookstore during scheduled hours of operation. A variety of CW branded T-shirts/hoodies, hot and cold cups, journals and bags are also available. The Online Bookstore is available for students to order textbooks and workbooks and supplies, through the student portal.

CW EVERYWHERE MOBILE APP

The "CW Everywhere" mobile phone application provides access to a variety of essential information and applications. This includes web pages for each student service area, providing office hours, contact information, shared files and other resources. A suite of custom tools is delivered via the app, providing access to student account information, course information and grades, class schedules, and more. The app also serves as a means of receiving weather related alerts or emergency notifications, as well as other custom messaging.

The departmental web pages and self-service modules available in the app can also be accessed online by going to cw.edu/studentmenu.

CAREER SERVICES

The College of Westchester's Career Services staff helps students prepare for the transition from CW to employment, or to continue their education and prides itself on the success of its graduates. The College carefully tracks and assists graduates with career selection, job placement and/or transfer to full-time study upon completion of an associate or baccalaureate degree. CW measures its success by determining the success rate of graduates in employment related to their field of study or successful transfer into a full-time program of study. All graduates are entitled to lifetime assistance. The Career Services Department also hosts Career Fairs, Internship Fairs, and Part-time Job Fairs. Online and ground students can also utilize Optimal Resume, a free online resume, cover letter and portfolio building service for CW students. See link to Optimal Resume <http://www.cw.optimalresume.com>.

CLUBS

The Accounting Society

The Accounting Society is a great opportunity for students considering a career in accounting or those interested in the subject area. Activities include discussions of various employment opportunities, tutoring students who need extra help in accounting or math, field trips, business lunches and guest speakers.

Allied Health Club

Students interested in the medical fields are encouraged to participate in this club, which includes study groups, field trips, and guest speakers. They also host an annual health fair that serves to further develop understanding and build camaraderie in the business of healthcare.

Art Club

This club provides opportunities for students to share their creative talents with one another as well as the CW community. Students will learn how to present and speak about their artwork to other students, faculty, and staff. Activities include collaborating with other clubs to create designs (flyers, logos, etc.), host art showcases, and develop special group projects. With the skills the ART-Official members share, they will learn how to be enterprising with their talents so that they can utilize their education as well as their inherent and taught talent to excel in the direction they choose for now and the future.

Brothers and Sisters United

The mission of “Brothers and Sisters United” is to promote self-awareness, confidence, knowledge, and leadership. Brothers and Sisters United will challenge students to be the best possible version of themselves through round table discussions, self-awareness seminars, and of course through actions. Brothers and Sisters United will do volunteer work, community service, and a host of other activities to promote personal growth. Brothers and Sisters United promotes independence, success, confidence and an insatiable desire to be the best not only in classes but in communities as well.

The Business Club/Enactus

The Business Club introduces its members to business and non-profit organizations in Westchester and beyond. The club also serves as the coordinating group for CW’s Enactus Team. Enactus™ is “... a community of student, academic and business leaders committed to using the power of entrepreneurial action to enable human progress...” Club members have the opportunity to work on projects throughout the year that can enhance the work of a non-profit organization, or help a small business get off the ground and grow. The club and the team are open to students of all majors.

CW Warriors Basketball Team

The CW Warriors Men’s Basketball Team plays in a White Plains sports league, and is supported by faculty/staff coaches and student managers. Try-outs take place in October and the team practices and plays weekly from December through March. Strict adherence to academic standards is followed as all players must remain academically eligible to play and remain on the CW Basketball Team. Family, friends, classmates, faculty, and staff have supported their past endeavors, cheering them on to a victorious season.

Esports Gaming Club

The Esports Gaming Club gives a platform for students to compete in intramural video gaming. The Esports Gaming Club will engage students in college tournaments which can be played right from home! We emphasize teamwork, sportsmanship, strategic thinking and community building.

Just Dance Crew

The Just Dance Crew fuses hypnotic Latin rhythms and a blend of distinctive dance forms to provide students with an exciting, healthy, safe and motivating way to get in shape and stay fit. The mission is to build an interest in each student to take care of themselves and stay in shape while going to school and having busy lives. Aside from weekly sessions, the Just Dance Crew performs at college events.

Latin Caribbean Student Association

The Latin Caribbean Student Association (LCSA) is a club created to educate students about and

develop appreciation for Latin and/or Caribbean cultures. Club members explore the cultural diversity between the different countries to educate each other on traditions to create a home away from home experience for the CW Family.

NAMI on Campus

The NAMI on Campus club works in conjunction with Westchester County's chapter for the National Alliance on Mental Illness and brings together those students that have a passion for mental health and wellness. The mission of the club is to help educate the college community and community at large about mental health issues and to promote social and emotional wellness. Along with meeting bi-weekly, the club participates in mental health awareness events at the college and NAMI's annual walk held each year in May.

National Association of Black Accountants

Student members of NABA are part of a network that provides opportunities for growth and success in the global business marketplace. NABA's members share and promote a professional ethos – "Lifting as we Climb!" Student members must maintain a minimum cumulative grade point average of 3.50.

Networking Technologies Association

This group provides a community for students interested in Information Technologies to gather and exchange ideas and to learn more about the field, as well as to socialize with others who share a common interest. The association also sponsors the "CW Tech Doctors" which offers reasonably priced computer services throughout The College.

Photography Club – Sharp Shooters

The Sharp Shooters Photography Club provides students, staff and faculty with the ability to share their interest in photography with other members of the CW community, to discuss topics about using cameras, photography as an art form, and to learn how to be a better photographer. The Photography Club will also provide members with an opportunity to display their work and to participate in juried photography exhibits and competitions.

Stars & Stripes Student Support Club

The Armed Forces Student Support Club is a student organization that is a source of support to student military members and veterans in their transition to college. It provides positive engagement between military members/veterans and other students on campus.

Student Government Association

The Student Government Association (SGA) is the elite student leadership organization at CW and is dedicated to advocating for student interests. The SGA oversees all student clubs, participates in college-wide committees and shared governance, and distributes the flagship publication, *Student Voices*.

Please note: Activities/Clubs may vary by semester/term.

COLLEGE EVENTS CALENDAR

SEPTEMBER

Labor Day Holiday
Constitution Day
Hispanic Heritage Month
Celebration Student Recognition/Club Day

OCTOBER

Family Welcome
Esports League Launch

NOVEMBER

First Generation College Student Day
Honors Induction Ceremony
Veteran's Day Observance

JANUARY

New Year's Day Holiday
Martin Luther King, Jr. Holiday
Club Day

FEBRUARY

Presidents' Day Holiday
Black History Month

MARCH

Women's History Month

APRIL

"Spring Into Wellness" Health Fair
Good Friday
Honors Induction Ceremony

MAY

Memorial Day Holiday

JUNE

Club Day
Annual Barbecue and Students vs. Faculty/Staff Softball Game (TBD)
Graduation Ceremony (TBD)

JULY/AUGUST

Ice Cream Social (TBD)
Cram, Jam & Student Services Open House

Please note: Calendar of Events subject to change.

THE COUNSELING CENTER

The Counseling Center at The College of Westchester provides free individual counseling services to all students experiencing both personal and academic issues. Students have the ability to attend once a week counseling sessions or come on a “walk-in” basis when concerns arise. Topics discussed may include but are not limited to: academic concerns, anxiety, depression, relationships, parenting, acculturation, and stress. The Counseling Center’s mission is to assist students in developing their full potential within both The College of Westchester and their personal lives alike. The Center is operated by a mental health professional, and backed by various college and community resources to encourage a safe and confidential environment where students can come and explore their needs and concerns.

Students can also access mental health support and resources 24/7 through ULifeline.org/cw.

STUDENTS WITH DISABILITIES

Upon students’ self-identification and request for accommodations, The College provides students with disabilities with the support services and other reasonable accommodations and adheres to the provisions of the Americans with Disabilities Act (ADA). The student has an obligation to self- identify that he/she has a disability and needs accommodation, and all accommodations are made on a case-by-case basis. The student must submit medical documentation which has been completed by a physician, psychologist, or learning disabilities specialist to establish the existence of the disability and the need for specific accommodations. The student is required to meet with the Disabilities Services Coordinator to review the accommodation plan. To ensure that all online content created by The College of Westchester is broadly accessible to its students with varied learning characteristics, instructional design and online production staff will create course content that conforms to Web Content Accessibility Guidelines Level A, as published by The World Wide Web Consortium’s Web Accessibility Initiative (W3C-WAI). Likewise, all content will conform to Section 508 standards on intranet and internet information and applications, as published by the U.S. General Services Administration (GSA). The College of Westchester will continue to monitor emerging standards for accessibility to ensure its materials conform to emerging expectations and provide the best possible level of access for students and faculty.

DIRECTIONS TO CW

Northern Westchester/Putnam County

I-684 South to I-287 West to Exit 5. Left off ramp to traffic light. Left onto Tarrytown Road. At 4th light turn right onto Central Avenue. College is 2 blocks down on left.

Rockland County/North Jersey

New York State Thruway across the Gov. Mario Cuomo (Tappan Zee) Bridge to Exit 8 onto I-287 East to Exit 5. Straight off ramp to 4th light. Turn right onto Central Avenue. College is 2 blocks down on left.

Connecticut

South on I-95 or Merritt Parkway to I-287 West to Exit 5. Left off ramp to traffic light. Left onto Tarrytown Road for five lights. Right onto Central Avenue. College is 2 blocks down on left.

Lower Westchester/Bronx

(A) WEST - Saw Mill River Parkway North to New York State Thruway to I-287 East then follow Rockland County directions.

(B) CENTRAL - Bronx River Parkway North to Westchester County Center Exit 22. Turn left. College is straight ahead 2 blocks on left.

(C) EAST - I-95 North to Exit 21 onto I-287 West then follow Connecticut directions.

Public Transportation

The college is convenient to all public transportation. Many Westchester Bee-Line buses stop two blocks from The College at the County Center. #20 bus stops 1/2 block away. The White Plains Bus Depot/R.R. transportation center for all buses and Metro North, is a 10-minute walk from college or a 5-minute ride on #20 bus. All Bronx subways have connecting buses to White Plains.

STUDENT FINANCIAL SERVICES

Students should meet with a Student Financial Assistance Counselor who will conduct a confidential analysis detailing the funds available to finance their education. In addition to federal and state funded programs, The College offers a variety of institutional scholarships, grants and payment plans each year.

IDENTIFICATION CARDS

All students who are attending The College of Westchester must obtain photo identification cards which allow them to enter the building, to use the Library, Learning Center, attend special events, and to receive and/or purchase textbooks. IDs are validated every term for each session with the appropriate color coded term sticker. These stickers are “stamped” during the beginning of each term by the Security Department. Proper CW credentials are required to enter the building at all times. Failure to comply can result in disciplinary actions. ID cards may be obtained in the Library. There is a fee to obtain a duplicate ID card if the card has been lost.

IMMUNIZATION REQUIREMENTS

New York State Public Health Law requires all college students born on or after January 1, 1957 wishing to register for and attend classes to provide proof of immunity to measles, mumps and rubella in order to attend college. Students in online programs do not need to submit immunizations records. Not complying with these state mandated requirements on a timely basis may result in exclusion from classes.

The following are acceptable:

1. Physician proof of vaccine administered on or after the first birthday. For measles, this must include two doses of live measles vaccine. Mumps and rubella require one dose or;
2. Documented laboratory blood tests which prove existing immunity to any or all three diseases or;
3. Written documentation of medical or religious factors which prohibit the student from being immunized.

In addition, effective August 15, 2003, New York State Public Health Law requires The College to distribute information about meningococcal meningitis and vaccination to all registered students. Students are required to sign a Response Form indicating they had the meningococcal meningitis immunization within the past ten years (provide date), or will be immunized within 30 days, or have been provided with information about the risks and decided not to be vaccinated.

THE LEARNING CENTER

The Learning Center (TLC) ensures that students have access to learning support services to help them to succeed in their courses. Services offered include:

- Individual tutoring sessions (in-person or through remote video conference)
- Study group facility (in-person or through remote video conference)
- Online tutor support by Brainfuse (online tutoring service offering live chat/whiteboard assistance and paper review), accessed through the learning management system page for their course.

The Learning Center offers a quiet workspace for students to work (with or without appointment) and avail themselves of laptop computers. Appointments are encouraged, but walk-ins are also welcomed.

THE LIBRARY

The Library offers a wide variety of information resources for users who need to access its services in person or electronically. The materials in the Library include books, academic periodicals, trade magazines, newspapers and DVDs. Library users are also welcome to use any computer workstation or its in-house laptops. Our book collection includes more than 5,000 titles and the majority may be borrowed overnight up to two weeks at a time, with a College of Westchester ID card.

The Library has two distinct purposes – one is to ensure students have the resources they need to enhance and support their coursework and research, the other is to ensure that students understand how to effectively use these resources to meet coursework objectives. To meet these ends, the Library is open six days a week and staffed with a librarian with American Library Association accredited Master's degree in Library and Information Science and several assistants. Interlibrary loan (ILL) books are books borrowed from other college and university libraries. Please contact a librarian to make these arrangements. The lending library will set the due date for the materials, and there is no cost to the

student, staff or faculty borrower.

CW maintains memberships with the American Library Association (ALA)/Association of College and Research Libraries (ACRL), Copyright Clearance Center, the Metropolitan New York Library Council (METRO), The National Network of Libraries of Medicine, Mid-Atlantic Region (NN/LM-MAR), and the Westchester Academic Libraries Director's Organization (WALDO).

Library Code of Conduct

The mission of The College of Westchester Library is to provide patrons with an environment that is conducive to student learning and success. The CW Library has adopted the following Code of Conduct to ensure that all patrons are provided with the highest quality of service.

- All Library patrons will check in when entering the Library.
- Library patrons will be respectful and courteous to fellow patrons. Inappropriate or profane language and loud noises are prohibited. Patrons who are continuously disruptive will be asked to leave the Library and will be reported to the Director of Retention and Enrollment Support.
- When leaving the Library, work space should be left neat and clean for the next user. Patrons should throw trash in bins located throughout the Library and outside the front doors.
- Head phones must be worn for any device that plays sound (includes but not limited to cell phones, laptops, and tablets).
- No food or drink is permitted in the Library with the exception of capped bottles.
- Borrowing materials from the Library is a privilege. All materials must be checked out or returned to Library staff before leaving the Library.
- A patron's personal belongings are their responsibility and should be kept with the patron at all times (includes but not limited to cell phones, wallets, bags, laptops, and clothing). Patrons should not ask the Library staff to watch or hold belongings.

LOCKERS

The College provides locker storage facilities as a convenience to students on a first-come, first served basis. Use of lockers is restricted to the storage of clothing, personal items, textbooks, etc. Such use is a privilege accorded to students in good standing during their period of matriculation and is revocable by The College at any time, without cause. The College reserves the right of access to the lockers at any time, for security and for safety reasons. At the end of each semester, all contents must be removed from all lockers in order for them to be cleaned by the maintenance staff. The College is not responsible for damage or loss of personal belongings.

MOODLE

Moodle, which stands for **Modular Object Oriented Dynamic Learning Environment**, is the learning management system (LMS) used by The College of Westchester. All CW faculty use Moodle to enhance their face-to-face courses, or to provide fully online courses. Moodle is the place where faculty will post their course syllabi, post assignment details, or link to a variety of instructional materials.

ORIENTATION

Orientation provides the opportunity for new students to become acquainted with The College and with members of The College community, including staff, faculty, and administration and Student Success coaches, in addition to meeting fellow students. The program includes meetings with academic departments, a computer technology session, a student panel, and an opportunity to purchase textbooks. Staff from Student Services, including the Counseling Center, Academic Advising, and Success Coaching are also present to engage with students and answer questions. In the Online Division, orientation is conducted fully in the online environment. Students are able to participate in the various orientation sections in an asynchronous manner, and may enter their classes within Moodle up to one week before the start of class, in order to acclimate themselves to each course, and to participate in in-class orientation activities.

FAMILY WELCOME PROGRAM

In the fall semester in October, family members of new Day students are invited to participate in the Family Welcome program which is designed to familiarize parents/family members with the CW College experience. Family members meet with Gateway faculty, student success coaches, and staff to learn more about the academic progress their son/daughters are making thus far.

PARKING

Parking is available in CW's three parking lots located to the north and south of our campus, as well as on Fulton Street (across Central Avenue behind the bank – entrance is on Fulton Street). Handicapped parking is available in the north and south lots, and visitor parking is available in the north parking lot. Parking attendants are stationed in the north and south lots during the day sessions and during special events to direct, coordinate and assist with parking needs. All students and employees must display CW parking tags on their rear-view mirrors and must follow directions given by CW parking attendants. Failure to comply may result in disciplinary action. The College is not responsible for damage or loss to vehicles or their contents while parked on school property or when making use of any parking attendant assistance.

Loss of Personal Property

The College of Westchester does not assume responsibility for loss of books, other personal property, or damage to vehicles in the parking lots. A "lost and found" is maintained with the Director of Campus Security. After thirty days, any lost articles that have not been claimed will be discarded. The Day Division does offer parking assistance and may offer valet services at times of need. Any damages made during transit and use of these services is handled by the parking provider.

Campus Security Report

October 1, 2019

(based on 2018 statistics)

Introduction and Purpose

The College of Westchester is proud of its excellent record of creating a safe and comfortable environment in which to work and learn and for keeping our campus as crime free as possible. This Annual Campus Security Report is mandated by the United States Department of Education in accordance with the **Student Right-to-Know and Campus Security Act of 1992**. In compliance with this mandate, the College has compiled this report in order to keep our campus community aware of important policies, procedures, and statistics. All colleges in the United States are required to compile and distribute these statistics via publication. This report is updated annually in September and is available on the College's website at <https://www.cw.edu/student-consumer-information> and also Campus Cruiser at <https://cruiser.cw.edu> on the Academic Center page. A paper copy will be provided upon request from the Provost and Vice President of Academic Affairs. The contact number is 914-831-0219.

Campus Security Procedures

Security staff are available at the front entrance of the building and are available during normal business hours until closing. Security personnel also provide escorting services to and from vehicles during late hours and/or upon request, vehicle assistance in times of need (when available) and surveillance monitoring. Security personnel can be reached at 914-831-0292. Visitors to The College of Westchester are required to be signed in at the front security desk. Students are not allowed to bring in guests without first getting prior approval from the Vice President of Student Services & Retention, her designee, or the Director of Security. Students must display their identification cards upon entry to the building at all times; failure to do so may result in disciplinary action.

Description of Campus Security Programs

A variety of crime prevention information is available to students and employees. Student information is provided through their Transformative Learning course, new student orientation, and the Student Handbook. Employee information is available in the Employee Handbook and through various publications made available to the employees. Related programs on sexual assault, alcohol and drug abuse are available through various community organizations. These include Victims Assistance Services (VAS), the Bureau of Sex Crimes Analysis, Al-Anon, Alateen, Alcoholics Anonymous, and Daytop Village. The address and phone numbers for these and other community programs are available from the Counseling Center. Students can access information on registered sex offenders in the White Plains vicinity at <http://www.familywatchdog.us/>

Procedure for Reporting Security Violations

The safety and well-being of all members of our college community is of great concern. The College of Westchester is devoted to keeping the campus a safe place in which to attend classes. A daily crime log is maintained by the Director of Security. Potential criminal actions and suspicious activity or other emergencies should be reported in person to the front Security Desk, the fourth floor Concierge Desk, or the Director of Security as soon as possible. When a report of an urgent situation is received, the Provost & Vice President of Academic Affairs, or the Director of Security will, if appropriate, contact White Plains Fire, Emergency Medical, or Police personnel. If a reported situation is less severe, the Vice President of Student Services and Retention will dispatch a designated employee or employees to lend assistance and conduct the necessary follow-up. This procedure has been established in accordance with the Student Right-to-Know and Campus Security Act of 1992.

Monitoring of Off Campus Locations

The College of Westchester does not recognize any off-campus student organizations and therefore does not monitor such off-campus activity.

Campus Crime Statistics

According to the Campus Crime and Security Act, The College of Westchester is required to provide statistics on: occurrences on campus concerning criminal offenses reported to local police agencies and to the Public Safety Office; statistics for drug, alcohol, and weapons arrests on campus as reported to local police agencies and to the Public Safety Office; and data provided by the City of White Plains Police Department regarding criminal offenses in the neighborhood and commercial areas surrounding the campus. The area for which local crime statistics are reported is defined as follows: all of Central Avenue from the municipal parking lot (located on the corner of Central Avenue and Tarrytown Road) to the bus stop which is located on Central Avenue and Chatterton Avenue (up to 376 Central Avenue; all of Fulton Street from Cross Street to Aqueduct Road, Chatterton Avenue (from 139-185) and Robertson Avenue (from 107 to 135).



CAMPUS CRIME STATISTICS

2016-2018

Table One: *Criminal Offenses on Campus Property*

Offense	2016	2017	2018
Murder	0	0	0
Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	1
Burglary	0	0	0

Motor Vehicle Theft	0	0	0
Arson	0	0	0
Hate Crimes*	0	0	0
Domestic Violence**	0	0	1
Dating Violence**	0	0	0
Stalking**	0	0	0

*Includes hate crimes in the following categories of bias: race, religion, sexual orientation, gender, gender identity, disability, ethnicity and national origin)

**Crime statistics required for Annual Security Report 2018 resulting from the Violence Against Women Act (VAWA) amendments to the Clery Act. Not collected prior to 2013.

Table Two: Statistics for Drug, Alcohol, and Weapons Arrests on Campus Property

Arrests Related To:	2016	2017	2018
Liquor law violations	0	0	0
Drug abuse violations	0	0	0
Weapons possession	0	0	0

Table Three: Statistics for number of persons referred for disciplinary action for Weapons, Drug Abuse and Liquor Law violations that occurred on Campus Property

Offense	2016	2017	2018
Liquor law violations	0	0	0
Drug abuse violations	0	0	0
Weapons possession	0	0	0

Table Four: Arrests as reported by the City of White Plains Police Department on property surrounding the campus defined as: all of Central Avenue from the municipal parking lot (located on the corner of Central Avenue and Tarrytown Road) to the bus stop (located on Central Avenue and Chatterton Avenue (up to 376 Central Avenue), all of Fulton Street from Cross Street to Aqueduct Road, Chatterton Avenue (from 139 – 185), and Robertson Avenue (from 107 – 135).

Offense	2016	2017	2018
Murder	0	0	0
Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0

Statutory Rape	0	0	0
Robbery	0	0	1
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	2	1	0
Arson	0	0	0
Hate Crimes*	0	0	0
Domestic Violence**	0	0	0
Dating Violence**	0	0	0
Stalking**	0	0	0

***Includes hate crimes in the following categories of bias: race, religion, sexual orientation, gender, gender identity, disability, ethnicity and national origin)*

***Crime statistics required for Annual Security Report 2018 resulting from the Violence Against Women Act (VAWA) amendments to the Clery Act. Not collected prior to 2013.*

Table Five: *Statistics for Drug, Alcohol, and Weapons Arrests on Property Surrounding the Campus.*

Arrests Related To:	2016	2017	2018
Liquor law violations	0	0	0
Drug abuse violations	0	1	0
Weapons possession	0	0	0

Table Six: *Statistics for number of unfounded crimes that occurred on property surrounding the Campus. This includes all criminal offenses, hate crimes, domestic violence, dating violence or stalking that have been unfounded. Arrests and disciplinary actions cannot be unfounded*

Offense	2016	2017	2018
Total unfounded crimes	0	0	0

Anti-Drug and Alcohol Policy

The College of Westchester has a no tolerance policy regarding the use of drugs and alcohol or being under the influence of drugs or alcohol on its property or surrounding property. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or an illegal drug by a student or employee on property at The College of Westchester is strictly prohibited. New York and Federal law prohibits the unlawful use, manufacture, possession, control, sale and dispensation of any illegal narcotic or dangerous drugs. Both State and Federal laws carry penalties for violations, including monetary fines and/or imprisonment. Marijuana – including “medical marijuana” – is illegal under federal law and may not be used on the College’s property or surrounding property. All students and employees are prohibited from being under the influence of marijuana while at The College. The health risks associated with the use of illegal drugs and the abuse of alcohol include physical and mental impairment, emotional and psychological deterioration, fine and gross motor degeneration and death. In addition to the health risks to the abuser of illegal drugs and alcohol are the risks to co-workers, students and the public. The College of Westchester’s Counseling Center can provide referral to students with problems related to alcohol and drug use. Information about substance abuse and treatment programs is available in the Counseling Center which has procedures to assure confidentiality. Individuals whose performance is impaired as a result of the use or abuse of drugs or alcohol, who illegally use or abuse drugs or alcohol on campus or at College events, or who have been convicted of violating any criminal drug statute while on The College of Westchester property or at College events will be sanctioned. The sanctions can include required completion of an appropriate rehabilitation program, suspension, dismissal, termination of employment, and referral for prosecution by law enforcement authorities. As a condition of enrollment and employment, each student, faculty member and staff member will abide by the terms of this policy and will notify the President no later than five days after any conviction for a criminal drug offense committed on The College of Westchester property. Failure to comply with these conditions will constitute unsatisfactory conduct and will lead to appropriate sanctions.

Description of Drug or Alcohol Abuse Education Programs

A number of counseling and treatment options are available to students of The College of Westchester. A list of these agencies is available in the Office of Academic Affairs and is available to all students and employees. Students are encouraged to seek counseling and/or treatment in dealing with personal issues of substance abuse relating to themselves, their family, or their friends.

Conviction for Possession or Sale of Drugs

A federal or state drug conviction can disqualify a student for Federal Student Aid (FSA) funds. Convictions count if they were for an offense that occurred during a period of enrollment for which a student was receiving Title IV aid. In addition, a conviction that was reversed, set aside, or removed from a student’s record does not count, nor does one received when he/she was a juvenile, unless tried as an adult.

The chart that follows illustrates the period of ineligibility for FSA funds, depending on whether the conviction was for sale or possession and whether a student had previous offenses. A conviction for sale of drugs includes convictions for conspiring to sell drugs.

	<u>Possession of illegal drugs</u>	<u>Sale of illegal drugs</u>
1st offense	1 year from date of conviction	2 years of conviction
2nd offense	2 years from date of conviction	Indefinite period
3+ offenses	Indefinite period	Indefinite period

If a student is convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period. A student regains eligibility the day after the period of ineligibility ends or when he or she successfully completes a qualified drug rehabilitation program. Further drug convictions will make him or her ineligible again. Students denied eligibility for an indefinite period can regain it only after successfully completing a rehabilitation program (as described below), or if a conviction is reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record. In these cases, the nature and dates of the remaining convictions will determine when the student regains eligibility. It is the student's responsibility to certify to us that he or she has successfully completed the rehabilitation program.

Standards for a qualified drug rehabilitation program

A qualified drug rehabilitation program must include at least two unannounced drug tests and must satisfy at least one of the following requirements:

- Be qualified to receive funds directly or indirectly from a federal, state, or local government program.
- Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company.
- Be administered or recognized by a federal, state, or local government agency or court.
- Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.

EMERGENCY PROCEDURES

Emergency Notification and Evacuation Procedures

The College of Westchester provides emergency alert notifications through the CW Everywhere mobile phone app. The College will immediately notify the campus community through the app upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. All students should download and log into the CW Everywhere mobile app in order to be able to receive these notifications.

In the case of an emergency, students, faculty, and staff will receive an immediate notification through the CW Everywhere app. Unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency, this notification will be sent. The College also has a campus public address system through which emergency announcements will be made as appropriate in the event of an emergency.

The President, Director of Security, and Emergency Management Team are responsible for identifying and managing all emergency situations, including: notification to the community, alerting local authorities, and overseeing evacuation and other emergency procedures. The fire signal will also be utilized to alert all students, faculty, staff and visitors to exit the building without delay. The emergency notification system will be tested on an annual basis under the supervision of the Facilities Manager.

Emergency Preparedness Training

All students will receive emergency preparedness training during their first term in their Transformative Learning Course. This training will go over The College's Lockdown, Lock Out, Shelter In Place and

Evacuation procedures. In addition, Lockdown and Fire Drills are conducted annually.

Fire Drills

Each year the College runs fire drills in all sessions, Day and Adult, to prepare staff and students with the procedures for evacuating the building. Students should exit their classrooms with their valuables (e.g. purses) and proceed to the nearest stairwell in a quick but orderly fashion. The faculty should turn off the lights in the classroom, and staff should close their office doors and proceed to the nearest exit. No one should take the elevator. Once outside, there should be a path left open in the parking lot to allow emergency vehicles to enter, if necessary. Once everyone is safely outside, there will be an “all clear signal” for everyone to return to the building.

Fire Emergency Procedures

1. Fire Signal - Bells and strobes.
2. When the Fire Signal is heard, all students, instructors, office personnel and visitors will leave the building without delay. Move rapidly, but do not run. A fire exit floor plan is posted in each classroom.
3. Instructors will be responsible for directing students to their designated fire exits.
4. Students nearest the windows will make sure certain windows are closed upon leaving the room.
5. The last person to leave a room will close the door.
6. Do not stop to take coats or books, but do not leave purses or personal items of value behind.
7. Move as rapidly as possible to your designated fire exit.
8. The first person to reach the fire exit door will open and hold the door open.
9. Do not stop directly outside the fire exit. Move outside and away from the fire exit.
10. If any exit is blocked or jammed, move in an orderly manner to next available exit without delay.
11. If disabled and unable to evacuate, stay calm and take necessary steps to protect yourself from any harm. If there is a working telephone, dial 911 and advise operator of current location or where you will be moving. It is recommended that you move to the closest stairwell and wait for emergency personnel, request persons exiting by way of stairway to notify the Fire Department of your location.
12. Once outside, move away from the building.
13. A member of the college faculty or administrative staff will give the order to return to class.

Lockdown Drills

Each year The College runs lockdown drills in all sessions, Day and Adult, to prepare staff and students with the procedures to follow in a lockdown situation. Students should lock classroom or office doors, turn out the lights, close blinds or cover any windows if possible, stay out of sights of doors and windows, out of sight and remain silent. If a student is in an open area during the drill, they should try to move quickly to an office or classroom where they can close the door, or stay in place and take cover, if available, to do your best to remain unseen. All students and employees should remain in lockdown until the “all-clear” is called and lockdown is lifted.

SNOW CLOSINGS OR DELAYED OPENINGS

While The College building may close due to inclement weather, or other non-weather related cause, classes will not be cancelled. Students must log onto Moodle and submit posted assignments in order to receive attendance credit. Students must download and log into the CW Everywhere mobile app, so they can receive notifications regarding inclement weather. Student may also dial the College at 914-948-4442, ext. 766 (SNO) for the weather advisory recording. In addition, weather information will be announced on the following websites and cable television stations:

CW Moodle	Moodle.cw.edu
CW Everywhere Mobile App	
CW Facebook	www.facebook.com/collegeofwestchester
CW Twitter	www.twitter.com/TheCofWOnline
Cable 12 TV	Closings.news12.com
CBS 2	www.cbsnewyork.com
NBC 4	www.nbcnewyork.com

When a report of an urgent situation is received, the Director of Campus Security will, if appropriate, contact Westchester County Fire, Emergency Medical, or Police personnel. If a reported situation is less severe, the Director of Campus Security will dispatch a designated employee or employees to lend assistance, and conduct the necessary follow-up. This procedure has been established in accordance with the Student Right-to-Know and Campus Security Act of 1992.

STUDENT CENTER

The Student Center is used for dining and for student activities including Orientation, the Student Recognition/Club Day, guest speaker presentations for Black History Month and Women's History Month, Honor Society Inductions, Honors Program meetings, and numerous social events for The College. The Student Center is for use by students, staff, and faculty only. Students are expected to respect their fellow students, faculty, and staff at all times. College administration and security staff reserve the right to intervene and prohibit any behavior that is judged to be disruptive in any way.

The following guidelines should be observed:

- Please be courteous to others – keep noise to a reasonable level.
- Please keep the facility clean – discard your trash and recycle.
- Please keep tables and chairs in their current location.
- Please do not sit on tabletops.
- Personal music and/or video devices must be used with headphones.
- Gambling is prohibited.
- Profanity and/or any type of disruptive behavior will not be tolerated on campus.
- Smoking or use of tobacco products is not allowed in the building.
- The use, possession or distribution of alcohol or controlled substances is strictly prohibited on CW's campus, and violation will result in disciplinary action.
- Inappropriate personal contact, behavior or threats of physical harm to anyone affiliated with The College will result in disciplinary action.

STUDENT EVENT FORM

If any student, faculty, or staff member wishes to hold an event in the Student Center, he/she must complete the “Request for Approval of Student On-Campus Event” which may be obtained from the Student Services office. This form must be submitted at least 6 weeks in advance of the event to ensure that approval has been granted for the event.

STUDENT SUCCESS COACHING

Student Success Coaches are dedicated to helping students get the most out of their college experience. Each new student is assigned a Student Success Coach, who oversees the student’s success and progress at The College. The one-on-one coaching sessions are designed to address each student’s particular needs. Students and coaches work together to develop proactive strategies to address academic concerns and life challenges.

TESTING CENTER

The Testing Center offers a wide variety of services for The College community. Admissions and academic assessments assure proper course placement for applicants and students. Students can also schedule test outs and makeup exams with the approval of advising and/or instructional staff. Students in the Allied Health programs can take American Medical Technologists (AMT) and National Healthcareer Association (NHA) certification tests in the Testing Center after completing their programs. Professional test administrators and technical support staff are available to assist in all aspects of certification testing.

Proctored Exams

Exams for online courses may be proctored by a remote software authentication system. In order to identify students for high stake exams such as mid-term or final exams, a government-issued picture ID, such as a driver’s license or passport might be required at the beginning of the session. Also, be aware that proctored exam time is based on the U.S. Eastern time zone.

VISITORS

Children and/or relatives may not accompany students to The College. All visitors must show ID and sign in at the security desk in order to obtain a Visitor Pass. If a student wants a friend or acquaintance to sit in on a class, the student must obtain a Classroom Visitor Pass at the Student Services office.

CONSTITUTION DAY

Constitution day was first designated by Congress in 1952, and in 2004 the Congress required all educational institutions that receive Federal funding to hold an educational program pertaining to the Constitution. The College of Westchester marks Constitution Day with various programs and events focused on educating students on this important document which built the foundation of our nation.

VOTER REGISTRATION

The College of Westchester distributes and makes widely available a mail voter registration form to each student enrolled at and physically attending the institution by electronically transmitting to each student a message containing an acceptable voter registration form or an internet address where that form can be downloaded which is: <http://www.elections.ny.gov/VotingRegister.html>. Students can check their voter status here: <https://voterlookup.elections.state.ny.us/votersearch.aspx>

ACADEMIC RECOGNITION

DEAN'S LIST AND PRESIDENT'S LIST

Students who have completed a minimum of twelve (12) degree credits at the time of evaluation will be eligible for the Dean's List or President's List. Students who have a grade point average of 4.0 (A) will be eligible for the President's List. Students who have a grade point average of 3.0 (B) or better, with no grade lower than 2.0 (C) will be eligible for the Dean's List. Basics of Mathematics and Basics of Communications are not counted as degree credits for determining the Dean's List and President's List.

Full-time Day Division students will be evaluated at the end of each semester. Full-time Adult Division and Online Division students will be evaluated twice a year, at the end of the Fall II term and at the end of the Spring II term. Part-time students will be evaluated at the end of each Adult/ Online term regardless of session (Day, Adult/ Online) and will be given the honor after every 12-credit increment. President's or Dean's honors will be added to the student's transcript and a certificate will be printed and mailed to their home address.

If a student does not meet the minimum number of twelve credits at the time of review, the credits do not carry over into the next review period. Names on the Dean's List and President's List will be posted in the academic hallway outside of the Student Services office. Hard copy Dean's and President's List certificates may be printed by request through the Student Services office.

GRADUATION REQUIREMENTS AND AWARDS

The graduation ceremony is held once each year, usually the last Thursday in May, at the Westchester County Center. All students who have completed their Associate or Bachelor's degrees are invited to participate. Day students who are completing their degree requirements in the Spring Semester, and Adult and Online Division students in the Summer term are permitted to participate in the ceremony, but they will not receive their degrees until all their requirements are completed. Students who do not complete program requirements by the end of the last term/semester and are expected to graduate will be processed as a Withdrawal. This status will be applied to students who fail one or more classes in their last term/semester, students with "I" or "INC" grades, and for those students with outstanding transfer credit pending receipt of official records. Students will be changed to Graduate status upon completion of their full degree requirements. All graduates must have a minimum grade point average of 2.00 in order to be eligible to graduate. Associate degree students must have completed 66 credits and Bachelor's degree students must have completed 120 credits. The Registrar clears all potential graduates. All potential graduates must complete the Graduate Exit Form.

Graduation Honors

Honors recognition is earned by degree candidates whose grade point average for all completed study is 3.5 or higher. Graduates receive the following designated honors: **summa cum laude:** 3.90 - 4.00, **magna cum laude:** 3.70 - 3.89, **cum laude:** 3.50 - 3.69. Honors graduates wear honor cords at Commencement.

Graduation Awards

The Dr. Milton E. Cagan Memorial Award

Every academic year selected Associate degree and Bachelor of Business Administration degree graduates receive the Dr. Milton E. Cagan Award in memory of the former president of The College of Westchester. Recipients are selected according to the following criteria: academic achievement; overall service to the college, its student body and society in general; and attitudes and characteristics exemplifying the desire to succeed in college, at work and in social life.

Departmental Awards

The Excellence in Digital Media Award

The Excellence in Digital Media Award was established in 2004. This award recognizes students who have demonstrated outstanding creativity, initiative, and commitment, while excelling beyond course and curriculum requirements. The recipients of this award also exhibit a genuine commitment to The College, as well as to other students in the community.

The Information Technology Award

This award recognizes outstanding Computer Network Administration graduates. The recipients are selected according to the following criteria: academic achievement and exceptional work ethic, overall service to The College, accomplishment of information technology certifications, attainment of relevant information about current industry issues, learning opportunities, best practices and standards, insight that focuses on staying engaged and ahead in the IT industry.

The John F. Sterling Business Administration Award

This award recognizes outstanding Business Administration Management/Marketing graduates in honor of Mr. Sterling, the former regional Vice President of South-Western Publishing Company and a longtime friend of The College of Westchester. The student selected for this award must be a Business Administration Management/Marketing student and have the characteristics exemplified by Mr. Sterling: academic excellence in marketing, effective communication skills and an orientation toward sales.

The Marc Polcek Memorial Accounting Award

The Marc Polcek Memorial Accounting Award was established in 1999. This award is named in honor of Mr. Marc Polcek, a respected and important Accounting instructor and chairperson. The student selected for this award must be a Business Administration Accounting/Computer Applications major and have the characteristics exemplified by Mr. Polcek: academic excellence in accounting, overall commitment to The College and to other students, and student leadership and/or community service.

The Health Professions Award

This award recognizes an outstanding Health Information Management or Medical Assistant Management graduate. The student selected for this award, in addition to demonstrating academic excellence, must also demonstrate that they have positively impacted the lives of other students on campus or people they have interacted with in their community.

HONORS PROGRAM ASSOCIATE DEGREE

The Honors Program at The College of Westchester offers an enriched course of study for exceptional students. Eligibility is based upon performance in high school or college and a personal essay. Students must complete an application form. Students accepted into the Honors Program will complete three Honors Projects while pursuing their degree. Students may complete a special project, paper, or other research beyond the regular coursework outlined in the course syllabus. Students must maintain a grade point average of 3.0 in order to maintain membership in the Honors Program. Honors Program graduates wear a stole over their gowns at Commencement.

HONORS RESEARCH SEMINAR BACCALAUREATE DEGREE

The Honors Research Seminar for baccalaureate students is designed to introduce high-achieving bachelor-level students to research. This credit-bearing course provides select students with an opportunity to conduct original research under the supervision of a faculty researcher. Eligibility includes junior status, a minimum 3.5 grade point average, demonstrated research ability, and recommendations from faculty. Students who complete the Honors Research Seminar wear a stole over their gowns at Commencement. They are also recognized at one of two honors ceremonies each year, in either April or October.

Phi Theta Kappa

Phi Theta Kappa is recognized as the official honor society for two-year colleges by the American Association of Community Colleges and is the largest honor society in American higher education. Beta Pi Gamma. The College of Westchester's chapter of Phi Theta Kappa, inducts members semi-annually and eligibility is based on completion of 24 credits at CW and maintenance of a 3.5 grade point average. Membership in Phi Theta Kappa is a valuable addition to the college experience and offers students the opportunity to participate in more than \$36 million in transfer scholarships.

Sigma Beta Delta

The purpose of Sigma Beta Delta is to encourage and recognize scholarship and achievement among students of business, management and administration, and to encourage and promote personal and professional improvement. Membership in Sigma Beta Delta is the highest international recognition a business student can receive at a college or university with a Sigma Beta Delta chapter. To be eligible for membership, a student must have completed 72 credits and rank in the upper 20 percent of the junior or senior class. Members are eligible to compete for the Society's various annual fellowship awards.

SCHOOL SPIRIT AWARD

The School Spirit Award is designed to recognize the contributions of students who demonstrate extraordinary enthusiasm and participation in student life at CW. Criteria for this award include outstanding contributions to a club or other student activity.

STUDENT OF THE SEMESTER

At the end of each semester, students who have earned a minimum 3.8 grade point average are eligible to be selected by the faculty as Student of the Semester based on their academic achievement and effort.

At the end of Fall II Term and at the end of Spring II Term, students in the Adult Division and Online Division who have earned a minimum 3.8 cumulative grade point average are eligible to be selected by the faculty as Student of the Semester based on their academic achievement and effort.

All students will receive the certificate via mail.

ACADEMIC POLICIES

ACADEMIC HONOR CODE

At The College of Westchester we believe honesty and integrity are fundamental in a community dedicated to learning, personal development, and a search for understanding. Students are expected to maintain high standards with regard to honesty in the submission of all written work and exams. The use of an outside source in any paper report or submission for academic credit without the appropriate acknowledgement is plagiarism. It is unethical to present as one's own work, the ideas, words, or representations of another without the proper indication of the source. A student who falsifies or copies

an assignment, term paper, or examination answers will be subject to receiving an “F” for the assignment or subject to failing in the course involved and the student may be dismissed from The College. Students are not permitted to use any technological devices such as cell phone, iPads, Blackberries or other devices while taking examinations. In addition, students are expected to abide by The College’s policy regarding acceptable use practices of the Internet and the Computer Usage Policy.

ADD/DROP AND WITHDRAWAL

A student wishing to change courses may do so only within the designated days of the Add/Drop period or the Drop period for the Online Division and receive a grade of “DP” (dropped, no credit).

In the Day Division, the first eight(8) calendar days of the semester are designated as Add/Drop, not including holidays. A student may not register for a course after the end of the Add/Drop period. The next forty-five (45) calendar days following the Add/Drop period are designated as the Withdrawal period during which time a Day student may request to withdraw with a grade of “WD” (withdrawal, no credit). After this period, a withdrawal will result in an “F” grade for the course.

For Adult Division for Evening courses, the first fourteen (14) calendar days of the term are designated as Add/Drop, not including holidays. A student may not register for a course after the end of the Add/Drop period. The next twenty-five (25) calendar days following the Add/Drop period are designated as the Withdrawal period during which time an Adult College student may request to withdraw with a grade of “WD” (withdrawal, no credit). After this period, a withdrawal will result in an “F” grade for the course.

In the Adult Division for Saturday courses, the first eight (8) calendar days of the term, starting with the first day of class, are designated as Add/Drop, not including holidays. A student may not register for a course after the end of the Add/Drop period. The next twenty-five (25) calendar days following the Add/Drop period are designated as the Withdrawal period during which time a student may request to withdraw with a grade of “WD” (withdrawal, no credit). After this period, a withdrawal will result in an “F” grade for the course.

For Online courses, the first eight (8) calendar days of the term are designated as Drop only. If the last day of the Drop period falls on a holiday, the Drop period will be extended to the next day. A student may not register for a course after the term has started. The next twenty-five (25) calendar days following the Drop period are designated as the Withdrawal period during which time a student may request to withdraw with a grade of “WD” (withdrawal, no credit). After this period, a withdrawal will result in an “F” grade for the course. Please refer to the catalog or its addendum for refund and withdrawal policies that may affect financial responsibility.

Administrative Withdrawal (Stopped Attending)

If a student has not attended classes, or has no academically related activities in online courses for a two-week period and the student has had no contact with The College regarding reasons for non- attendance, the student will be administratively withdrawn. The withdrawal date is determined from The College’s attendance records and the last date of attendance will determine the calculation for the return of Title IV funds, whether the student withdraws officially or unofficially.

CHANGE OF MAJOR POLICY

Students may change their major at any time during their enrollment at The College. All attempted credits and grades from the prior academic program will continue to be calculated into Standards of Academic Progress. Students wishing to change their major must meet with an academic advisor and Student Financial Services. A change of major may result in extended graduation date and/or impact financial aid eligibility.

ACADEMIC STANDING

The College of Westchester expects matriculated students to maintain satisfactory academic standing to continue to be enrolled at The College. Students who do not maintain a minimum of a 2.0 cumulative grade point average will have academic sanctions imposed. No student will be graduated with a cumulative grade point average (CGPA) below 2.0. Satisfactory academic progress is measured by a qualitative standard; students must maintain a minimum cumulative grade point average (CGPA) at the end of each semester or term the student has completed as noted in the chart in order to continue matriculation. Satisfactory academic progress to maintain eligibility for federal and state financial aid includes both a qualitative and quantitative standard. Please refer to the Student Financial Services section of the catalog for further information.

STANDARDS OF ACADEMIC PROGRESS (SAP)

Academic progress is evaluated qualitatively (CGPA) at the end of every fifteen week semester for Day students, and at the end of Fall II, Spring II and Summer terms for Adult Division and Online Division students. If a student does not meet the minimum cumulative grade point average as outlined in the chart below, he/she may be academically suspended. Additionally, if a student meets the minimum cumulative grade point average for Standards of Academic Progress, but is below a 2.0, he/she will be placed on Academic Probation. If a student does not meet the minimum requirements of the chart below, he/she may be suspended from The College. Students who withdraw from the College within the Withdrawal Period (as defined under Add/Drop and Course Withdrawals) of their first semester, with all WD grades, for qualitative purposes, will not be evaluated for SAP. For financial aid regulatory purposes, WD grades will be evaluated for both qualitative and pace (quantitative) components to maintain Federal Title IV and State aid eligibility.

Associate Degree (66 credits)		Bachelor's Degree (120 credits)		Certificate Program (36 credits)		Certificate Program (48 credits)	
Credits Attempted	Minimum cumulative GPA required	Credits Attempted	Minimum cumulative GPA required	Credits Attempted	Minimum cumulative GPA required	Credits Attempted	Minimum cumulative GPA required
0 – 6	0.00	0 – 6	0.00	0 – 6	0.00	0 – 6	0.00
7 – 15	0.80	7 – 15	0.80	7 – 15	1.25	7 – 15	1.25
16 – 30	1.25	16 – 30	1.25	16 – 30	1.50	16 – 30	1.50
31 – 45	1.50	31 – 45	1.50	31 – 45	2.00	31 – 45	1.80
46 – 60	1.80	46 – 60	1.80	46 +	2.00	46 +	2.00
61 +	2.00	61 +	2.00				

ACADEMIC PROBATION, SUSPENSION AND DISMISSAL

Academic Probation

A student whose cumulative grade point average falls below 2.0 is placed on Academic Probation as an academic warning that the student must raise his/ her grades to a satisfactory level. Various academic sanctions may be applied including limiting the credits the student is registered for in the subsequent term, repeating courses that he/she failed, required meetings with academic advisors, and required tutoring.

If a student's cumulative grade point average falls below the minimum GPA required to meet the Standards of Academic Progress as detailed in the chart above, the student may be Academically Suspended without first being placed on Academic Probation. If the student is placed on a second Academic Probation, it is considered final probation. If the student fails to meet minimum 2.0 GPA for a third time, the student will be Academically Suspended. (see section on Student Financial Services for

financial aid sanctions).

Academic Suspension

Academic Suspension is a separation from The College imposed when a student has failed to meet the minimum cumulative grade point average required for satisfactory academic standing. Suspended students may be considered for reinstatement after 12 consecutive months and will be placed on Academic Probation upon their return. The student must also consult with the Office of Student Financial Services to determine his/her eligibility for financial aid.

Academic Dismissal

Academic Dismissal is a permanent separation from The College imposed when a student has been Academically Suspended once and has been reinstated, but fails to meet the required minimum cumulative grade point average again. There is no appeal available for a student who has been Academically Dismissed. A student may also be dismissed for conduct.

APPEAL FOR ACADEMIC WAIVER

Students who have been Academically Suspended from The College for failing to make satisfactory academic progress may appeal for an academic waiver. The student should write a letter of appeal to the Academic Progress & Student Life Committee.

The following criteria must be met in order to qualify for an academic waiver of academic standards:

- The student must show, with adequate written documentation, that there were mitigating circumstances (i.e. health problems, death in the family, etc.) that contributed to his or her failing to make academic progress.
- The student must also show, with adequate documentation, that these circumstances will no longer interfere with his or her pursuit of academic progress. In the event that the extraordinary circumstances do not involve documentation from a doctor, hospital, police department, etc., notarized letters from objective third parties will be required.
- The student can be granted only one academic waiver during his/her attendance at The College of Westchester.
- Academic waivers can be granted only if the student has the ability to be in good academic standing after the subsequent semester/term.
- The granting of an academic waiver is not an automatic process. It will be up to the Academic Progress & Student Life Committee to properly review the documentation submitted in order to make a decision.
- Once a decision has been made, the student will be informed in writing. A copy of the decision will be put in the student's academic file and the student's financial aid file.
- Should you have any questions regarding this procedure, please contact the Registrar, whose office is located in the Student Services office.

Students should refer to the section in the catalog on Finances and Financial Assistance for Satisfactory Progress for Financial Aid Eligibility and the Financial Aid appeal process which is separate from the academic appeal process. Students must meet standards of academic progress in order to maintain eligibility for financial aid.

APPEAL OF ASSIGNED GRADE

Academic decisions rest solely within the discretion of The College. Students who believe that an error has been made in an academic determination, including grading decisions, should discuss with the instructor or appropriate administrator the basis upon which the academic decision was made. If, after this review of the student's performance, the student disagrees with the determination, the student should make a written appeal within ten days of the determination to the department chairperson stating the basis

upon which the determination is questioned and requesting a departmental review. If, following the review by the department chairperson, the student is not satisfied with the departmental decision, final appeal may be made in writing to the Provost & Vice President of Academic Affairs. The decision of the Provost & Vice President of Academic Affairs will be final.

ALERT LISTS

Students enrolled in the Day College who are at risk due to poor academic performance and/or absenteeism are reported to the Student Services office by their faculty for inclusion on the Early Alert, Midterm Alert, and End of Semester Alert lists. Students enrolled in the Adult or Online College who are at risk due to poor academic performance and/or absenteeism are reported to the Student Services office by their faculty for inclusion on the Midterm Alert list. All students who are identified as at risk meet with an advisor in the Student Services office to determine strategies for becoming successful. Recommended strategies include regular meetings with their Academic Advisor, Success Coach and/or regular meetings with a tutor.

ATTENDANCE

CW is officially an “attendance taking institution” and therefore, students enrolled in on-ground courses must have physical attendance in the classroom in order to maintain enrollment.

Inclement Weather

On occasion, The College of Westchester may need to close the building due to inclement weather. In these cases, classes are never canceled but rather held remotely via Moodle.

Online Course Attendance

Attendance in online courses is determined by a predetermined list of academically related activities completed within Moodle, including but not limited to, submitting an academic assignment, taking an exam, interactive tutorial or computer-assisted instruction, and participating in online discussion forums. Attendance in online courses is recorded automatically through Moodle activity.

Student Attendance Exceptions

Sometimes student absences are unavoidable and a result of a severe hardship. A student may request that a faculty member waive select absences when calculating his/her grade in light of these hardships. Such a request should be made by the student, with documentation to support request, when appropriate. Examples of possible excused absences are:

- Hospitalization and/or miscellaneous medical circumstances
- Court appearances and/or miscellaneous legal obligations
- Death in the family/Bereavement
- Employment related obligations
- Natural or man-made disasters
- Jury Duty
- Military duty

It is at the discretion of the faculty to determine which, if any, absences will be considered as “excused” and how that will affect the student’s final grade.

CLASS STANDING DETERMINATION

In order to advance to the next grade level, students must earn a certain number of credits:

<u>Class Standing</u>	<u>Credits</u>
Freshman	0 through 24
Sophomore	25 through 60
Junior	61 through 90
Senior	91 or more

For example, at the end of your first two semesters (Day Division) or first four terms (Adult Division), you do not become a sophomore unless you have earned at least 24 credits (including transfer credits). Please refer to the Financial Assistance section for aid impact to grade level.

DEGREE CLASSIFICATIONS

AAS	Associate in Applied Science
AOS	Associate in Occupational Studies
BBA	Bachelor of Business Administration
BS	Bachelor of Science

FULL-TIME STATUS

A minimum of 12 credits each semester is required for full-time status in all Divisions.

GRADING SYSTEM

Academic achievement at The College of Westchester is based on the following system:

Grade		Numerical Grade	Grade Point Average
A	Excellent	95-100	4.00
A-		90-94	3.75
B+		86-89	3.50
B	Good	80-85	3.00
C+		76-79	2.50
C		70-75	2.00
D		60-69	1.00
F	Failure	Below 60	0.00
UF	Unauthorized Failure***		0.00
FR	Failed Course/Repeat		
Fail	Fail for Pass/Fail course		
P	Pass		
WD	Withdrawal, No Credit		
DP	Dropped Course, No Credit		
I	Incomplete		
INC.	Incomplete for Pass/Fail course		
IC	Internal Transfer Credits		
TO	Test Out*		
TR	Transfer Credit Accepted		
AUD	Audit (No Credit or Grade)		
EX	Exempt*		
S	Satisfactory		
U	Unsatisfactory**		

*Requires additional elective

**Students who receive a grade of "U" must repeat the course.

***"UF" grades are assigned to those students who fail to attend class or engage in online academic activity during the final four (4) weeks of the semester or final three (3) weeks of the term, and, in the opinion of the instructor, have not met the course learning objectives.

GRADE POINT AVERAGE – COMPUTATION EXAMPLE

COURSE	GRADE	PTS		CREDITS	TOTAL POINTS EARNED
Business Organization	B	3	X	3	9
English Composition II	B	3	X	3	9
Principles of Accounting I	C	2	X	3	9
Business Law	C	2	X	3	30
				12	30

30 Quality Points = 2.5 Grade Point Average
12 Credits

The grade point average is computed by multiplying the credits for each course by the grade point value of your final grade. The total of your grade points for all of your courses divided by the number of credits attempted will equal your grade point average for the semester or term. Total grade points earned for all semesters/terms divided by the total credit hours attempted for all semesters/terms will equal your semester cumulative (overall) grade point average. Credits transferred from other institutions are not included in the cumulative grade point average.

LEAVE OF ABSENCE

It is expected that students will fulfill the requirements for the degree or certificate by registering for successive sessions. However, if emergency medical, family, military active duty or other extenuating circumstances require students to interrupt their studies for a short period of time, a leave of absence may be granted at the discretion of an advising professional, not to exceed 180 days in a twelve month period. Each Leave of Absence will be evaluated on a case by case basis. Documentation supporting the request for a Leave of Absence is required. A Leave of Absence will not be granted once a student begins the term/semester. Should a student need to leave after he/she begins the term/semester, the student will be treated as a withdrawal.

The Leave of Absence application form may be obtained from the Student Services office. Required documents must be submitted by determined deadline for the Leave of Absence to be processed. The student must meet with an advising professional to discuss the request for a Leave of Absence. Students who are approved for a Leave of Absence will be considered enrolled at The College until the end of the approved Leave of Absence date. Taking a Leave of Absence will alter a student's date of program completion. Students are responsible for meeting all deadlines for tuition payments and student financial assistance applications. If a student does not return to The College at the end of the Leave of Absence, the student will be officially withdrawn with the student's last date of attendance.

INVOLUNTARY LEAVE OF ABSENCE

The Counselor and/or the Director of Campus Security may determine that a Leave of Absence may be granted based on medical, psychological, or safety factors if it would be in the best interest of the student or The College. This action may be taken if, in the opinion of either Director, a student exhibits behavior which creates, continues, or presents a risk of harm to the physical or mental health of the student concerned or others. This leave will be processed through the office of the Student Services. It is subject only to a written appeal to the Academic Progress and Student Life Committee within five business days after written notification. Any appeal must include adequate documentation that these circumstances will no longer interfere with the student's pursuit of academic progress. The Counselor Center and/or the Vice President of Student Success and Retention must consent to the readmission of any student who is granted or placed on a medical or psychological leave of absence, in addition to the student complying with any other conditions for readmission that may have been imposed. Students will be required to submit documentation from a psychologist or mental health practitioner supporting the student's request to return to The College.

MATRICULATION

A person is considered matriculated when he/she has met all of the following:

1. Student registered in courses has a minimum cumulative grade point average of 2.00 in courses completed at CW.
2. Has met the admissions criteria for acceptance (see Admissions section in catalog).
3. Has completed The College's assessment process.
4. Has been accepted as a degree or certificate candidate.

NON-MATRICULATION

Students may enroll as ICC (Individual Credit Course) non-matriculated students. Such students:

1. Are not eligible for federal or state financial aid.
2. Are not eligible to receive career placement assistance from the Office of Career Services. An exception will be made for any non-matriculated students who have registered for courses through the Workforce Investment Act (WIA). WIA enrolled students will have access to career placement assistance for six months immediately following the successful completion of their coursework. Once this six month period has elapsed, WIA students will no longer be eligible to receive any further career placement assistance.
3. Have access to The Learning Center during the time they are enrolled in coursework at The College of Westchester. However, non-matriculated students are limited to a maximum of ten (10) hours of course specific, direct tutoring from The Learning Center personnel for each course they are registered for. Unused tutoring hours from one course are not eligible to be rolled over into any other courses that a non-matriculated student may be registered for.
4. May accumulate no more than fifteen (15) credits without approval from the Registrar. WIA programs with more than 15 credits are the exception.
5. May apply for matriculation by following standard protocol and meeting the cumulative GPA requirement of 2.00. Accordingly, if a non-matriculated student wants to enroll in a degree or certificate program, he/she must complete the admissions process in order to be accepted and proceed through all normal admissions steps.

MOVE FROM MATRICULATION TO NON-MATRICULATION

Students who failed to make satisfactory progress toward a degree or certificate and had their matriculated status terminated, may pursue courses as a non-matriculated student, with no financial aid benefit, and with approval from the Director of Academic Advising. If such students achieve a cumulative GPA of 2.00, matriculation may be reinstated if all other standards of progress are met.

MILITARY LEAVE

Active-duty and reserve military students who are deployed overseas and provide appropriate documentation can return without academic or financial penalty. Active-duty students who are deployed and reserve-military students who are involuntarily activated for military service will receive WD grades which carry no academic penalty. In addition, if a student is deployed, The College will issue an administrative credit to cover the balance for the term. Contact Veteran's Affairs at cwveterans@cw.edu for assistance.

Military dependents (who are active students) who must leave college because their families are moving due to redeployment relocation and provide appropriate documentation, may be treated in the same manner as military students and can receive WD grades which carry no academic penalty. In addition, we will issue an administrative credit to cover the balance for the term. Contact Veteran's Affairs at cwveterans@cw.edu for assistance.

Test-Outs for Exemptions from Courses

Students may be exempt from a course based on demonstrated competence. Students may take proficiency exams in the subject areas of English Composition I and II, Basics of Mathematics, College Mathematics, College Algebra, Digital Literacy in the Workplace, Financial Accounting I and II, Office Applications (Word, PowerPoint, and Excel), Medical Terminology, and Healthcare Law & Ethics. Students may be exempt from Transformative Learning if they have successfully completed a freshman seminar course from another college (credit bearing or not) or have earned a college degree or have obtained 15 or more college credits with a minimum overall GPA of 3.0. Appropriate electives in these areas would replace these courses to fulfill graduation credit requirements. Test-outs must be arranged through the Testing Center by appointment.

TRANSFER OF CREDITS

Students who wish to transfer in credits to The College of Westchester from another institution must submit an official transcript to the Registrar for official evaluation. Students who wish to request an official transcript of their academic record at The College of Westchester must complete the Transcript Request Form available at the Student Services office. There is a \$10 fee for each official transcript request. Transcripts may be ordered on the website at www.cw.edu. Click on the “Resources” tab on the top right hand side of the page and then click on the “Transcript Request Form.” Students may also fax a request to 914-428-0081 with current name, address, and phone number, and credit card information and the address to mail the transcript. If a student requests a duplicate copy of his/her degree, the cost is \$30.00.

Transfer Credit Policy

Students who wish to transfer in credits to The College from another institution must submit an official transcript to the Registrar for official evaluation. Courses completed at accredited institutions of higher education recognized by Council for Higher Education Accreditation (CHEA) and recorded on official transcripts may be awarded credit under the following conditions:

1. A maximum of 21-30 credits towards a Certificate program, a maximum of 42 credits towards an Associate Degree and a maximum of 90 credits towards a Bachelor’s Degree from all combined accredited two-year and four-year institutions and training programs may be granted based on the applicability to the chosen program of study. All transcripts and other forms of training documentation must be formally evaluated by the Office of the Registrar to determine the specific credits that are applicable based upon the program for which the student registers.
2. A grade of C (2.0) or above is required for each course accepted in transfer.
3. Courses that are equivalent in credit/contact hours may be accepted in transfer.
4. Courses that are equivalent in content to required courses in the student’s academic program may be accepted.
5. A combination of courses and credits can be considered equivalent to one course at The College of Westchester.
6. Technology courses that have been completed within the last three years are acceptable for transfer. Any technology course that was completed more than three years prior to transfer requires a review of the course description and/or course syllabus.
7. If a student has successfully transferred in English Composition and/or a College Mathematics course and the official transcript has been received by the Registrar, the student will not be required to take Basics of Communication and/or Basics of Mathematics.
8. Foreign transcripts must be in English. Foreign students who do not pass the course placement test must successfully pass Basics of Communication and Basics of Mathematics before being eligible to receive transfer credit for upper level English and Mathematics courses.
9. Students with an earned Associate Degree or its equivalent from The College of Westchester** or other accredited higher education institution recognized by the Council for Higher Education

(CHEA) may be accepted as 2 year transfer students into a Bachelor's Degree program with a junior level status, in most cases. These applicants must meet all admissions requirements published in The College catalog and have a minimum grade point average of 2.5* from their prior college(s). Other program competencies may be satisfied through prior course credits, earned official prior learning assessment or through credits earned while pursuing required bachelor's coursework. (See Program Competency Requirements).

10. The College of Westchester will limit academic residency to twenty-five percent or less of the degree credit requirement for all degrees for active-duty service members and their adult family members (spouses and college-age children). In addition, there are no "final year" or "final semester" residency requirements for active-duty service members and their family members. Academic residency can be completed at any time while active-duty service members and their family members are enrolled. Reservist and National Guardsmen on active-duty are covered in the same manner.

The evaluation of transcripts for the purpose of determining transferable credit is done on an individual course basis by the Registrar. All courses accepted in transfer will receive a grade of "TR" and will not count towards a student's grade point average.

Official transcripts should be received prior to the session in which the student plans to start in order to allow sufficient time for evaluation. If the official transcript is required for a pre-requisite, the student will not be allowed to take a higher level course without the official transcript. Official transcripts received after the third term or second semester will not be accepted. Exceptions may be granted by the Registrar.

A student may bring a grade report or unofficial record for a preliminary evaluation while waiting for the official record to arrive at CW. The student should request that an official transcript be mailed to: Transfer Credits, Office of Admissions, The College of Westchester, 325 Central Avenue, White Plains, New York 10606.

**The cumulative grade point average will be calculated as an average of all the grade point averages earned from other colleges.*

***Graduates of the Medical Assistant Management (MAM) and the Health Information Management (HIM) programs at The College of Westchester might not meet complete full 2 year transfer of credit into the Business Administration, Business Administration Management, or Business Administration, Accounting baccalaureate programs.*

TRANSFER AGREEMENTS

Students who wish to continue their education after attendance at CW are able to transfer credits to other institutions based on that institution's transfer policy. Students should consult with the Registrar with questions regarding these transfer agreements with other schools. CW has also entered into formal Articulation Agreements with several institutions of higher learning through which students enter CW with Junior status. A current list of such institutions may be found at cw.edu/articulations. This list is updated periodically. Each individual agreement specifies the number of total credits that will be accepted, along with any competencies that need to be fulfilled in order to earn a CW degree. These agreements are housed in the Office of the Registrar.

COLLEGE POLICIES AND PROCEDURES

ANTI-DRUG AND ALCOHOL POLICY

The College of Westchester has a no tolerance policy regarding the use of drugs and alcohol or being under the influence of drugs or alcohol on its property or surrounding property. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or an illegal drug by a student or employee on property at The College of Westchester is strictly prohibited. New York and Federal law prohibits the unlawful use, manufacture, possession, control, sale and dispensation of any illegal narcotic or dangerous drugs. Both State and Federal laws carry penalties for violations, including monetary fines and/or imprisonment. Marijuana – including “medical marijuana” – is illegal under federal law and may not be used on the College’s property or surrounding property. All students and employees are prohibited from being under the influence of marijuana while at The College. The health risks associated with the use of illegal drugs and the abuse of alcohol include physical and mental impairment, emotional and psychological deterioration, fine and gross motor degeneration and death. In addition to the health risks to the abuser of illegal drugs and alcohol are the risks to co-workers, students and the public. The College of Westchester’s Counseling Center can provide referral to students with problems related to alcohol and drug use. Information about substance abuse and treatment programs is available in the Counseling Center which has procedures to assure confidentiality.

Individuals whose performance is impaired as a result of the use or abuse of drugs or alcohol, who illegally use or abuse drugs or alcohol on campus or at College events, or who have been convicted of violating any criminal drug statute while on The College of Westchester property or at College events will be sanctioned. The sanctions can include required completion of an appropriate rehabilitation program, suspension, dismissal, termination of employment, and referral for prosecution by law enforcement authorities.

As a condition of enrollment and employment, each student, faculty member and staff member will abide by the terms of this policy and will notify the President no later than five days after any conviction for a criminal drug offense committed on The College of Westchester property.

Failure to comply with these conditions will constitute unsatisfactory conduct and will lead to appropriate sanctions.

DESCRIPTION OF DRUG OR ALCOHOL ABUSE EDUCATION PROGRAMS

A number of counseling and treatment options are available to students of The College of Westchester. A list of these agencies is available in the Office of Student Services and is available to all students and employees. Students are encouraged to seek counseling and/or treatment in dealing with personal issues of substance abuse relating to themselves, their family, or their friends.

CONVICTION FOR POSSESSION OR SALE OF DRUGS

A federal or state drug conviction can disqualify a student for Federal Student Aid (FSA) funds. Convictions count if they were for an offense that occurred during a period of enrollment for which a student was receiving Title IV aid. In addition, a conviction that was reversed, set aside, or removed from a student's record does not count, nor does one received when he/she was a juvenile, unless tried as an adult.

The chart that follows illustrates the period of ineligibility for FSA funds, depending on whether the conviction was for sale or possession and whether a student had previous offenses. A conviction for sale of drugs includes convictions for conspiring to sell drugs.

	<u>Possession of illegal drugs</u>	<u>Sale of illegal drugs</u>
1st offense	1 year from date of conviction	2 years of conviction
2nd offense	2 years from date of conviction	Indefinite period
3+ offenses	Indefinite period	Indefinite period

If a student is convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period. A student regains eligibility the day after the period of ineligibility ends or when he or she successfully completes a qualified drug rehabilitation program. Further drug convictions will make him or her ineligible again. Students denied eligibility for an indefinite period can regain it only after successfully completing a rehabilitation program (as described below), or if a conviction is reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record. In these cases, the nature and dates of the remaining convictions will determine when the student regains eligibility. It is the student's responsibility to certify to us that he or she has successfully completed the rehabilitation program.

Standards for a qualified drug rehabilitation program

A qualified drug rehabilitation program must include at least two unannounced drug tests and must satisfy at least one of the following requirements:

- Be qualified to receive funds directly or indirectly from a federal, state, or local government program.
- Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company.
- Be administered or recognized by a federal, state, or local government agency or court.
- Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.

SMOKING

Smoking is strictly prohibited inside all buildings and in all areas within 75 feet of our buildings and any doors, windows and/or ventilation/HVAC units. This includes, but is not limited to: office spaces, classrooms, restrooms, Student Center, all building entrances, near fresh air intake units vents and any mechanics and/or HVAC systems that pull fresh air from close proximities. In order to ensure a healthy work environment, "No Smoking" signs are placed in areas where smoking is prohibited.

In addition, the use of electronic cigarettes or cigars, or "e-cigarettes" or "e-cigars" is prohibited in any place on campus where smoking of tobacco products is prohibited.

Designated outside smoking areas are located in the North Parking lot. For more information, please see the security staff.

CELLPHONE POLICY

The College does not assume responsibility for the loss or damage to personal cell phones. Making calls in classrooms is not allowed. If an emergency call must be made, the student should request permission from the instructor to leave the classroom in order to use the cell phone. Discrete use of cell phones is allowed in public areas only.

AUDIO/VIDEO RECORDING POLICY

In order to respect and ensure the privacy of faculty and students, The College of Westchester prohibits audio/video recording. Faculty reserve the right to grant permission for students to photograph content written or displayed on classroom whiteboards. Prior approval may be granted for students needing academic accommodations in the classroom through the Director of Academic Advising. When prior approval is granted, the materials are for personal academic use only and are not for public distribution or sale in any fashion.

INFORMATION TECHNOLOGY REQUIREMENTS

HARDWARE REQUIREMENTS

All students are required to use computer devices that have internet access to log into essential applications systems including the Moodle Learning Management System and Microsoft Office 365 (all students have access to download Office 365 if they wish to). Moodle and Office 365 can be accessed from computers, tablets, and smartphones (although some functions in some applications may be impractical to use on a smartphone). Devices should have a dependable internet connection and be fully functional, free of malware, and have a current operating system, in order to access and effectively utilize these required programs.

Note that some campus-based Academic Programs utilize additional hardware and software, made accessible on campus in our computer labs.

ONLINE and ADULT PROGRAM students must have regular access to a functional device that can run browser-based applications via the Internet. This is also strongly recommended for students in Day Term Programs. There are a limited number of computers available on Campus for students who require them.

SOFTWARE REQUIREMENTS

For Moodle:

Recommended browsers and versions: We recommend that you use the latest version of **Chrome, Firefox, Internet Explorer, Microsoft Edge, or Safari** for the best Moodle experience. Moodle may also operate on other browsers, but with qualifications.

For MS Office Products:

The College of Westchester uses Microsoft Word, Excel, and/or PowerPoint in numerous courses. This page from Microsoft defines system requirements for these applications:

<https://products.office.com/en-US/office-system-requirements>

Students at The College of Westchester can access and download MS Office 365 by going to portal.office.com and logging in with the college email address and password. MS Office 365 can be downloaded on up to five devices and students will have access as long as they are active students at the college.

TROUBLESHOOTING & ASSISTANCE: Students can reach out via phone 24/7 by calling (855) 577-2036 if they are having trouble accessing any of our systems from their devices students can also email helpdesk@cw.edu to request assistance (support via email is limited to the normal hours of operation for the college building).

COMPUTER USAGE POLICY

The College of Westchester provides students with access to electronic communication devices and programs to support their educational programs. These systems include, but are not limited to, computers, telephone equipment, electronic mail (email), internet access, and any other communications or software systems (e.g., text messaging, instant messaging, etc.) or devices used by The College. These devices shall be referred to within this policy as “electronic communications” or “electronic communication systems.” These devices are limited to educational use only and are the property of The College.

The use of the Internet, e-mail and information technology systems at The College of Westchester shall be considered a privilege, not a right, and inappropriate use will result in the cancellation of such privilege. The College of Westchester will, in its sole judgment, determine what inappropriate use is. It is important that students understand that the electronic communication systems are the property of The College. Therefore, information transmitted from, or stored in, such systems, is also the property of The College. The College maintains the right to access any and all contents stored or transmitted via The College’s electronic communications systems. Confidentiality of messages stored or transmitted with a password should not be assumed or relied upon. The College maintains its rights to inspect and govern conduct on all electronic communication systems, as they pertain and/or impact The College. The hardware and information transmitted or stored on such systems are property of The College. The College has the right to review, audit, and intercept all communications, and, when appropriate disclose all data/information sent over its systems, with or without notice.

Any software or files downloaded to The College’s systems from outside The College are subject to the provisions of this policy. The College purchases and licenses the use of various computer software and does not own the copyright to most software or its related documentation. Unless authorized by the software developer, The College does not have the right to reproduce such software for use on more than one computer. Students may only use software on local area networks or on multiple machines according to the software license agreement. The College prohibits the illegal duplication of software and its related documentation.

Sharing copyrighted materials without a license (e.g., P2P file sharing which is often automatically shared) is against the law and also prohibited under this policy and subject to discipline. Copyright abuse can subject both the user and The College to legal sanctions. Federal law requires The College to take action when it is notified that someone on its network is distributing copyrighted materials. The College will not protect any individual users, faculty, staff or students who distribute copyrighted material without license. Additionally, repeat infringements of copyright by a user can result in termination of the user's access to College systems and networks.

Authorized representatives of The College may monitor the use of the electronic communication systems to ensure that use is consistent with educational needs; they may also override all passwords or security codes when deemed necessary. It is unacceptable to use The College’s system to engage in

wasteful or disruptive practices such as the sending of junk mail, chain letters, broadcast messages or other unwanted or offensive material that can cause excessive loading of mail facilities.

The College may from time to time, as it deems necessary in the ordinary course of business, monitor students' use of the electronic communication systems. The reasons for monitoring content include, but are not limited to:

- To assist in redirecting misaddressed mail;
- To assist in authorized system user with his or her own files;
- To maintain system integrity and security, including compliance with software copyright laws;
- To ensure the efficient operation and maintenance of the network or system;
- To conduct statistical monitoring and usage analysis; and
- To conduct investigations and/or cooperate with legal and regulatory agencies;
- To conduct investigations of system abuses, including but not limited to possible violations of The College's policies.

The College's policy prohibiting sexual and other harassment, in its entirety, applies to the use of our electronic communications systems. No one may use electronic communications in a manner that may be construed by others as harassment or offensive based on one's actual or perceived race, color, religion, creed, sex, sexual orientation, national origin, age, physical or mental disability, citizenship, marital status, liability for military services, genetic pre-disposition or carrier status, or any other characteristic protected by applicable law. Please refer to The College's Sexual Harassment and Non-Harassment policies for further details.

All electronic communications are part of The College's records and, as such, may be disclosed without The College's permission. *Therefore, students should not assume that any communication is "private," even if the student designates the message as such.*

The principal elements of The College's electronic communication policy are described below:

- Students may use only those systems and/or services that they are authorized to use.
- Students must never misrepresent themselves while communicating electronically.
- Students may not use The College's electronic communication system for personal gain or profit, for non-job related solicitation, or in violation of other College policies.
- No users of The College's electronic communications systems shall use such systems to violate or infringe upon the copyright of any third party.
- No users of The College's electronic communications systems shall knowingly disable, inhibit, or circumvent the functionality of any security features of these systems (malware application detection and prevention, firewall applications, web traffic monitoring, etc.).
- The use of the Internet, as well as email, voice mail, facsimile machines, or other electronic communication equipment or platforms, for unlawful, defamatory or disrespectful, obscene, or other inappropriate communication is prohibited. Material of his nature may not be accessed, stored or transmitted.
- The equipment, services, and technology provided to access the Internet or other electronic communication devices remain at all times the property of The College. The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited.
- Electronic communications should be conducted with the same degree of professionalism as traditional writing, with care being taken to avoid misstatements or remarks of any kind that could lead to legal exposure for the author, The College or both.

Students are responsible for safeguarding their log-on and other passwords or security codes. They may not share these codes with any third party or with another student. The College of Westchester makes no warranties of any kind, whether expressed or implied, for the information systems and communications services it is providing, and will not be responsible for any damages users suffer including loss of data.

College Use of E-mail: E-mail is an official means of communication for The College of Westchester. Therefore, The College of Westchester has the right to send communications to students via e-mail and the right to expect that those communications will be received and read in a timely fashion. Faculty may determine how e-mail will be used in their classes. Students are expected to check their official e-mail address on a frequent and consistent basis in order to stay current with college communications. The College of Westchester recommends checking e-mail twice a week at a minimum, in recognition that certain communications may be time-critical.

Vandalism: Vandalism will result in the cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, or any agencies or other networks that are connected to the internet. This includes, but is not limited to, the uploading or creation of computer viruses, attempts at gaining unauthorized access, or changing on-line materials without permission.

All parties who use The College's electronic communication systems are deemed to have accepted this policy and are required to comply with it. Any student who violates this policy or uses the computer, other electronic, or telephone systems for improper purposes shall be subject to discipline, up to and including termination. Students are responsible for reporting any violations of this policy to the Director of Administration.

CYBER SECURITY AWARENESS RESOURCES FOR STUDENTS

Several Cyber Security Awareness videos for students have been made available in the CW Everywhere app. The College is committed to providing cyber security awareness resources to students, and will be expanding on these resources in our student-facing electronic platforms. Students are encouraged to keep an eye out for notifications regarding such resources in their college email and other institutional communication platforms.

COPYRIGHT INFRINGEMENT

“As a general matter, copyright infringement occurs when a copyrighted work is reproduced, distributed, performed, publicly displayed, or made into a derivative work without the permission of the copyright owner.” (<http://www.copyright.gov/help/faq/faq-definitions.html>)

Copyright infringement includes downloading and reproducing CDs or DVDs for commercial distribution, removing notice of copyright or distribution of any article with copyright notice removed. There are federal laws that protect copyrighted materials from unauthorized use or distribution. Federal penalties associated with copyright infringements may be either civil or criminal. Under a civil lawsuit the copyright owner may file (1) to recover actual damages and additional profits, costs and attorney fees or (2) statutory damages for all infringements, which can be as high as \$150,000. Under the “No Electronic Theft (NET) Act,” criminal penalties for unauthorized software duplication can result in being fined up to \$250,000 or up to five years in prison even when there is no monetary gain. Individuals who are found to be guilty of “peer-to-peer file sharing” may be subject to prosecution as a criminal.

Sharing copyrighted materials without a license (e.g., P2P file sharing which is often automatically shared) is against the law and also prohibited under this policy and subject to discipline. Copyright abuse can subject both the user and The College to legal sanctions. Federal law requires The College to take action when it is notified that someone on its network is distributing copyrighted materials. The College will not protect any individual users, faculty, staff or students who distribute copyrighted material without license. Additionally, repeat infringements of copyright by a user can result in termination of the user's access to College systems and networks.

Authorized representatives of The College may monitor the use of the electronic communication systems to ensure that use is consistent with educational needs; they may also override all passwords or security codes when deemed necessary.

- The College may from time to time, as it deems necessary in the ordinary course of business, monitor students' use of the electronic communication systems.
- No users of The College's electronic communications systems shall use such systems to violate or infringe upon the copyright of any third party.
- The equipment, services, and technology provided to access the Internet or other electronic communication devices remain at all times the property of The College. The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited.

All electronic communications are part of The College's records and, as such, may be disclosed without The College's permission. Therefore, students should not assume that any communication is "private," even if the student designates the message as such.

Students are responsible for safeguarding their log-on and other passwords or security codes. They may not share these codes with any third party or with another student. The College of Westchester makes no warranties of any kind, whether expressed or implied, for the information systems and communications services it is providing, and will not be responsible for any damages users suffer including loss of data.

All parties who use The College's electronic communication systems are deemed to have accepted this policy and are required to comply with it. Any student who violates this policy or uses the computer, other electronic, or telephone systems for improper purposes shall be subject to discipline, up to and including termination. Students are responsible for reporting any violations of this policy to the Director of Administration.

MARKETING OF CREDIT CARDS TO STUDENTS POLICY

Pursuant to Article 129-A of the New York State Education Law 6437 (Prohibition on the marketing of credit cards), The College of Westchester prohibits the advertising, marketing, or merchandising of credits cards to students by vendors on the college campus, including visits by credit card marketers; any gift offerings to students to encourage credit card application; or advertisement or merchandising of credit cards on campus.

FOOD AND DRINK POLICY

Food and drink are not permitted in classrooms, the Library, and the Admissions Reception areas with the exception of bottled beverages with twist caps in non-medical lab classrooms. Student clubs and events that involve refreshments must be approved at least 6 weeks prior to allow for coordination with the Facilities department. This policy is in place to maintain a clean and professional environment conducive to teaching and learning, free of distractions and disruptions.

DRESS CODE POLICY FOR ALLIED HEALTH DEPARTMENT AND MEDICAL LAB

Allied Health Students are expected to represent themselves in a professional manner so as to promote the confidence and comfort of the patients with whom they will be coming in contact. The following dress code has been implemented to aid in reaching this goal:

1. Students will wear seal blue scrubs with the CW logo embroidered in the upper left corner above the pocket. Scrubs are to be worn when taking classes in 401 or 423 (Medical Labs). Scrubs must be kept clean at all times.
2. A lab coat (also with the CW logo) will be worn in all clinical classes when performing Asepsis, Phlebotomy, EKG, and Clinical Procedures.
3. Footwear must be a white sneaker. Toes must be closed and shoe material cannot be canvas, or cloth. Sneakers must be all white with no contrasting colors or stripes.
4. Hair must be clean and neatly groomed. Hair longer than shoulder length must be worn up or secured so as not to fall forward. Men may wear a neatly trimmed beard or mustache.
5. Jewelry should be limited, and earrings should be either studs or hoops that are no wider than $\frac{3}{4}$ ".
6. Finger nails must be trimmed to an appropriate length and colored with a conservative color nail polish.
7. Headgear including scarves is only permissible for religious or medical reasons (supporting documentation is required).
8. All tattoos must be covered so as not to be visible.
9. Visible piercings are not acceptable **at any time while in uniform.** This applies for classes in and outside of the lab. Students must adhere to the dress code fully when in uniform.

Scrubs will be worn at all clinical extern sites as required by the dress code policy of The College and the requirements for externship.

ABSOLUTELY NO FOOD OR BEVERAGE MAY BE CONSUMED IN THE LAB AT ANY TIME.

A MEDICAL INSTRUCTOR MUST BE PRESENT WHEN STUDENTS ARE OPERATING ANY EQUIPMENT USED IN THE LAB.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day The College receives a request for access. A student should submit to the Registrar a written request that identifies the records the student wishes to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student who wishes to ask The College to amend a record should write The College official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If The College decides not to amend the record as requested, the college will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to provide written consent before The College discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent. The College discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by The College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom The College has contracted as its agent to provide a service instead of using College employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. (A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for The College.)
4. An educational agency or institution may redisclose personally identifiable information from an education record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the parent or eligible student. Notice to the parents or students is required before redisclosing personally identifiable information on behalf of the educational agency in response to judicial order or subpoena.
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by The College to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W. Washington, DC 20202-5901.

The College of Westchester will release the following directory information upon request: name; local address and telephone number; e-mail address; photographs; student identification number; name and address of emergency contact; dates of attendance; country of citizenship; school, college or division of enrollment; field of study; credit hours earned; degrees earned; honors received; and participation in organizations and activities chartered or otherwise established by The College. A student who does not wish such directory information released must file a written notice with the Registrar at the beginning of each session of enrollment.

The College cannot disclose personally identifiable information from a student's education records to parents unless the student has signed a written consent form which is available from the office of the Registrar.

Copies of The College's full policy statement on the release of student information, and procedures for exercising these rights are available from the Office of the Registrar.

GRIEVANCE PROCEDURE FOR COLLEGE POLICY

A student who believes that an error or misjudgment has been made regarding a college policy should first discuss the matter with his/her academic advisor. If, after a review of the matter, the student still believes that the issue has not been resolved, a formal hearing on the matter may be requested. The request for this formal review must be made to the Vice President of Student Services and Retention, in writing, citing the basis for grievance, within one month of the incident in question. If the request is approved, Provost & Vice President of Academic Affairs will meet with the student and any involved parties to arrive at a final determination. A decision will be made within two weeks of the committee's formation.

If the student still believes that he/she has been aggrieved by The College, the student may file a complaint with the New York State Education Department, Office of College and University Evaluation, Education Building, 5 North Mezzanine, 89 Washington Avenue, Albany, NY 12234 (follow instructions <http://www.highered.nysed.gov/ocue/spr/COMPLAINTFORMINFO.html>) An out-of-state student should follow the same Grievance Procedures except that the student should contact the state agency based on his/her state residency. A list which includes the contact information for the relevant state agencies is located at <http://www.cw.edu/federal-disclosure-information>, under "State Complaint Agencies".

If a student has a discrimination or sexual harassment complaint, the student may file a complaint with the Office of Civil Rights-New York Office, U.S. Department of Education, 32 Old Slip, 26th Floor, New York, New York 10005-2500.

A complaint of consumer fraud may be filed with the Office of the New York State Attorney General, Justice Building, Empire State Plaza, Albany, NY 12223.

A complaint about New York State Student Financial Aid matters may be made with the Higher Education Services Corporation (HESC), Customer Communications Center at 1-888- NYS-HESC. Or students may contact the college's accrediting body, Middle States Commission on Higher Education, following the instructions by clicking on this link: <https://www.msche.org/complaints/>

Out-of-state enrolled and prospective students (excluding Florida): Complaints pertaining to distance education programs being offered by out-of-state institution operating under a nationwide reciprocity agreement - known as the State Authorization Reciprocity Agreement (NC-SARA) - need to be filed with the State Portal Agency of the institution home state within two years of the incident about which the complaint is made. CW is a voluntary institutional member of NC-SARA and its State Portal Agency is the New York State Department of Education, attention Supervisor, Higher Education Programs, 89 Washington Avenue, Albany, NY 12234. The student must first follow the College's Grievance Procedure and then may file the complaint (except for complaints about grades or student conduct violation). Florida is not an NC-SARA member and therefore, enrolled and prospective students who are residents of Florida should file the complaint with the State of Florida. The student must first follow the College's Grievance Procedure and then may file the complaint (except for complaints about grades or student conduction violation). A list which includes the contact information

for the relevant state agencies are located at <https://www.cw.edu/student-consumer-information>. Students who file a grievance are hereby assured that no adverse action will be taken against them for filing a complaint.

MAINTENANCE OF PUBLIC ORDER

New York State Education Law, Sections 6430-6435 requires all colleges and universities to adopt regulations for the “maintenance of public order on college campuses and other college property used for educational purposes and provide a program of enforcement thereof.” The law requires each college to file such rules and regulations with the New York State Education Department.

New York State Education Law Sections 6430-6435

The trustees or other governing board of every college chartered by the regents or incorporated by act of the legislature shall adopt rules and regulations for the maintenance of public order on college campuses and other college property used for educational purposes and produce a program for the enforcement thereof. Such rules and regulations shall prohibit, among other things, any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization. Such rules and regulations shall govern the conduct of students, faculty, and other staff as well as visitors and other licensees and invitees on such campuses and property. The penalties for violations of such rules and regulations shall be clearly set forth therein and shall include provisions for the ejection of a violator from such campus and property, and in the case of a student or faculty violator his/her suspension, expulsion or other appropriate disciplinary action and in the case of an organization which authorizes such conduct, rescission of permission for that organization to operate on campus property. Such penalties shall be in addition to any penalty pursuant to the penal law or any other chapter to which a violator or organization may be subject. A copy of such rules and regulations shall be given to all students enrolled in said college and shall be deemed to be part of the by-laws of all organizations operating on said campus which shall review annually such by-laws with individuals affiliated with such organizations.

Academic freedom is essential to a college community. Freedom of speech and freedom of assembly are essential to academic freedom. Every member of the academic community should be free to pursue full involvement in the educational process of The College without interference from others. All members of The College community should be able to express their views by words and actions and to express by words and actions their opposition to the views and opinions of others. In order to preserve these rights all members of The College community have a responsibility to conduct themselves so that such rights may be exercised without interfering with the rights of others and without fear of violence or injury or interference.

The following rules and regulations are adopted to maintain public order on The College campus and other College property:

1. Any act which would constitute a violation of federal, New York, or local law if committed off-campus is prohibited on campus or on other College property.
2. No unauthorized person or persons shall interfere with reasonable and free access to, exit from, and normal use of any College building, classroom, or other College premises.
3. No unauthorized person or persons shall interfere with the freedom of movement or speech of any individual or group.
4. When a speaker is the object of protest or controversy, no unauthorized person or persons shall take any sign or other demonstration impediments into the building where the speech is to take place.
5. Every person who attends any lecture, speech, discussion, or public event shall treat all

participants in an orderly and reasonably courteous manner.

6. No unauthorized person or persons shall disrupt or interfere with classes, educational activities, or any events sponsored by any College officer or official, faculty group, or student group.
7. No unauthorized person or persons shall utilize or threaten physical force, physical harassment, or physical obstruction.
8. No person or persons shall use language or actions likely to provoke or encourage physical violence.
9. No person or persons shall use, in public, language or gestures which are unreasonably abusive or obscene.
10. No person or persons shall, without proper authority, occupy any College buildings or premises.
11. No person or persons shall examine, disturb or destroy College records without permission of the person authorized to deal with such records.
12. No person or persons shall cause injury or damage to person or property.
13. Any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization is prohibited.
14. The possession of any rifle, shotgun, or firearm in or on the campus or other College property is prohibited.
15. In addition to complying with the requirements of the foregoing specific regulations, which are not exhaustive, members of the academic community shall conduct themselves in a manner which does not unreasonably disrupt the academic community or unreasonably infringe upon the rights of others. This Policy shall be enforced in accordance with the Disciplinary Procedures of The College.

Grievance Policy for Addressing Formal Complaints of Sexual Harassment - Under the Title IX Regulations

1. INTRODUCTION

What is the purpose of the Title IX Grievance Policy?

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access our educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that:

- Defines the meaning of "sexual harassment" (including forms of sex-based violence)
- Addresses how this institution **must** respond to reports of misconduct falling within that definition of sexual harassment, and
- Mandates a grievance process that this institution **must** follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.

See, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available here: <http://bit.ly/TitleIXReg>

Based on the Final Rule, the College of Westchester will implement the following Title IX Grievance Policy, effective August 14, 2020.

How does the Title IX Grievance Policy impact other campus disciplinary policies?

In recent years, "Title IX" cases have become a short-hand for any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual assault. But under the Final Rule, the College of Westchester must narrow both the geographic scope of its authority to act under Title IX and the types of "sexual harassment" that it must subject to its Title IX investigation and adjudication process. **Only** incidents falling within the Final Rule's definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the Title IX Grievance Policy defined below.

The College of Westchester remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule.

Specifically, our campus has a **Code of Conduct** that defines certain behavior as a violation of campus policy and a separate **Policy Against Sexual Harassment and Sexual Misconduct** that addresses the types of sex-based offenses constituting a violation of campus policy, and the procedures for investigating and adjudicating those sex-based offenses.

To the extent that alleged misconduct falls outside the Title IX Grievance Policy, or misconduct falling outside the Title IX Grievance Policy is discovered in the course of investigating covered Title IX misconduct, the institution retains authority to investigate and adjudicate the allegations under the

policies and procedures defined within the Policy Against Sexual Misconduct and Sexual Harassment Not Covered by Title IX and Code of Conduct, as applicable, through a separate grievance proceeding. <https://www.cw.edu/title-ix-policy-prohibiting-sexual-harassment-and-sexual-misconduct#:~:text=The%20College%20of%20Westchester%20further,those%20terms%20are%20defined%20below.>

The elements established in the Title IX Grievance Policy under the Final Rule have no effect and are not transferable to any other policy of the College for any violation of the Code of Conduct, employment policies, or any civil rights violation except as narrowly defined in this Policy. This Policy does not set a precedent for other policies or processes of the College and may not be cited for or against any right or aspect of any other policy or process.

How does the Title IX Grievance Policy impact the handling of complaints?

Our existing Title IX office and reporting structure remains in place. What has changed is the way our Title IX office will handle different types of reports arising from sexual misconduct, as detailed in full throughout Section 2.

2. THE TITLE IX GRIEVANCE POLICY

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Effective Date

This Title IX Grievance Policy will become effective on August 14, 2020, and will only apply to formal complaints of sexual harassment brought on or after August 14, 2020. Complaints brought prior to August 14, 2020 will be investigated and adjudicated in accordance with the Policy Against Sexual Misconduct and Sexual Harassment in effect at the time the harassment occurred.

Revocation by Operation of Law

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this policy, this policy, or the invalidated elements of this policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication. Should the Title IX Grievance Policy be revoked in this manner, any conduct covered under the Title IX Grievance Policy shall be investigated and adjudicated under the existing Sexual Misconduct Policy.

Non-Discrimination in Application

The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, immigration status, citizenship status, national origin or other protected classes covered by federal or state law. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant, Respondent, or Witness.

Anyone found to have violated this Policy will be subject to disciplinary action.

Individuals who wish to file a complaint about the institution's policy or process may contact the Department of Education's Office for Civil Rights using contact information available at <https://ocrcas.ed.gov/contact-ocr>.

Non-Binding

Nothing in this document should be construed to create a contract between any student, employee, staff member, contract worker, vendor, visitor, or any other third party subject to or affected by the contents of this policy. The College of Westchester reserves the right to amend this policy at any time, subject to Federal and state laws and regulations.

Covered Sexual Harassment

For the purposes of this Title IX Grievance Policy, "covered sexual harassment" includes any conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity;
3. Sexual assault;
4. Domestic violence;
5. Dating violence;

6. Stalking.

Sexual assault, which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

Sexual Assault is divided into the following two categories of behavior:

Sexual Assault–Non-consensual Sexual Contact: Behavior including any intentional touching of a sexual nature, however slight, whether clothed or unclothed, with any object or body part by a person against another person that is without Affirmative Consent and/or by force. Examples include, but are not limited to:

- Intentional contact with the breasts, buttocks, groin, or genitals;
- Intentional touching of another with breasts, buttocks, groin, or genitals;
- Compelling someone to touch another person or oneself in a sexual manner; and
- Any intentional bodily contact in a sexual manner.

Sexual Assault–Non-consensual Sexual Intercourse: Behavior including any sexual intercourse, however slight, with any object or body part by a person against another person that is without Affirmative Consent and/or by force.

Examples include, but are not limited to:

- Vaginal penetration by a penis, object, tongue or finger;
- Anal penetration by a penis, object, tongue or finger; and
- Oral copulation (mouth-to-genital contact or genital-to-mouth contact).

Dating Violence includes violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship would be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence would include, but would not be limited to, sexual or physical abuse or the threat of such abuse.

Domestic violence which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under New York State domestic or family violence laws 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 New York.

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to feel fear for her, his, or others' safety, or to suffer substantial emotional distress.

Examples of stalking include but are not limited to:

- constantly appearing at places the victim is known to frequent;
- persistent unwanted communication or contact whether in person, by telephone, text, or email;
- persistent unwanted gifts;
- following or surveillance;
- spreading harmful gossip about victims;
- breaking-and-entering that can include vandalism, theft, or even simply rearranging objects so that victims know the stalker was there.

Note that conduct that does not meet one or more of these criteria may still be prohibited under the Code of Conduct or Policy Against Sexual Harassment and Sexual Misconduct.

Other Definitions

Affirmative Consent (“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 consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression.

The following are guiding principles for consent:

- Consent to one form of sexual activity does not imply consent to other forms of sexual activity, nor does past consent to intimacy imply consent to future intimacy.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated. A person may be incapacitated due to mental disability, sleep, unconsciousness, physical restraint, or from the consumption (voluntary or otherwise) of incapacitating drugs or quantities of alcohol. Sexual activity with someone whom you know or, reasonably should know, is mentally or physically incapacitated (i.e., by alcohol or other drug use, unconsciousness or blackout) constitutes a violation of this policy. Evidence of incapacity may be detected by physical cues, such as slurred speech, bloodshot eyes, the odor of alcohol on a person’s breath or clothing, inability to maintain balance, vomiting, unusual or irrational behavior, and unconsciousness. Incapacity may be indicated by the quantity of alcohol consumed. The presence of one or more of these cues does not necessarily indicate incapacity, nor does the absence of these cues necessarily indicate capacity.
- In order to give consent, a person must be of the legal age of consent, which is 17 in New York.
- Consent cannot be given and is deemed invalid when it is the result of any coercion, intimidation, force or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

Complainant

For the purposes of this Title IX Grievance Policy, Complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute covered sexual harassment as defined under this policy.

Education Program or Activity

For the purposes of this Title IX Grievance Policy, the College of Westchester’s “education program or activity” includes:

- Any on-campus premises
- Any off-campus premises that the College of Westchester has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of the College’s programs and activities over which the College has substantial control.

Formal Complaint

For the purposes of this Title IX Grievance Policy, “formal complaint” means a document – including an electronic submission - filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within the College’s education program or activity and requesting initiation of the procedures consistent with the Title IX Grievance Policy to investigate the allegation of sexual harassment.

Relevant evidence and questions

For the purposes of this Title IX Grievance Policy, “relevant” evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

“Relevant” evidence and questions **do not** include the following types of evidence and questions, which are deemed “irrelevant” at all stages of the Title IX Grievance Process:

- Evidence and questions about the complainant’s sexual predisposition or prior sexual behavior unless:
 - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
 - They concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege, unless the person holding such privilege has waived the privilege.
- Any party’s medical, psychological, and similar records unless the party has given voluntary, written consent.

Respondent

For the purposes of this Title IX Grievance policy, Respondent means any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment as defined under this policy.

Disability Accommodations

This Policy does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX Grievance Process that do not fundamentally alter the Process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

Making a Report Regarding Covered Sexual Harassment to the Institution

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.

Contact Information for the Title IX Coordinator:

Jason Schoen
325 Central Avenue
White Plains, NY 10606
jschoen@cw.edu

[Janna Gullery](#)
325 Central Avenue
White Plains, NY 10606
jgullery@cw.edu

The Title IX Coordinator is responsible for coordinating The College of Westchester's efforts to comply with Title IX, overseeing the College's responses to reports of Title IX violations, and identifying and addressing any pattern or systemic problems.

The Deputy Title IX Coordinator is:

Anna Bravo
Manager of Administrative Services/Human Resources
325 Central Avenue
White Plains, NY 10606
914-831-0353
abravo@cw.edu

The Deputy Title IX Coordinator will oversee compliance involving employees and will provide updates to the Title IX Coordinator.

Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Confidential Reporting

The following Officials will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited under this policy:

- Title IX Coordinator or designee
- Deans
- Manager of Human Resources
- Security staff
- Career Counselors
- Veterans Support staff member
- Executive Office staff
- Managers and supervisors
- Faculty

The following Officials may provide confidentiality:

The Counseling Center: counseling@cw.edu or 914-831-0441

Sexual Harassment and Misconduct that Does Not Involve Students

All employees have a duty to report any instances of sexual harassment and sexual misconduct, whether the harassment is directed toward you or another employee and whether committed by a supervisor,

fellow employee, or non-employee. If you feel that you have been subjected to harassment or other forms of sexual misconduct, or if you witness conduct that you believe violates this policy, report the matter immediately to your immediate supervisor or the Human Resources Manager. If you are not sure to whom you should speak about an issue of sexual harassment, or if you have not received a satisfactory response from your supervisor within five (5) business days after reporting any incident of what you perceive to be sexual harassment, immediately contact the Human Resources Manager at extension 353. The Human Resources Manager will ensure that an investigation is immediately conducted. Every report of perceived sexual harassment or misconduct will be fully investigated and corrective action will be taken where appropriate. Supervisors and managers who knowingly allow sexually harassing behavior to continue will be subject to disciplinary action.

Privacy vs. Confidentiality

Consistent with the Policy Against Sexual Misconduct and Sexual Harassment, references made to *confidentiality* refer to the ability of identified confidential resources to not report crimes and violations to law enforcement or college officials without permission, except for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to *privacy* mean the College of Westchester offices and employees who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. The College of Westchester will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

Non-Investigatory Measures Available Under the Title IX Grievance Policy

Supportive Measures

Supportive measures are neither disciplinary, nor punitive. They are intended to provide support and facilitate access to the College's education program and activity. Complainants who report allegations that could constitute Sexual Harassment Prohibited by Title IX are entitled to receive supportive measures from the College regardless of whether they choose to file a formal complaint. These supportive measures may include, as appropriate:

- counseling
- extensions of deadlines or other course-related adjustments
- modifications of work or class schedules
- campus escort services
- restrictions on contact between the parties (no contact orders)
- changes in work or housing locations
- leaves of absence
- increased security and monitoring of certain areas of the campus
- No Contact orders, only when applicable to both parties

Supportive measures are non-disciplinary and non-punitive.

Request for Review and Modification: Student Complainants and Respondents may request review and modification of any supportive measure(s) that directly impact them, including review of the need for and terms of the measure(s), by submitting a request in writing to the Title IX Coordinator along with any evidence they wish to present. In the event the measure impacts the other party, they will be given an opportunity to state their position and present evidence as appropriate. The Title IX Coordinator or designee will review the submissions and make a determination.

The individual who hears the challenge to the removal determination will not be involved in any

decision regarding responsibility or appeal of that decision regarding responsibility.

Emergency Removal of Student-Respondent

The College of Westchester retains the authority to remove a respondent from the College of Westchester's program or activity on an emergency basis, where the College of Westchester (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual harassment justifies a removal.

If the College determines such removal is necessary, the respondent will be provided notice and an opportunity to request review and modification of the decision immediately following the removal.

Administrative Leave

The College retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Process, consistent with the Staff & Faculty Handbook.

3. THE TITLE IX GRIEVANCE PROCESS

Filing a Formal Complaint

The timeframe for the Title IX Grievance Process begins with the filing of a Formal Complaint. The Grievance Process will be concluded within a reasonably prompt manner, and no longer than ninety (90) school days after the filing of the Formal Complaint, provided that the Process may be extended for a good reason, including but not limited to the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The procedure for applying for extensions is described below.

To file a Formal Complaint, a complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Policy if they are currently participating in, or attempting to participate in, the education programs or activities of the College, including as an employee. The College reserves the right, at its sole discretion, to utilize the Policy Against Sexual Harassment and Sexual Misconduct Not Covered by Title IX to address complaints from complainants who are not currently participating or attempting to participate in the education programs or activities of the College.

If a complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary. The College will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Policy and Process.

Nothing in the Title IX Grievance Policy or the Policy Against Sexual Harassment and Sexual Misconduct Not Covered by Title IX prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

Informal Resolution

A complainant who files a Formal Complaint may elect, at any time, to address the matter through the Institution's Informal Resolution Process. All Parties to a Formal Complaint must agree to enter the

Informal Resolution Process through an informed written consent. Information about this Process is available through contacting your Title IX Coordinators or Title IX Advisor.

Multi-Party Situations

The institution may consolidate Formal Complaints alleging covered sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of covered sexual harassment arise out of the same facts or circumstances.

Determining Jurisdiction

The Title IX Coordinator or designee will determine if the instant Title IX Grievance Process should apply to a Formal Complaint. The Process will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred on or after August 14, 2020;
2. The conduct is alleged to have occurred in the United States;
3. The conduct is alleged to have occurred in the College's education program or activity;
and
4. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

If all of the elements are met, the College will investigate the allegations according to the Grievance Process.

If a complaint is dismissed from the Title IX Grievance Process, the Title IX Coordinator may refer the complaint to be addressed under the Policy Against Sexual Harassment and Sexual Misconduct Not Covered by Title IX or any other relevant College of Westchester policy.

Allegations Potentially Falling Under Two Policies:

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the College may elect to investigate and adjudicate the conduct that would not constitute covered sexual harassment in accordance with the Title IX Grievance Process or another applicable policy, at the College's discretion. The College will notify the parties as to which procedure will be applied in the investigation and adjudication of each of the allegations.

Notice of Dismissal

Upon reaching a decision that the Formal Complaint will be dismissed, the institution will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint, and the reason for the dismissal, simultaneously to the parties through their institutional email accounts. It is the responsibility of parties to maintain and regularly check their email accounts.

Notice of Removal

Upon dismissal for the purposes of Title IX, the College retains discretion to utilize the Code of

Conduct and the Policy Against Sexual Harassment and Sexual Misconduct Not Covered by Title IX (<https://www.cw.edu/title-ix-policy-prohibiting-sexual-harassment-and-sexual-misconduct#:~:text=The%20College%20of%20Westchester%20further,those%20terms%20are%20defined%20below.>) to determine if a violation of the Code of Conduct or Non-Title IX Sexual Misconduct Policy has occurred. If so, the College will promptly send written notice of the dismissal of the Formal Complaint under the Title IX Grievance Process and removal of the allegations to the conduct process.

Notice of Allegations

The Title IX Coordinator will draft and provide the Notice of Allegations to the Complainant(s) and Respondent(s) as soon as practicable after receiving a Formal Complaint of the allegations, absent extenuating circumstances. The notifications will be sent to the parties' institutional email accounts if they are students or employees or by other reasonable means if they are neither students nor employees. If a response is not received within three (3) business days, additional attempts will be made to reach the parties.

The institution will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

Contents of Notice

The Notice of Allegations will include the following:

- Notice of the College's Title IX Grievance Procedure and a hyperlink to a copy of the process.
- Notice of the allegations potentially constituting covered sexual harassment, including sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting Title IX sexual harassment; and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source.
- A statement that the College prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

Additionally, the College will provide written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party expected to attend, with sufficient time for the party to prepare to participate.

Ongoing Notice

If, in the course of an investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered "sexual harassment" falling within the Title IX Grievance Policy, the institution will notify the parties whose identities are known of the additional allegations by their institutional email accounts or other reasonable means.

The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

Advisor of Choice and Participation of Advisor of Choice

The College will provide the parties equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

The College has a long-standing practice of requiring students to participate in the process directly and not through an advocate or representative. Students participating as Complainant or Respondent in this process may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice shall not participate directly in the process as per standard policy and practice of the College.

The College will not intentionally schedule meetings or hearings on dates where the Advisors of Choice for all parties are not available, provided that the Advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

The College's obligations to investigate and adjudicate in a prompt timeframe under Title IX and other college policies apply to matters governed under this Policy, and the College cannot agree to extensive delays solely to accommodate the schedule of an Advisor of Choice. The determination of what is reasonable shall be made by the Title IX Coordinator or designee. The College will not be obligated to delay a meeting or hearing under this process more than five (5) days due to the unavailability of an Advisor of Choice, and may offer the party the opportunity to obtain a different Advisor of Choice or utilize one provided by the College.

Notice of Meetings and Interviews

The College will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

Delays

Each party may request a one-time delay in the Grievance Process of up to five (5) days for good cause (granted or denied in the sole judgment of the Title IX Coordinator, Director of Student Conduct, or designee) provided that the requestor provides reasonable notice and the delay does not overly inconvenience other parties.

For example, a request to take a five day pause made an hour before a hearing for which multiple parties and their advisors have traveled to and prepared for shall generally not be granted, while a request for a five day pause in the middle of investigation interviews to allow a party to obtain certain documentary evidence shall generally be granted.

The Title IX Coordinator or designee shall have sole judgment to grant further pauses in the Process.

Process Free from Bias or Conflict of Interest

Both the Complainant and the Respondent have the right to have a fair and impartial investigation,

determination and appeal. If either party has any reason to believe that the Investigator, the Title IX Coordinator, or any of the Hearing or Appeals Officers has a conflict of interest or would otherwise be unable to be fair and impartial, the concerned party should submit a letter explaining the basis for their concern.

- Regarding the Investigator or the Hearing Officer, to the Title IX Coordinator; and
- Regarding the Title IX Coordinator, to Human Resources.

The other party will be provided with a copy of the letter and will have an opportunity to respond. Based upon those submissions and any independent inquiry the decision-maker may choose to make, if it is determined that a conflict of interest exists, another individual will be appointed to take on the role of the conflicted person. If it is found that no conflict of interest exists, the individual will continue in their role. Concerns regarding conflicts of interest should be raised as soon as they are identified and whenever possible before the allegedly conflicted person renders a determination, for example, prior to the submission of the investigative report, the Hearing Officer's determination, or the appeal decision

Investigation

The Title IX Coordinator will assign an Investigator. The Investigator will direct the investigative process and confer with the Title IX Coordinator as appropriate. The investigation will be prompt, thorough, and impartial.

There will be no Retaliation against any individual for filing a Complaint and/or for assisting, testifying, or participating in the investigation of a Complaint.

All Complaints will be kept private and disclosed only to the extent necessary for a thorough investigation.

Each party will have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations) as described below.

The Investigator will take the following steps:

- **Thoroughly review the Complaint and all supporting documentation and evidence.**
- **Interview both the Complainant(s) and the Respondent(s).**
- **Give both parties the opportunity to identify witnesses and provide relevant documentary and physical evidence. (This may include, but is not limited to, texts, emails, photos, social media posts, voicemail messages, etc.)**
- **The Investigator will contact witnesses who may have relevant information and engage in good faith efforts to meet with the witnesses. If a witness is not cooperative, the Investigator will not unreasonably delay the investigation.**
- **The Investigator has the discretion to identify and interview witnesses who were not identified by any party.**
- **The Investigator has the discretion not to interview a suggested witness where none of the information the party indicates that the witness can share would be relevant in the Investigator's judgment.**
- Exclude from consideration information about the romantic or sexual history of either the Complainant or the Respondent, except as to prove that someone other than the respondent committed the conduct alleged by the complainant or with respect to the parties' shared sexual history when offered to prove consent. If either party offers such information, the other will

have the right to respond.

- Exclude from consideration medical records and information, including mental health history or treatment, absent a waiver from the individual who is the subject of the medical record.
- Exclude from consideration information protected under a legally recognized privilege such as the attorney-client privilege unless the person holding such privilege has waived the privilege.

Parties' Inspection and Review of Evidence

Once the investigation has concluded, the Investigator, in conjunction with the Title IX Coordinator or designee, shall gather all evidence that is directly related to the allegations. Unless otherwise prohibited by law, the Title IX Coordinator or designee shall make electronic copies of the evidence available to the parties and their advisors. Given the confidential nature of the materials and proceeding, the parties and their advisors will be required to sign a non-disclosure agreement not to disseminate any of the evidence subject to inspection and review and not to use the evidence for any purpose other than the Title IX Grievance Process. Any violation of the non-disclosure agreement may result in additional misconduct charges against a party, a report to an attorney's professional licensing board, or other legal action. The parties may then review the information gathered. Both will have an opportunity to respond in writing to this information within ten business days.

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

Inclusion of Evidence Not Directly Related to the Allegations:

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will not be disclosed, or may be appropriately redacted before the parties' inspection to avoid disclosure of personally identifiable information of a student. Any evidence obtained in the investigation that is kept from disclosure or appropriately redacted will be documented in a "privilege log", which may be reviewed by the parties and their advisors, if any.

Investigative Report

The Investigator will consider the parties' responses in completing the final investigative report, which will compile all relevant evidence. The report will be provided to the parties no later than ten business days before any hearing on the formal complaint and before any pre-hearing meeting. The final investigative report will be redacted for information that is irrelevant or privileged. Unless otherwise prohibited by law, the Title IX Coordinator or designee shall make electronic copies of the evidence available to the parties and their advisors. The parties shall have the opportunity to provide any written response to the investigative report to the Title IX Coordinator prior to the start of the hearing. The parties may request to review the other party's written response statements once they have been submitted. If at any stage following the submission of the parties' responses new evidence directly related to the allegations is gathered, it will be shared with the parties and their advisors in line with the parameters set forth above. The parties will have an opportunity to submit an additional written response within a time frame determined by the Title IX Coordinator or designee. The parties may request to review the other party's written response statements once they have been submitted, but they will not be permitted to submit any further written response.

Hearing

Hearing

Prior to taking any disciplinary action with respect to Title IX Sexual Harassment, the College will hold a live hearing. The parties cannot waive the right to a live hearing. The live hearing may be conducted with all parties physically present in the same physical location, or, at the Title IX Coordinator's discretion, any or all parties, witnesses, and/or other participants may appear at the live hearing virtually through a remote conferencing platform. This technology will enable participants simultaneously to see and hear each other. In the event of technological difficulties outside the parties' control, the College may delay or adjourn a hearing. Any party who wishes to participate remotely may submit such a request to the Title IX Coordinator with an explanation for the request.

The College may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, the College will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

The hearing will be recorded through audio recording or audiovisual recording and a written transcript. That recording or transcript will be made available to the parties for inspection and review, provided that they and their advisors have signed a non-disclosure agreement not to disseminate the hearing [recording/transcript] or use it for any purpose other than the Title IX grievance process. Any violation of the non-disclosure agreement may result in additional misconduct charges against a party, a report to an attorney's professional licensing board, or other legal action.

The deliberations of the Hearing Officer will not be recorded.

Continuances or Granting Extensions

The College may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, the College will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

Evidence Not Previously Disclosed

As a general rule, no new evidence or witnesses may be submitted during the live hearing.

If a party identifies new evidence or witnesses that were not reasonably available prior to the live hearing and could affect the outcome of the matter, the party may request that such evidence or witnesses be considered at the live hearing.

The Hearing Officer will consider this request and determine (1) whether such evidence or witness testimony was actually unavailable by reasonable effort prior to the hearing and (2) whether such evidence or witness testimony could affect the outcome of the matter. The party offering the newly-discovered evidence or witness has the burden of proving (1) and (2) by the preponderance of the evidence.

If the Hearing Officer determines that this standard is met, then the parties will be granted a reasonable

period of time to review the evidence or prepare for questioning of the witness.

Participants in the live hearing

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

- Complainant(s) and advisor(s)
- Respondent(s) and advisor(s)
- Hearing Officer
- Decision-Maker
- Title IX Coordinator or designee
- Witnesses (only while they are being questioned)
- College employees needed to provide technological support/assistance.
- Stenographer (if the hearing is being transcribed)

Complainant and Respondent (The Parties)

- The parties cannot waive the right to a live hearing.
- The institution may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence, including through any evidence gathered that does not constitute a “statement” by that party.
 - For example, a verbal or written statement constituting part or all of the sexual harassment itself is not a “prior statement” that must be excluded if the maker of the statement does not submit to cross-examination about that statement. In other words, a prior statement would not include a document, audio recording, audiovisual reading, and digital media, including but not limited to text messages, emails, and social media postings, that constitute the conduct alleged to have been the act of sexual harassment under the formal complaint. See, OCR Blog (May 22, 2020), available at <https://www2.ed.gov/about/offices/list/ocr/blog/20200522.html>
- The College will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the party’s participation.
- If a party does not submit to cross-examination, the decision-maker cannot rely on any prior statements made by that party in reaching a determination regarding responsibility, but may reach a determination regarding responsibility based on evidence that does not constitute a “statement” by that party.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party’s absence from the live hearing or refusal to answer cross examination or other questions.

The Hearing Officer/Decision-Maker

- The Hearing Officer may also serve as the Decision-Maker.
- The Hearing Officer will be an individual who has received training on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.
- The Hearing Officer will not have any bias for or against either party or any other conflict of interest. Neither the Title IX Coordinator, the Investigator, nor any parties' advisor can serve as the Hearing Officer.
- The Hearing Officer is responsible for presiding over the hearing in accordance with the hearing procedures set forth below.
- The Hearing Officer will determine the order of the witnesses.
- The Hearing Officer will determine whether each question asked by one of the parties' advisors seeks relevant information and will provide an explanation for any determination to exclude a question.
- The Hearing Officer will not consider any statement made by a witness who is not available for cross-examination.
- The Hearing Officer will prepare a written determination as set forth below.

Advisor of choice

- The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
- The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the institution will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.
- The advisor is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The advisor is not prohibited from being a witness in the matter.
- If a party does not attend the live hearing, the party's advisor may appear and conduct cross-examination on their behalf.
- If neither a party nor their advisor appear at the hearing, the College will provide an advisor to appear on behalf of the non-appearing party.

Witnesses

- Witnesses cannot be compelled to participate in the live hearing, and have the right not to participate in the hearing free from retaliation.
- If a witness does not submit to cross-examination, as described below, the decision-maker cannot rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a witness or party who testifies at the live hearing.

Hearing Procedures

For all live hearings conducted under this Title IX Grievance Process, the procedure will be as follows:

- The Hearing Officer will begin the hearing by establishing the rules and expectations for the hearing;
- Each party will have an opportunity to give an opening statement. The statement will be presented by the party, not the party's advisor;
- The Hearing Officer will ask questions of the Parties;

- After the Hearing Officer questions a party, the other party’s advisor will have an opportunity to cross-examine;
- The Hearing Officer will ask questions of each witness;
- After the Hearing Officer questions each witness, the parties’ advisors will be given the opportunity to cross-examine that witness. The advisor of the party who suggested the witness will cross-examine that witness last.
- The Hearing Officer will have the authority to stop the proceedings at any time, including to ask additional follow-up questions during cross-examination, to enforce the rules of decorum, or for any other reason.
- Should a Party or the Party’s Advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the Hearing Officer. A Party’s waiver of cross-examination does not eliminate the ability of the Hearing Officer to use statements made by the Party.
- The Hearing Officer may not consider the statements of any witness, including a party, who does not submit to cross-examination, even where such statements are contained in other evidence (i.e. emails, text messages, social media postings, etc.). Evidence that does not constitute a “statement” may be considered regardless of whether the witness is subjected to cross-examination. A verbal or written statement constituting part or all of the sexual harassment itself is not a “prior statement” that must be excluded if the maker of the statement does not submit to cross-examination about that statement. In other words, a prior statement would not include a document, audio recording, audiovisual reading, and digital media, including but not limited to text messages, emails, and social media postings, that constitute the conduct alleged to have been the act of sexual harassment under the formal complaint.
- The College will not threaten, coerce, intimidate or discriminate against any party in an attempt to secure the party’s participation.
- Witnesses cannot be compelled to participate in the live hearing and have the right not to participate in the hearing free from retaliation.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party’s absence from the live hearing or refusal to answer cross examination or other questions.
- Prior to the conclusion of the hearing, the parties may each make an impact statement.

Live Cross-Examination Procedure

Each party’s advisor will conduct live cross-examination of the other party or parties and witnesses. During this live-cross examination the advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.

Before any cross-examination question is answered, Hearing Officer will determine if the question is relevant. Cross-examination questions that are duplicative of those already asked, including by the Hearing Officer may be deemed irrelevant if they have been asked and answered.

Review of Transcript

The transcript of the hearing will be available for review by the parties within seven (7) business days, unless there are any extenuating circumstances. The transcript of the hearing will not be provided to parties or advisors of choice.

Determination Regarding Responsibility

Standard of Proof

The College uses the preponderance of the evidence standard. This means that the investigation and hearing determines whether it is more likely than not that a violation of the Policy occurred.

General Considerations for Evaluating Testimony and Evidence

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Decision-maker.

Decision-makers shall not draw inferences regarding a party or witness' credibility based on the party or witness' status as a complainant, respondent, or witness, nor shall it base its judgments in stereotypes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.

The weight given to any evidence will not vary based upon whether it is inculpatory or exculpatory (i.e. tending to prove or disprove the allegations)

Unless barred by the cross-examination requirements, a witness's testimony regarding indirect knowledge of the facts at issue will be considered but will generally be accorded less weight than testimony regarding direct knowledge of specific facts that occurred.

Title IX regulations require that the College allow parties to call "expert witnesses" for direct and cross examination. The College does not provide for expert witnesses in other proceedings. While the expert witness will be allowed to testify and be cross-examined, the Hearing Officer will afford greater weight to the testimony of fact witnesses than to the non-factual testimony of the expert or to the expert's testimony that is not directed to the specific facts of the case.

Where a party or witness's conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Hearing Officer may draw an adverse inference as to that party or witness's credibility.

Components of the Determination Regarding Responsibility

The Hearing Officer will issue a written determination simultaneously to all parties through their institutional email account, or other reasonable means as necessary. Absent extenuating circumstances, the Determination will be issued within ten business days of the completion of the Hearing. The Determination will include:

1. Identification of the allegations potentially constituting covered sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;

4. Conclusions regarding which section of this policy, if any, the respondent has or has not violated.
5. For each allegation:
 - a. A statement of, and rationale for, a determination regarding responsibility;
 - b. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
 - c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
6. The recipient's procedures and the permitted reasons for the complainant and respondent to appeal (described below in "Appeals").

Timeline of Determination Regarding Responsibility

If there are no extenuating circumstances, the determination regarding responsibility will be issued by the College within ten (10) business days of the completion of the hearing.

Finality

The determination regarding responsibility becomes final either on the date that the institution provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in "Appeals" below, or if an appeal is not filed, the date on which the opportunity to appeal expires.

Appeals

If a Respondent or Complainant does not accept the findings of the Hearing Officer, the party may request an appeal through the following procedures. The request for appeal must be submitted within five (5) Business Days of receipt of the Hearing Officer's decision.

Appeals are not intended to be full re-hearings or the basis for a new investigation of the Complaint. The Appeals Officer may accept or modify the original decision. Appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal. The Appeal Officer's decision to deny a requested outcome on appeal is final.

The ONLY grounds for appeal are as follows:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal that could have affected the outcome of the matter;
- The Title IX Coordinator, Investigator(s), or Hearing Officer had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.

Any party who files an appeal must do so in writing to the Title IX Coordinator. The request for appeal will then be forwarded to an appointed Appeals Officer for review. The non-appealing party will be given an opportunity to review the written appeal and submit a written response not to exceed ten (10) pages within five (5) business days. In cases of alleged Sexual Assault, Domestic Violence, Dating Violence or Stalking involving a Student in New York, the appeal will be reviewed by a panel of three (3) persons. The appeal panel's determination need not be unanimous but, at least two of the panel members must agree on the outcome.

If the Appeals Officer determines that a procedural error occurred, they may return the original Complainant to the Hearing Officer with instructions to reconvene to remedy the error. The results of a reconvened hearing cannot be appealed.

In rare cases, where the error cannot be remedied by the original Hearing Officer (as in cases of bias), the Appeals Officer may order a new Hearing with a new Hearing Officer appointed by the Title IX Coordinator as appropriate. The results of a new hearing with a new Hearing Officer can be appealed once on the grounds for appeal listed above.

The Appeals Officer may in their discretion suspend any sanctions imposed by the Hearing Officer during the pendency of the appeal and/or any new Hearing of the original Complaint.

The Appeals Officer will render a written decision on the appeal to all parties within twenty-one (21) Business Days from receipt of the request for appeal. The decision on appeal, which will include the rationale for the decision, will be delivered to the parties simultaneously via their institutional email account or other reasonable means.

In cases of Sexual Assault, Domestic Violence, Dating Violence or Stalking, if neither party submits a written appeal within five (5) Business Days of receipt of the Hearing Officer's decisions, the Title IX Coordinator, as appropriate, will provide the parties with written notification that the Hearing Officer's decision is final. In cases involving all other kinds of alleged Title IX Sexual Harassment, the decision will be deemed final upon expiration of the period of time to appeal and no written notice will be provided.

Retaliation

The College will keep the identity of any individual who has made a report or complaint of sex discrimination confidential, including the identity of any individual who has made a report or filed a Formal Complaint of sexual harassment under this Title IX Grievance Policy, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding under this Title IX Grievance Policy.

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under this Title IX Grievance Policy.

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or Formal Complaint of sexual harassment.

Complaints alleging retaliation may be filed according to the Policy Against Sexual Harassment and Sexual Misconduct.

External Remedies for Employees

The College of Westchester is committed to responding quickly and effectively to any internal report of harassment and encourages employees and nonemployee workers to come forward and allow the institution to pursue an internal investigation of the matter.

In addition to the College's internal complaint procedure, an employee or nonemployee worker may also choose to pursue legal remedies with the following governmental entities at any time.

New York State Division of Human Rights

<https://dhr.ny.gov/>

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

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court.

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

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

DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400, www.dhr.ny.gov

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

U.S. Equal Employment Opportunity Commission

<http://www.eeoc.gov/contact>

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court. The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

If an employee believes that he/she has been discriminated against at work, he/she can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov

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

The Westchester County Human Rights Commission

<https://humanrights.westchestergov.com/>

112 East Post Road, 3rd Floor
White Plains, NY 10601
Phone: (914) 995-7710

Employee Complaint Form

If you believe that you have been subjected to sexual misconduct, you are encouraged to complete this form and submit it to Anna Bravo Human Resources Manager, 325 Central Avenue, White Plains, NY 10606, 914-831-0353, abravo@cw.edu. You may also submit a complaint orally.

COMPLAINANT INFORMATION

Name: _____

Home Address: _____

Home Phone: _____ Work Phone: _____

Job Title: _____ Email: _____

SUPERVISOR INFORMATION

Immediate Supervisor’s Name: _____

Title: _____

COMPLAINT INFORMATION

1. Your complaint of Sexual Misconduct is made against:

Name: _____

Title: _____

Relationship to you: Supervisor/ Subordinate/ Co-Worker/ Student/ Other

2. Please describe the conduct or incident(s) that is the basis of this complaint and your reasons for concluding that the conduct is sexual misconduct. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) sexual misconduct occurred: _____

Is the sexual misconduct continuing? Yes/No

4. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint:

5. Have you previously complained or provided information about sexual harassment at the College? If yes, when and to whom did you complain or provide information?

Signature: _____ Date: _____

Nondiscrimination/Affirmative Action/Equal Opportunity/Section 504 Policy

The College of Westchester is an equal opportunity employer and conforms to the regulations and policies of Affirmative Action, and Section 504 of the Rehabilitation Act of 1973. The College of Westchester's nondiscrimination policy prohibits discrimination in all areas of its operation. The College of Westchester does not unlawfully discriminate against any person on the basis of race, color, religion, sex, national origin, age, handicap, veteran status or sexual orientation. This policy covers all programs, services, policies and procedures of The College of Westchester, including admission to education programs and employment. Inquiries with respect to these regulations may be referred to the Provost & Vice President of Academic Affairs.

SOCIAL MEDIA POLICY

The College of Westchester maintains a number of CW social media websites located on Facebook, Twitter, and LinkedIn, to name a few. In addition, CW online courses, including hybrid courses, require faculty and student participation in discussion boards. In recognition of these activities, below are guidelines that have been developed for students.

General Guidelines:

- Respect the rights of CW staff, faculty and students and others to privacy including not disclosing personal information such as names, addresses, phone numbers or any other information that may identify any individual.
- CW's logo, banner and related images are property of The College and any unauthorized use of CW's logo, banner or related images is strictly prohibited.
- Whether you are posting to your social media website or participating in someone else's, make it clear that you are expressing your own views and opinions, and that you do not speak on behalf of CW.
- Cite to the original source or reference for ideas, quotes or photos that are not your own.
- Include links to original sources or references.
- Adhere to the Computer Usage Policy and Code of Conduct as noted in the CW catalog and student handbook.
- Faculty will monitor the discussion board associated with the course you are taking using the

same guidelines as noted here within. Your instructor reserves the right to include additional guidelines and will notify you of those additional guidelines. If you should have any concerns or problems, please address them with your faculty member.

- CW reserves the right to delete any post that is deemed inappropriate for any discussion forum, blogging website or any other social media websites that is under the jurisdiction of The College without prior notification to the student, faculty or staff.
- Uploading photos and videos to CW's social media websites that display nudity, racist conduct or other vulgar behavior may be removed without prior notification.
- If a student has interest in creating a CW social media website, the student must contact CW's Vice President for Marketing and Media Resources to obtain CW's written approval for a CW social media website and assistance in creating that website, if needed.

Netiquette:

- Remain professional, respectful, and courteous at all times.
- Remember that a real human being wrote each message you see online and will read what you write in response. It is easy to misinterpret what was said, so do your best to give the benefit of the doubt.
- Focus on ideas rather than the people who hold them. If you have a strong opinion on a topic, it is OK to express why you hold that opinion without attacking those who disagree. Please be gracious with differing opinions.
- When upset, wait an hour (or even a day) before responding. Messages written in anger are often regretted later.
- Proofread and use the spell check tool when you type a post. It makes the post easier to read and helps your readers understand what you are saying.

CODE OF CONDUCT AND DISCIPLINE PROCEDURES

Grounds for Disciplinary Action

A violation of the Grounds for Disciplinary Action may be construed to include: (a) active Violation; (b) attempt to violate; and (c) solicitation of or aiding another in the commission of a violation.

Disciplinary action may be instituted in any case in which an individual or group of students is found in violation of any of the following regulations:

1. Conduct which could be construed to be a violation of any federal, state, or local law.
2. Conduct which disrupts or interferes with the personal or group rights of other members of The College community or with any activities of The College including, but not limited to, access to facilities and performance of normal duties.
3. Conduct which violates personal, group, or College rights to be secure against unlawful intrusion or seizure including, but not limited to: (a) theft or possession of stolen property; (b) possession or use of unauthorized College keys or access devices; (c) unauthorized entry; and (d) refusal to leave or to release any property when ordered to do so by any person having jurisdiction over it.
4. Destruction of, unauthorized removal of, or damage to computer equipment or any College property will result in disciplinary action which may include dismissal and payment for damages.
5. Academic dishonesty, as defined in this document.
6. Use (and/or presumably under the influence) possession, or distribution of controlled substances (illegal drugs, as defined by state and federal law) and precursors of controlled substances or drug paraphernalia, except as expressly permitted by state and federal law and College regulations.
7. Being in any place for the purpose of unlawful use, possession, or distribution of a controlled

- substance.
8. Disorderly, lewd, harassing, slanderous, or indecent conduct.
 9. Assault and/or sexual assault. See Title IX Policy Prohibiting Sexual Harassment and Sexual Misconduct.
 10. Willful failure or refusal to testify as a witness after having been directed to appear at an College disciplinary proceeding, unless the testimony would tend to implicate said student in a violation of College regulations; or knowingly providing false testimony or evidence at a College disciplinary proceeding.
 11. Conduct which endangers the safety of The College community, including, but not limited to, tampering with safety or fire-warning devices; setting a fire on College property; reckless operation of a motor vehicle; or failing to abide by the safety rules of The College.
 12. Use, possession or storage of dangerous weapons, chemicals, explosive devices or materials including, but not limited to, firearms, air guns, prohibited knives (such as switch knives, swords, daggers, gravity knives, throwing stars, and knives with blades more than three inches long), ammunition, slingshots, metallic knuckles, bows and arrows, firecrackers, and bombs.
 13. Failure to comply with a College official in the performance of his or her duties, including but not limited to, failure to provide valid identification or knowingly furnishing false information.
 14. Failure to honor financial obligations to The College or to any element thereof.
 15. Conduct which violates College or student government regulations established for any specific area or department by those having jurisdiction over it.
 16. Failure to comply with the Rules of Maintenance of Public Order.

DISCIPLINE HEARING PROCEDURES

The College of Westchester's discipline policy is intended to support the standards of The College with regard to the conduct of students and the academic honor code. A student possessing drugs, alcohol or weapons on College property, or who is accused of any other major offense, may be immediately dismissed from The College. The College reserves the right to place a student on an emergency suspension when the continued presence of such student could constitute a danger to the safety of person or property on the premises of The College. In the event of such a suspension, the student, upon written request, shall have the right to a hearing before the Discipline Committee within five business days after said request.

Students accused of a breach of discipline will be referred to the Discipline Committee, composed of three faculty members who are not involved in the issue at hand. Prior to the Discipline Committee Hearing, the student will be notified of the date, time, and place of the hearing by overnight mail and telephone. If the accused student fails to appear at the hearing, the committee will proceed as scheduled and make a decision based upon the facts presented. Based on the judgment of The College, discipline hearings may be held remotely via conference call, video, or other alternative formats.

At least three days prior to the Discipline Committee hearing, the aggrieved person is required to submit a written statement describing the incident to the Vice President of Student Services and Retention. This statement will be read aloud at the hearing by the committee members and witnesses may be called to testify. The accused student will be notified by overnight mail and telephone of the committee's decision, 24 to 48 hours after the hearing. If the accused student does not fulfill the penalty imposed by the committee, the student will be suspended or dismissed.

The accused student may appeal the committee's decision to the Provost & Vice President of Academic Affairs. The appeal must be submitted, in writing, within three days of the committee's decision and

must include a rationale for seeking the appeal. The punishment may be reduced, but will not be made more severe.

The College must, upon written request, disclose to the alleged victim of a crime of violence, or non-forcible sex offense, the results of any disciplinary hearing conducted by the institution against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the institution must provide the results of the disciplinary hearing to the victim's next of kin, if so requested.