Student Access, Involvement, and Success – Policies, Procedures & Regulations

AUDITING COURSES BY SENIOR CITIZENS LEGISLATION .............................................................. 4
CAMPUS RECRUITING BY TRANSFER COLLEGES ........................................................................ 4
COLLEGES ON CAMPUS PROGRAM ............................................................................................ 4
TRANSFER COLLEGE MAILING REQUESTS .................................................................................. 4
EMPLOYER RECRUITING POLICIES AND GUIDELINES ............................................................... 5
ENTREPRENEURIAL, HIGH RISK & MEDICAL TESTING EMPLOYMENT OPPORTUNITIES ........... 5
COLLEGE & EMPLOYER TABLING PROGRAM ............................................................................. 5
CLASSROOM CONDUCT POLICY ................................................................................................ 6
CREDIT FOR STUDIES/MILITARY .................................................................................................... 7
DEATH OF A STUDENT RESPONSE POLICY ................................................................................ 8
FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) ..................................................... 9
FERPA RELEASE FORM .................................................................................................................. 12
STUDENT & EXCHANGE VISITOR PROGRAM (SEVP) ................................................................. 12
SEVIS REPORTING REQUIREMENTS FOR DESIGNATED SCHOOL OFFICIALS ..................... 13
NONDISCRIMINATION ON THE BASIS OF DISABILITY ............................................................ 19
VIRGINIA MARX CHILDREN’S CENTER AT WESTCHESTER COMMUNITY COLLEGE .............. 20
GENERAL REQUIREMENTS FOR ADMISSION ........................................................................ 20
ADMISSIONS PROCESS FOR HIGH SCHOOL TRANSCRIPTS ................................................. 21
24 CREDIT HOUR GED PROGRAM ............................................................................................ 22
EARLY ADMIT STUDENT (EAS) PROGRAM ................................................................................ 23
RETURN OF TITLE IV FUNDS POLICY WHEN WITHDRAWING FROM CLASSES .................... 24
SATISFACTORY ACADEMIC PROGRESS ................................................................................... 24
TAP ACADEMIC PROGRESS REQUIREMENTS ....................................................................... 25
AID FOR PART-TIME STUDY (APTS) PROGRESS STANDARDS .............................................. 26
FEDERAL AID ACADEMIC REQUIREMENTS ............................................................................ 27
FINANCIAL AID CODE OF CONDUCT AND ETHICAL PRINCIPLES .................................... 27
OFFICE OF REGISTRAR ............................................................................................................... 29
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEDICAL RESPONSE PROCEDURES FOR OFF-CAMPUS SPONSORED ACTIVITIES</td>
<td>48</td>
</tr>
<tr>
<td>STUDENT MEDICAL PAYMENT, INSURANCE INQUIRIES &amp; RESOURCES</td>
<td>50</td>
</tr>
<tr>
<td>REPORTING AFTER AN EMERGENCY SITUATION CONCLUDES</td>
<td>50</td>
</tr>
<tr>
<td>STUDENT ASSISTANCE NOTIFYING PROFESSORS OF ILLNESS</td>
<td>50</td>
</tr>
<tr>
<td>STUDENT WITHDRAWALS FOR MEDICAL REASONS</td>
<td>52</td>
</tr>
<tr>
<td>HEALTH SERVICES CONFIDENTIALITY</td>
<td>53</td>
</tr>
<tr>
<td>IMMUNIZATIONS</td>
<td>54</td>
</tr>
<tr>
<td>ALLIED HEALTH PROGRAM MEDICAL CLEARANCES</td>
<td>60</td>
</tr>
<tr>
<td>INFECTION CONTROL</td>
<td>62</td>
</tr>
<tr>
<td>Personal Counseling Services</td>
<td>68</td>
</tr>
<tr>
<td>Personal Counseling Referral</td>
<td>68</td>
</tr>
<tr>
<td>MENTAL HEALTH EMERGENCY PROCEDURES</td>
<td>70</td>
</tr>
<tr>
<td>Personal Counseling – Confidentiality Practices</td>
<td>71</td>
</tr>
<tr>
<td>Personal Counseling – Record Keeping</td>
<td>72</td>
</tr>
<tr>
<td>CARE TEAM – COMMUNITY ASSESSMENT &amp; RISK EVALUATION</td>
<td>72</td>
</tr>
<tr>
<td>CARE TEAM STUDENT – RECORD REQUESTS</td>
<td>73</td>
</tr>
<tr>
<td>CARE TEAM STUDENT – RECORD EXPUNGEMENT/REMOVAL</td>
<td>73</td>
</tr>
<tr>
<td>Athletics</td>
<td>74</td>
</tr>
<tr>
<td>STUDENT ATHLETE ELIGABILITY</td>
<td>74</td>
</tr>
<tr>
<td>ATHLETIC ACADEMIC SUPPORT PROGRAM</td>
<td>75</td>
</tr>
<tr>
<td>ATHLETIC TRAINING POLICIES AND PROCEDURES</td>
<td>76</td>
</tr>
<tr>
<td>ATHLETIC CONCUSSION POLICY</td>
<td>80</td>
</tr>
<tr>
<td>ATHLETIC INSURANCE COVERAGE AND PROCEDURE</td>
<td>80</td>
</tr>
<tr>
<td>STUDENT ATHLETE PREGNANCY POLICY</td>
<td>82</td>
</tr>
<tr>
<td>EMERGENCY PLAN FOR INTERCOLLEGIATE ATHLETICS</td>
<td>82</td>
</tr>
<tr>
<td>SEXUAL VIOLENCE RESPONSE POLICY</td>
<td>84</td>
</tr>
<tr>
<td>CODE OF CONDUCT</td>
<td>111</td>
</tr>
<tr>
<td>READMITTANCE</td>
<td>137</td>
</tr>
</tbody>
</table>
AUDITING COURSES BY SENIOR CITIZENS LEGISLATION

In 1974 two (2) bills were approved (S9595-C and S10782) by the Legislature related to auditing of courses by persons sixty years of age or over. The basic bill (S9595-C) amends the Education Law to add to the specification of powers and duties of the Board of Trustees the authority to promulgate regulations for the State-operated campuses which "permit persons sixty years of age or over to audit courses given therein without tuition, examination, grading or credit upon a space available basis, as determined by the Presidents of each such institution, provided that such audit attendance does not deny course attendance at a state-operated institution for an individual who is otherwise qualified."

A closely similar provision authorizes community colleges to permit identical audit opportunities, except that the companion bill (S10782) states that the provisions of the basic amendment "shall not affect any state aid to community colleges."

This legislation is in keeping with commitments that were made to the concept of lifelong learning. The only requirements for registration are as follows:

A thirty-seven dollar senior audit fee and a thirteen-dollar student fee, per semester. Proof of age and Westchester County residency. Senior citizens may take up to two courses per semester for this fee. Classes not available under this program include courses with labs, hands-on and foreign language courses. Senior citizen auditors shall not be included on class rosters, and they will not receive a grade. They will be registered in a non-credit class entitled Senior Audit.

CAMPUSS RECRUITING BY TRANSFER COLLEGES

Should you be working with colleagues at transfer institutions, the following policies have been adopted concerning the recruiting of students at Westchester Community College.

Colleges are welcome to recruit students and alumni through the Office of Transfer Services. College visits to the campus must be arranged through the Office of Transfer Services. While faculty and other College departments may also arrange visits to the campus the Office of Transfer Services should be notified in advance of each visit.

COLLEGES ON CAMPUS PROGRAM

The Office of Transfer Services is the liaison office for the purposes of College recruiting. Therefore, all visits to the College community for the purpose of recruitment should be cleared in advance with this Office. With permission of the Office of Transfer Services colleges may recruit students in designated areas of the College.

The following guidelines should be followed:

Colleges are limited to one Table Visit or Advisor-in-Residence visit per month.

College visits are scheduled for weekdays during the fall and spring semesters.
TRANSFER COLLEGE MAILING REQUESTS

College requests for mailings to Westchester Community College students, must also be coordinated through the Office of Transfer Services. Expenses created in accommodating these requests from colleges must be borne by the colleges making these requests.

EMPLOYER RECRUITING POLICIES AND GUIDELINES

All employers, including private and publicly held companies, not-for-profit organizations, and municipalities (Federal, State, County, local governments), are permitted to recruit on campus and post openings on the on-line job board- College Central Network.

Third-party recruiters are welcome to recruit students and alumni through Career Services but may be asked to confidentially reveal the name of the primary company for whom they are advertising. The first third-party recruiter who lists the position with the office will be granted sole source status, unless the primary company contacts us directly. We will only post positions that are company-fee based. No charges to the applicant will be accepted.

All employer visits to the campus for the purpose of job recruitment must be arranged through Career Services, the central placement service for WCC. While faculty and other college departments may arrange visits to the campus, Career Services should be notified of each visit. Advance notification of visits is required. Under no circumstances are employers permitted on campus without adequate prior notification.

All employers who wish to advertise job opportunities are strongly encouraged to post to the on-line job board- College Central Network and resume database because of its accessibility to students and alumni 24/7, on and off campus. Although recruitment flyers may be posted on the Career Services on-campus bulletin board, exposure is limited.

Recruitment flyers must be approved by Career Services staff and placed on designated bulletin boards. Under no circumstances are recruiters permitted to place flyers or notices in any location on campus, including, but not limited to, windows, doors, poles, car windshields, trees or any other structure.

ENTREPRENEURIAL, HIGH RISK & MEDICAL TESTING EMPLOYMENT OPPORTUNITIES

Career Services reserves the right to review all employment opportunities and literature and reject or place conditions upon those that are deemed “entrepreneurial/high risk”. This means that a candidate engaging in this opportunity will be required to make an initial financial investment with no certainty of financial return. Opportunities for remuneration involving medical experiments or testing on students must be approved by the College Nurse.

COLLEGE & EMPLOYER TABLING PROGRAM

Career Services is the College liaison office for the purpose of Employment Recruiting. Therefore, all visits to the College community for the purpose of recruitment should be cleared
in advance with Career Services. With permission from our office and a minimum of one week’s notice, employers may recruit students in high traffic areas of the college, in buildings that house their area of interest.

The following guidelines apply:

1. Recruiters are limited to one visit per month, not including appointments with individual students.
2. Recruiting is permitted on weekdays.
3. Employers are provided a table and chairs.
4. Recruiters are limited to two representatives each visit.
5. Recruiters must work at or around the table provided. Recruiters are not permitted to aggressively confront or corner students and engage them in conversation. Students must be free to choose to speak to recruiters or pass by unimpeded.
6. Under no circumstances are recruiters permitted to walk around campus and recruit students.
7. Solicitation of any kind is prohibited!

**SUNY Westchester Community College is an Equal Opportunity Employer.**

Students and alumni will be accepted and assigned to job opportunities and otherwise treated without regard to race, color, religion, national origin, sex, sexual orientation, marital status, veteran status or disability, as well as other classifications protected by applicable state or local laws.

**SUNY Westchester Community College is in compliance with the provisions mandated by the Solomon Act.**

**CLASSROOM CONDUCT POLICY**

In the interest of establishing and maintaining an appropriate learning environment, maximizing the educational benefit to all students, maintaining an atmosphere of safety and comfort, and clarifying the faculty and students’ expectations of classroom conduct the college has established the following policy:

- Students are expected to arrive on time. If a student is unavoidably late and the instructor permits him or her to enter, he or she should do so quietly and be seated quickly.
- Students are expected to refrain from participating in personal conversations during class.
- Every student is expected to focus on the class lesson. Please refrain from doing other class work, reading newspapers or magazines, eating, drinking or sleeping.
- Students are expected to use appropriate language at all times and be polite to one another.
- Students are expected to remain seated during class and not to leave the room unless you have notified the instructor or in case of an emergency.
• Students must turn off all cell phones and beepers prior to the beginning of class.
• Visitors are only allowed with permission from the instructor. Children are not permitted in class at any time.
• Students are expected to refrain from packing up and preparing to leave until the instructor has dismissed the class. (It is the instructor’s responsibility to dismiss the class at the proper time.)

**CREDIT FOR STUDIES/MILITARY**

Students who have been engaged in a course of study while serving in the military may be eligible to earn college credit at Westchester Community College.

• The coursework completed in the military must be **applicable** to the program of study (degree) in which the student wishes to enroll (or is enrolled) at Westchester Community College.

• Students must submit the following **documents** to the Transfer Credit Evaluator in the Registrar’s Office:
  - Joint Services Transcript (JST)
  - AARTS\(^1\) transcript or a SMARTS\(^2\), or a CCAF\(^3\) transcript and
  - An ACE\(^4\) recommendation/transcript or
  - The DD214 (for Physical Education transfer credit)

• Students may earn:
  - Generic credit identified by discipline or type of degree requirement or
  - Credit for a specific, parallel course

• Transfer credit may fulfill core program or elective requirements

• In determining equivalent courses, the Transfer Credit Evaluator will confer with:
  - The Curriculum Chair – to approve a transfer if the course meets exact degree requirement
  - The Department Chair – to approve a transfer if the course may possibly fulfill a College general education course or elective requirement. The Chair will determine equivalents only for those courses that reside in their disciplines.

• The College will apply the ACE-approved credit in the same fashion by which we accept credit from a regionally accredited college (no fee and no requirement to enroll in a substitute course, when an equivalent has been identified.)

---

\(^1\) AARTS - Army/American Council on Education Registry Transcript System
\(^2\) SMARTS - Sailor/Marine American Council of Education Registry Transcript System
\(^3\) CCAF - Community College of the Air Force
\(^4\) ACE - American Council on Education
DEATH OF A STUDENT RESPONSE POLICY

Westchester Community College’s Death of a Student Response policy describes the guidelines to be followed upon learning of a death of a student to ensure an orderly, effective and caring campus response. The College will make the appropriate communications in order to ensure:

1. Appropriate personnel are notified.
2. Condolences, on behalf of the College, are expressed to the family.
3. Safeguards are in place to prevent unnecessary future contacts with the family, i.e. registration announcements, etc.
4. Eligibility for Accidental Death Insurance benefits are explored.

Any person made aware of the death of a student, from a reliable source, should notify the Associate Dean of Student Life or designee. Any questions regarding the reliability of the source should be investigated by the Associate Dean or designee.

Currently Enrolled Student: The Associate Dean of Student Life or designee will notify the following individuals/departments:

1. President’s Office for initiation of a condolence note.
2. Registrar for the removal of the student’s name and address from the student
3. Database and deactivation of the student’s account on any communication systems.
4. Vice President and Dean of Student Access, Involvement and Success
5. Faculty/Student Association, for possible insurance eligibility notification
6. Health Services Coordinator
7. Personal Counseling Department, for notification to student’s current
8. Professors
9. Acting Director of Academic Counseling and/or Designated Academic
10. Counselor* to see if student is eligible for a posthumous degree and to make
11. Sure the student is not registered for any future semesters.

Former Student: The Associate Dean of Student Life or designee will notify the following individuals/departments:

1. Registrar, for the removal of the student’s name and address from the student database and
deactivation of the student’s account on any communication systems.

*As of 5/27/17 Christine Thomas has been appointed the Designated Academic Counselor.
As per HIPAA privacy laws, no mental health or medical information will be disclosed to students, staff and media.
**FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) is a U.S. Federal law that protects the privacy of student education records (www.ed.gov/ferpa). FERPA protects the education records of students who are currently enrolled or formerly enrolled regardless of their age or status with regard to parental dependency. Records of those who have applied to but not attended an institution are not subject to FERPA guidelines, nor are deceased students. The law applies to all schools that receive funding from an applicable program of the U.S. Department of Education. FERPA gives parents certain rights with respect to their children’s education records UNTIL these rights transfer solely to the student when s/he reaches the age of 18 or attends a school beyond the high school level.

**Student rights at WCC under FERPA**

1. The right to inspect and review the student’s education records within 45 days after the day Westchester Community College receives a request for access. A student should submit a written request that identifies the record(s) the student wishes to inspect to the Registrar’s Office, Dean, head of the academic department, or other appropriate official. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. 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 school 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. An example of such an exception is the disclosure of education records to College officials with legitimate educational interests. A College official is: SUNY System Administration; a person employed by the College in an administrative, supervisory, academic, research, or support staff position (including law enforcement personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A College official may also include a volunteer or contractor outside of the College who performs an institutional service or function for which the College would otherwise use its own employees and who is under the direct control of the College with respect to the use and maintenance of personally identifiable information from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another College official in performing his or her tasks. A College 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. 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, SW
   Washington, DC 20202

**Education Record**

An education record is any record that contains information directly related to a student and is maintained by the College.

Information **Not** considered part of an education record and, therefore, excluded from FERPA regulations at WCC

- Sole possession records or private notes held by school officials that are not accessible or released to other personnel.
- Law enforcement or campus security records that are solely for law enforcement purposes and maintained solely by the law enforcement unit.
- Records relating to individuals who are employed by the institution (unless contingent upon attendance).
- Records relating to treatment provided by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional and disclosed only to individuals providing treatment.
- Records of an institution that contain only information about an individual obtained after that person is no longer a student at that institution, i.e., alumni records.

At WCC Student consent is **NOT** required to disclose information when:

FERPA permits the disclosure of personally identifiable information from students’ education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of FERPA regulations, some of which are listed below:

- School officials with legitimate educational interest
- Other schools to which a student is transferring
- Specified officials for audit or evaluation purposes
- Appropriate parties in connection with financial aid to a student
- Organizations conducting certain studies for or on behalf of the school
- Accrediting organizations
• Potential Employers
• To comply with a judicial order or lawfully issued subpoena
• Appropriate officials in cases of health and safety emergencies
• State and local authorities, within a juvenile justice system, pursuant to specific State law

***FERPA also permits schools to disclose Directory Information without consent. Westchester Community College, in accordance with FERPA, has designated the following information about students as Directory Information:

• Name
• Address
• WCC email address
• Dates of attendance
• Degree information (including major and degrees and academic awards received)
• Enrollment status (full-time/part-time)

The main purpose of designating the above information as “directory” is to permit the College to include this information in certain publications, for example, listing your name in the graduation program and submitting your awards and accomplishments for publication in a local newspaper.

A student can grant permission to share his/her education records with specified person(s) at WCC.

A student can grant the College permission to disclose education record information to a specified person(s) by completing the FERPA Release Form in its entirety, having it notarized by a Notary Public, and submitting the notarized form to the Registrar’s Office in the Administration Building.

**Note that this form must be renewed on a yearly basis if the student wants disclosure permission to remain for any specified party. **

A student can choose to prevent having their directory information disclosed.

A student can choose to “opt out” of having any general Directory Information (as defined above) disclosed to any party. A student should seriously consider the following unintended possible negative consequences before choosing to opt out: For example, organizations such as potential employers, scholarship agencies, members of the press, loan agencies, educational organizations and others will not be given access to the student’s directory information, and will not be able to contact the student. Opting out of directory information classification may mean that the student will miss out on valuable employment, educational, cultural and other opportunities.

After considering these possible outcomes, if the student still wishes to opt out, they must submit a notarized form to the Registrar’s Office (Administration Building, room 107). An email request to Registrar@sunywcc.edu with “FERPA NON-DISCLOSURE” in the subject line is needed to obtain a copy of the form. Once a student chooses to opt out, this exclusion remains attached to the education record indefinitely until the student notifies the Registrar’s Office in writing to cancel.
Amendment to FERPA

The USA PATRIOT Act of 2001 was signed into law on October 26, 2001. It amends FERPA and the National Education Statistics Act (NESA) and expands the authority of federal law enforcement officials to obtain educational records in connection with investigations and prosecutions of terrorism without consent. However, that these amendments to FERPA and NESA require federal law enforcement officials to obtain a court order before educational records and NCES data must be released under these provisions. They do not expand the authority of educational institutions to release student records without student permission or a court order. In order to obtain a court order, a U.S. Assistant Attorney General or a higher-ranking official must certify that the records are relevant to a terrorism investigation.

FERPA RELEASE FORM

Students can assign permission to a specific person(s) by providing the Registrar’s office a notarized completed FERPA Release Form expires after for one year, annual renew is required.

The FERPA Release Form can be found at: http://www.sunywcc.edu/cms/wp-content/uploads/2014/04/FERPA-Release-Form.pdf

STUDENT & EXCHANGE VISITOR PROGRAM (SEVP)

The Student and Exchange Visitor Program (SEVP) is a part of the National Security Investigations Division and acts as a bridge for government organizations that have an interest in information on nonimmigrants whose primary reason for coming to the United States is to be students.

On behalf of the Department of Homeland Security (DHS), SEVP manages schools, nonimmigrant students in the F and M visa classifications and their dependents. The Department of State (DoS) manages Exchange Visitor Programs, nonimmigrant exchange visitors in the J visa classification and their dependents. Both SEVP and DoS use the Student and Exchange Visitor Information System (SEVIS) to track and monitor schools; exchange visitor programs; and F, M and J nonimmigrants while they visit the United States and participate in the U.S. education system.

SEVP

The Student and Exchange Visitor Program (SEVP) is the Department of Homeland Security (DHS) program that administers the Student and Exchange Visitor Information System (SEVIS). It ensures that government agencies have essential data related to nonimmigrant students and exchange visitors to preserve national security. SEVP provides approval and oversight to schools authorized to enroll F and M nonimmigrant students and gives guidance to both schools and students about the requirements for maintaining their status.

SEVIS

SEVIS is a web-based system for maintaining information on international nonimmigrant students and exchange visitors in the United States. It is the core technology for the DHS in this critical mission. SEVIS implements Section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, which requires DHS to collect current information from nonimmigrant
students and exchange visitors continually during their course of stay in the United States. In addition, the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act; Public Law 107-56, amended Section 641) mandated implementation of SEVIS prior to Jan. 1, 2003.

SEVIS Process

SEVIS tracks and monitors nonimmigrant students and exchange visitors. If accepted by an SEVP-certified school, foreign students may be admitted to the United States with the appropriate F or M nonimmigrant status. If accepted for participation in a Department of State-verified exchange visitor program, exchange visitors may be admitted to the United States with J nonimmigrant status. Records of these nonimmigrant admissions and continued participation in these educational programs are maintained in SEVIS. Further, SEVIS enables SEVP to assure proper reporting and record keeping by schools and exchange visitor programs, thereby ensuring data currency and integrity. SEVIS also provides a mechanism for student and exchange visitor status violators to be identified so that appropriate enforcement is taken (i.e., denial of admission, denial of benefits or removal from the United States).

*US Immigration and Customs Enforcement

**SEVIS REPORTING REQUIREMENTS FOR DESIGNATED SCHOOL OFFICIALS**

Federal laws and regulations require the Designated School Official (DSO) to update and maintain the SEVIS records of nonimmigrant students in F and M visa categories. If the DSO does not complete the required actions within the legal time limits, SEVIS automatically updates the student records. SEVIS functions do not extend the legal time limits and are not intended to replace timely action by a DSO to comply with reporting responsibilities. The following summarizes DSO reporting requirements and time limits for completing each task.

<table>
<thead>
<tr>
<th>Reporting Requirement</th>
<th>Time Limit for DSO Reporting in SEVIS</th>
<th>SEVIS Alerts/Lists</th>
<th>Automatic SEVIS Function</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Initial student reporting – if the student has Port of Entry (POE) information:</strong> All initial F-1 and M-1 students should report to a DSO as soon as possible upon admission into the United States but no later than the Initial Session Start Date (start of classes) as listed in SEVIS. <em>(8 CFR 214.3(g)(iii)(C))</em></td>
<td>DSOs are encouraged to report (register) the student in SEVIS as soon as possible after the student reports to the school. DSOs must report the student no later than 30 days after the Initial Session</td>
<td><strong>Alert:</strong> Students in Initial Status with Port of Entry Records</td>
<td>SEVIS automatically terminates the student record, if you fail to register the student. <strong>Termination Reason:</strong> No Show – System Termination</td>
</tr>
<tr>
<td>Reporting Requirement</td>
<td>Time Limit for DSO Reporting in SEVIS</td>
<td>SEVIS Alerts/Lists</td>
<td>Automatic SEVIS Function</td>
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<td>same day as the Initial Session Start Date. DSO must:</td>
<td>Start Date as listed in SEVIS. (8 CFR 214.3(g)(iii)(C))</td>
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<td>• <em>Register</em> the student, if the student reports to school.</td>
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<tr>
<td>• <em>Terminate</em> the student using reason of <em>No Show</em>, if the student does not report to school.</td>
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<tr>
<td><strong>Initial student reporting – if the student record lacks POE information:</strong> All initial F-1 and M-1 students should report to a DSO as soon as possible upon admission into the United States but no later than the Initial Session Start Date (start of classes) as listed in SEVIS. (8 CFR 214.3(g)(iii)(C))</td>
<td>DSOs are encouraged to report (register) the student in SEVIS as soon as possible after the student reports to the school. DSOs must report the student no later than 30 days after the Initial Session Start Date as listed in SEVIS. (8 CFR 214.3(g)(iii)(C))</td>
<td><strong>List:</strong> Records in Initial Status</td>
<td>SEVIS automatically cancels the student record, if you fail to <em>register the student</em>.</td>
</tr>
<tr>
<td>Note: The Program Start Date/Report Date may be the same day as the Initial Session Start Date. DSO must:</td>
<td></td>
<td></td>
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<tr>
<td>• <em>Register</em> the student, if the student reports to school.</td>
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<td></td>
<td></td>
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<tr>
<td>• <em>Cancel</em> the record, if the student will no longer attend the school.</td>
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</tbody>
</table>
Reporting Requirement | Time Limit for DSO Reporting in SEVIS | SEVIS Alerts/Lists | Automatic SEVIS Function
--- | --- | --- | ---
- *Defer* the student, if the student will attend a later session. |  |  |  |
- *Terminate* the student, if you know the student entered the country, but did not enroll for classes. |  |  |  |
- *Cancel* the student, if the student did not enroll for classes and you do not know if they entered the country. |  |  |  |

Note: If the POE information is missing from the student record, the DSO should verify student visa status via the student’s travel documents or confirmation of Change of Status by USCIS. Travel information can be verified using the Customs and Border Protection (CBP) public-facing I-94 site. After being granted permission by the student or parent/guardian of a minor, a DSO can go to [https://i94.cbp.dhs.gov/](https://i94.cbp.dhs.gov/) to search for the most recent data and travel history. If known travel dates are missing, the student can reach out to CBP for additional information.

**Active student reporting for each term or semester:** At the start of each new session, report whether or not an *active* student reported and enrolled in classes | Within 30 days of the start of each session | **Alert:** Active Students Requiring Registration | SEVIS automatically terminates the student record, if you fail to
<table>
<thead>
<tr>
<th>Reporting Requirement</th>
<th>Time Limit for DSO Reporting in SEVIS</th>
<th>SEVIS Alerts/Lists</th>
<th>Automatic SEVIS Function</th>
</tr>
</thead>
</table>
| within 30 days of the start of the session. DSO must:  
  - *Register* the student, if the student is enrolled as a full time student.  
  - *Terminate* the student for *Failure to enroll*, if the student does not enroll. |Prior to the Program Start Date, which must be within five months of the Transfer Release Date or the prior program completion date, whichever is earlier (8 CFR 214.2(f)(8)(i)) |List:*Students in Transferred Status* |register the student.  
  *Termination Reason:* Failure to Enroll |
| **Draft student record for F-1 transfer student:** After the Transfer Release Date, the Transfer-In DSO creates a Form I-20, if the student will attend his/her school. | | |SEVIS automatically terminates the student record, if you fail to create a Form I-20. |
| **Initial records for F-1 transfer students:** F-1 students transferring to your school must report to the DSO no later than 15 days of their Program Start Date (the date the student is required to report to the school). They may report earlier. The DSO must:  
  - *Register* the student, if the student enrolls at your school.  
  - *Terminate* the student for *Transfer Student No Show*, if the student does not enroll. |DSOs are encouraged to report (register) the student in SEVIS as soon as possible after the student reports to the school. DSOs must report the student no later than 30 days after the Initial Session Start Date as listed in SEVIS. |Alert:*Transfer-In Students not Registered by Program Start Date* |SEVIS automatically terminates the student record, if you fail to register the student. |
<table>
<thead>
<tr>
<th>Reporting Requirement</th>
<th>Time Limit for DSO Reporting in SEVIS</th>
<th>SEVIS Alerts/Lists</th>
<th>Automatic SEVIS Function</th>
</tr>
</thead>
</table>
| **Draft student record for M-1 transfer student**: Transfer-In DSO gains immediate access to an M-1 student’s SEVIS record after a DSO at the transfer-out school processes the transfer in SEVIS, even if the Transfer Release Date is in the future. As soon as possible:  
  - Transfer-In DSO creates a Form I-20 for the program at his/her school.  
  - Student must file with USCIS:  
    - Form I-539  
    - Form I-20  
    - Applicable fee  
    - Other applicable supporting documents | As soon as you have access | List: **Students in Transferred Status** | SEVIS automatically terminates the student, if you fail to create a Form I-20 for the student.  
  **Note**: If USCIS denies the application, SEVIS will terminate the record for **Transfer Denied**. |
| **Initial record for M-1 transfer student**: The student must report to the transfer-in school and enroll in classes by the Initial Session Start Date (start date of classes), even if USCIS has not yet adjudicated the Form I-539. Transfer-In DSO must:  
  - **Register** the student, if the student enrolls at the Transfer-In school.  
  - **Terminate** the student for **Transfer Student** | DSOs are encouraged to report (register) the student in SEVIS as soon as possible after the student reports to the school. DSOs must report the student no later than 30 days after the Initial Session Start Date as listed in SEVIS. | List: **Students in Transferred Status and Transfer in Students not Registered** | SEVIS automatically terminates the student, if you fail to register the student.  
  **Note**: If USCIS denies the application, SEVIS will terminate the record |
<table>
<thead>
<tr>
<th>Reporting Requirement</th>
<th>Time Limit for DSO Reporting in SEVIS</th>
<th>SEVIS Alerts/Lists</th>
<th>Automatic SEVIS Function</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>No Show</strong>, if the student does not enroll.</td>
<td></td>
<td></td>
<td>for Transfer Denied.</td>
</tr>
</tbody>
</table>
| **Nonimmigrants changing to F-1 or M-1 status:** DSOs must maintain the records of prospective students, who apply for change of status to F or M status. **Note:** Upon approval of the change of status to F-1 or M-1, students must report to a DSO. **Note:** M-1 students may not change their educational objective and cannot later apply for a change of status to F-1. DSOs must:  
  - **Register** the student, if the student enrolls at school.  
  - **Terminate** the student for **Transfer Student No Show**, if the student does not enroll. **Defer** the program, if USCIS has not approved the change of status by the Program Start Date. | DSOs are encouraged to report (register) the student in SEVIS as soon as possible after the student reports to the school in F-1 or M-1 status. DSOs must report the student no later than 30 days after the Initial Session Start Date as listed in SEVIS. | **Alert:** Pending Change of Status | SEVIS automatically terminates any student record with a Pending or Approved Change Of Status Application, if you fail to register or defer the student’s attendance. |
| **Student’s graduation or completion of program:** DSOs update a student’s Program End Date to reflect graduation from or successful completion of the program. DSO must:  
  - **Shorten program**, if the student finishes the studies earlier than the current Program End Date. | Within 21 days of the change (8 CFR 214.3(g)(2)(ii)(C)) | **Alert:** Students Within 45 Days Program End Date | SEVIS automatically completes any student record after the Program End Date or the OPT End Date (whichever is later). |
### Reporting Requirement

- Complete the program, if the student completed the program and left the country.

<table>
<thead>
<tr>
<th>Reporting Requirement</th>
<th>Time Limit for DSO Reporting in SEVIS</th>
<th>SEVIS Alerts/Lists</th>
<th>Automatic SEVIS Function</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General F-1 and M-1 reporting requirements:</strong> DSOs are required to keep student records up-to-date by reporting changes in:</td>
<td>Within 21 days of the change (8 CFR 214.3(g)(2)(ii))</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Student or dependent name or address</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Academic program and status, including early graduation/completion</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Disciplinary action taken by the school, as a result of a conviction of a crime</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Employment, including STEM OPT reporting requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Failure to maintain status/complete program</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### SEVIS Reporting Requirements for Designated School Officials

### NONDISCRIMINATION ON THE BASIS OF DISABILITY

Section 504 of the Rehabilitation Act 1973, the ADA of 1990 and the ADAAA of 2008 provides that "no otherwise qualified disabled individual shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance" (29 USC 706).

Regulations implementing Section 504 establish standards for employment practice, accessibility of facilities and education programs with which institutions receiving federal funds must comply (34 CFR Part 104).
In accordance with these regulations, Westchester Community College has made changes in physical facilities in order to provide access for students with disabilities. In addition, Westchester Community College provides program accessibility through modifications, adjustments and the provision of auxiliary aids.

The University-wide Affirmative Action Officer is responsible for the coordination of the University's compliance with Section 504 and the implementation of regulations. Questions concerning the University's policy should be directed to SUNY’s Affirmative Action Officer Jennie Marie Durán, Affirmative Action Office, SUNY, State University Plaza, Albany, New York 12246. Telephone: 518-443-5139.

Current laws, such as the new Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, mandate that Westchester Community College provides equal physical and programmatic access to otherwise qualified disabled individuals.

The goal at Westchester Community College is to provide quality service and education to otherwise qualified disabled students. To do this, the active help and support of the faculty is needed. The awareness, sensitivity, quality instruction, and support that instructors provide are an integral part of the success of the disabled students at Westchester Community College.

**VIRGINIA MARX CHILDREN’S CENTER AT WESTCHESTER COMMUNITY COLLEGE**

The Virginia Marx Children’s Center at Westchester Community College is a NYS licensed, nationally accredited (NAEYC), and 5 out of 5 stars rating (QUALITYstarsNY) childcare that serves children between the ages of 6 weeks and 5 years. The Children’s Center is in its third decade of providing quality care to infants, toddlers and preschoolers.

The Center accommodates children of Westchester Community College’s students, its employees and of the general public. The acceptance of your child is based on availability of space in the classroom he/she is ready to enter. Qualified student-parents may be eligible for reduced rates based on financial need. A special Federal CCAMPIS (Child Care Means Access to Parents In School) Grant is allowing us to keep childcare costs as low as $1.39 an hour for eligible student-parent families.

Enrollment applications, grant applications and additional information can be found on our website, www.sunywcc.edu/child-care. For more information, contact us at ((14) 606-6644.

**GENERAL REQUIREMENTS FOR ADMISSION**

Westchester Community College has an open admission policy guaranteeing admission to residents who meet the criteria outlined below. Admission is open to applicants on a space available basis, and is determined without regard to the race, color, creed, gender, sexual orientation, national origin, disability or handicap of applicants.

Applicants must meet one of the following criteria:

1. Possess a local or Regent’s high school diploma (an I.E.P. [Individual Education Plan] certificate of completion is not a recognized diploma)
2. Possess a high school equivalency diploma (GED)
3. Be admitted under the Home-Schooled Student requirements
4. Be admitted through the New York State 24 College Credit GED Program

Note, As per College Policy, applications are processed using self-reported data. Documents (i.e. transcripts) are not required to proceed with application processing and enrollment. Also, if application fee is not submitted at the time of application, the application will be processed without the application fee. Fee is added to Bursars office tuition bill.

ADMISSIONS PROCESS FOR HIGH SCHOOL TRANSCRIPTS

High school transcripts will only be processed as official if they are sent directly from the high school to the college via mail or email or if it is delivered in a sealed envelope in person by the student. The envelope containing the official transcript can only be opened by a college official. In contrast, transcripts sent by the student and/or anyone other than the high school, via email, fax, picture, etc. will be processed as unofficial.

High school diplomas and GED diplomas with scores will be processed as official only if the original document is brought in person by the student. A copy of the original document must be made by a college official. The original document will be returned to the student and the copy will be kept by the college. The clear principle is that the college official must see original documents.

In the event that a student who studied in foreign country is unable to get their international official transcripts sent from the secondary school in the foreign country, the student must bring in their original documents to be reviewed. If the international document is deemed as acceptable proof of secondary school completion, a copy of the original must be made by a college official. The original will be returned to the student and the copy will be kept by the college. The clear principle is that the college official must see original documents.

As per the Financial Aid Office, students with a Bachelor’s degree do not have to present proof of high school graduation however, students with only an Associate’s degree must produce proof of high school graduation.

As per the Bursar’s Office, student who indicate on the application that they received an international diploma cannot produce a GED diploma to be eligible for the Pataki bill for in state tuition purposes.

On-line high school diploma (the below is from an memo from the New York State Education Department)

Recently, there have also been questions regarding the applicability of on-line high school diplomas in relation to meeting the requirement for a high school diploma under §661. Some on-line schools have tried to represent themselves as having national accreditation or accreditation by a postsecondary accreditation body. There is no national high school jurisdiction, nor is there any kind of multi-state or national accreditation of a high school. High school is solely under the jurisdiction of the state government (or the Department of Defense Education Activity for military dependents overseas), and those students who are residents of a state cannot circumvent the
jurisdiction of the state where they reside unless they become residents of another state. The student must be under the jurisdiction of the State conferring the high school diploma.

If the individual is a resident of the state where the high school is located, then that state has jurisdiction over the individual’s high school completion. The Board of Regents does not approve correspondence study, including on-line, as equivalent to a high school diploma for New York State residents. Therefore, the acquisition of an on-line high school diploma is only an option for those individuals who are a resident of the state where such on-line high school is recognized by the state.

Until such time as the Board of Regents approves an on-line or correspondence study program as authorized to award a high school diploma, correspondence study and on-line diplomas are not valid for individuals who were New York State residents at the time they received the on-line diploma. The individual would have to have been a resident of the state issuing the on-line diploma. They would then need to reestablish residency in New York State prior to being eligible for TAP.

Non-matriculated Students

Non-matriculated students are not required to submit proof of high school graduation.

Home Schooled Students

Home Schooled students must obtain a letter from their local school district officials confirming that they have completed a program of study that is “substantially equivalent” to instruction given to students graduating high school in the public schools. Applicants must follow the regular application procedures for entering freshmen (including Placement Testing).

24 CREDIT HOUR GED PROGRAM

Admissions coordinates the New York State Department of Education sponsored 24 Credit Hour GED program that is designed for people who want to earn their GED while concurrently earning college credits.

To be eligible for this program:

1. You must be at least 17 years of age.
2. Your high school class must have already graduated.
3. You must currently be a resident of New York State, and have been for at least one month.
4. You must take the appropriate Westchester Community College Placement Tests and meet the minimum scores for admission.
5. 24 College Credit GED Program which, in conjunction with the New York State Department of Education, is designed to assist students earn their high school equivalency diploma (GED) while at the same time, earning college credits.

Students accepted in the 24 College Credit GED program may be eligible for financial aid provided they meet testing and academic program of study requirements. Please visit the Financial Aid Office located on the 1st floor of the Administration Building for more details. Once you complete the required course load of 24 credits, you must visit the Registrar’s Office to
complete the forms necessary to apply for the high school equivalency diploma (GED) through the New York State Department of Education. Additionally, you must visit the Admissions Office to change your status from non-matriculated to matriculated in order to continue towards your Associate degree.

To be considered for our 24 College Credit GED Program, you must take the Westchester Community College ACCUPLACER exam and meet the following minimum scores for admission.

<table>
<thead>
<tr>
<th>Tests</th>
<th>Minimum Scores Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reading Comprehension</td>
<td>55</td>
</tr>
<tr>
<td>Sentence Skills</td>
<td>60</td>
</tr>
<tr>
<td>Arithmetic</td>
<td>34</td>
</tr>
</tbody>
</table>

After receiving your ACCUPLACER exam results, you must make an appointment to meet with an Admissions Counselor in the Office of Admissions located in the Administration Building, Room 210 to review your test results for a final Admissions decision.

Please note, after your first semester, you must meet with an Academic Counselor in the Center for Academic Counseling and Student Success located on the 2nd floor of the Student Center Building for advisement and registration.

Upon completion of the 24 credits, students must submit required application forms and official transcripts via the Registrar’s Office to the New York State Education Department for certification and awarding of the GED.

**EARLY ADMIT STUDENT (EAS) PROGRAM**

The Early Admit Student program offers qualified, eligible high school seniors the opportunity to take college level courses at the College while concurrently completing their high school course requirements.

In order to be considered for the Early Admit Student (EAS) program, you must:

- Have completed your junior year of high school
- Submit the following documents to the WCC Office of Admissions:
  - The Westchester Community College Application;
  - A permission letter from your guidance counselor stating the reason you should enroll at Westchester Community College and the course(s) you wish to take;
  - Your high school transcript; and
  - Your Immunization records (measles, mumps, rubella and meningococcal meningitis response).
- Take the Westchester Community College Placement Test and place into college level courses by meeting the minimum score requirements.
Testing Requirements: To be considered for the EAS program, all students must take the Westchester Community College Placement Test in Mathematics and English and place into college level courses by meeting minimum score requirements regardless of the course(s) you are requesting to take.

Test Evaluation/Admissions Decision: After testing, you must meet with an Admissions Counselor in the Office of Admissions located in the Administration Bldg. Room 210 to review your test results for a final admission’s decision.

RETURN OF TITLE IV FUNDS POLICY
WHEN WITHDRAWING FROM CLASSES

If you withdraw from all classes prior to completing more than 60% of a semester, you may be required to repay a portion of the federal financial aid received for the semester.

Financial Aid Office is required by federal statute to recalculate federal financial aid eligibility for students who withdraw, drop out, are dismissed, or take a leave of absence prior to completing 60% of a payment period or semester. All Title IV financial aid programs must be recalculated in these situations.

The return of Federal Title IV funds calculation determines the percentage of “earned” and “unearned” federal aid. This percentage is determined by dividing the number of days completed by the number of days in the payment period. If the student has completed more than 60 percent of the period, all funds have been “earned,” and there is no return of federal funds. If less than 60 percent of charges were “earned,” the formula determines the amount of aid which must be returned to the federal programs. There are no current provisions for extenuating circumstances with regard to Return of Title IV Regulations.

Federal funds must be returned in the following order: Unsubsidized Federal Stafford Loans, Subsidized Federal Stafford Loans, PLUS Loans, Federal Pell Grants, Federal SEOG, and other Title IV assistance. Contact the Financial Aid Office for more information.

Students who are no longer attending at least six credit hours at the time loan funds are scheduled to be disbursed are not eligible to receive those funds. The loan will be cancelled and all loan funds returned to the Department of Education.

Keep in mind that when Title IV funds are returned, the student may owe a debit balance to the college. The student should contact the Bursar’s Office to make arrangements to pay the balance. In any instance where it is felt that individual circumstances may warrant exception to the institutional refund policy, the student may appeal in writing to the Refund Committee.

SATISFACTORY ACADEMIC PROGRESS

Students receiving financial aid must make satisfactory academic progress (SAP) in order to continue to receive assistance. In other words, you have to get good grades and complete enough credit hours to keep you moving toward the successful completion of your degree in an acceptable time period. The standards for financial aid eligibility are not necessarily the same as the College’s
requirements for Academic Standing. It is possible to be on probation for academics but not for financial aid (and vice versa).

Financial aid rules and regulations are subject to change. Students are strongly urged to meet with a Financial Aid Counselor to discuss any concerns regarding eligibility for aid.

Federal and state aid each have different progress requirements. It is possible to be eligible for one and not the other.

**TAP ACADEMIC PROGRESS REQUIREMENTS**

- Students must have a GPA of at least 2.0 after two full years of TAP and a GPA of 2.0 for all APTS payments.
- State aid only pays for courses related to your major.
- D grades are considered to be passing grades unless not applicable to your curriculum. Any course you repeat to improve this grade will not be counted towards full-time enrollment and will not be covered by state aid unless such a grade is not accepted for your major.

Based on a full-time TAP Award, Associate degree/Certificate students are only allowed 6 full TAP payments up to 36 points of eligibility, including points used at other institutions or while enrolled in other programs. Each full-time TAP payment uses 6 points of eligibility.

EOP students are allowed up to 8 semesters of TAP eligibility.

The charts below are based on minimum requirements. Students taking the minimum credit requirements will not meet academic progress requirements further down the road.

**ASSOCIATE DEGREE PROGRAM:** applies to non-remedial students first receiving aid in 2010-11 and thereafter.

<table>
<thead>
<tr>
<th>Before being certified for this payment:</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>A student must have earned this many credits:</td>
<td>0</td>
<td>6</td>
<td>15</td>
<td>27</td>
<td>39</td>
<td>51</td>
</tr>
<tr>
<td>With at least this cumulative GPA:</td>
<td>0.00</td>
<td>1.30</td>
<td>1.50</td>
<td>1.80</td>
<td>2.00</td>
<td>2.00</td>
</tr>
<tr>
<td>Credits to be completed in preceding semester:</td>
<td>0</td>
<td>6</td>
<td>6</td>
<td>9</td>
<td>9</td>
<td>12</td>
</tr>
</tbody>
</table>
ASSOCIATE DEGREE PROGRAM: applies to students first receiving aid in 2007-08 through and including 2009-10 and remedial students first receiving aid in 2007-08 and thereafter.

<table>
<thead>
<tr>
<th>Before being certified for this payment:</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>A student must have earned this many credits:</td>
<td>0</td>
<td>3</td>
<td>9</td>
<td>18</td>
<td>30</td>
<td>45</td>
</tr>
<tr>
<td>With at least this cumulative GPA:</td>
<td>0.00</td>
<td>0.50</td>
<td>0.75</td>
<td>1.30</td>
<td>2.00</td>
<td>2.00</td>
</tr>
<tr>
<td>Credits to be completed in preceding semester:</td>
<td>0</td>
<td>6</td>
<td>6</td>
<td>9</td>
<td>9</td>
<td>12</td>
</tr>
</tbody>
</table>

DEFINITION OF REMEDIAL STUDENT

“Remedial student” is defined as a student: (a) whose scores on a recognized college placement exam or nationally recognized standardized exam indicated the need for remediation for at least two semesters, as certified by the college and approved by the New York State Education Department (SED); or (b) who was enrolled in at least six semester hours of non-credit remedial courses, as approved by SED, in the first term they received a TAP award; or (c) who is or was enrolled in an opportunity program. **Effective Fall 2007**, students taking 6-11 credits may be eligible for Part-time TAP. (6 credits uses 3 points, 7 credits uses 3.5 points, 8 credits uses 4 points, 9 credits uses 4.5 points, 10 credits uses 5 points and 11 credits uses 5.5 points). TAP is also available for accelerated study in the summer. Check with your financial aid counselor for specific eligibility requirements.

**AID FOR PART-TIME STUDY (APTS) PROGRESS STANDARDS**

APTS students are allowed up to a maximum of **48 points of eligibility**. These points include any points earned as a TAP recipient or for any other state grant. Each APTS award uses 3 points and each TAP award uses 6 points.

<table>
<thead>
<tr>
<th>State Aid Points</th>
<th>3</th>
<th>6</th>
<th>9</th>
<th>12</th>
<th>15</th>
<th>18</th>
<th>21</th>
<th>24</th>
<th>27</th>
<th>30</th>
<th>33</th>
<th>36</th>
<th>39</th>
<th>42</th>
<th>45</th>
<th>48</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Degree Credits Earned</td>
<td>0</td>
<td>3</td>
<td>3</td>
<td>9</td>
<td>9</td>
<td>18</td>
<td>18</td>
<td>30</td>
<td>30</td>
<td>45</td>
<td>45</td>
<td>60</td>
<td>60</td>
<td>75</td>
<td>75</td>
<td>75</td>
</tr>
</tbody>
</table>

APTS recipients must maintain a cumulative GPA of 2.0 at all times to be eligible. Financial aid rules and regulations are subject to change. Students are strongly urged to meet with a Financial Aid Counselor to discuss any concerns regarding eligibility for aid.
FEDERAL AID ACADEMIC REQUIREMENTS

Satisfactory Academic Progress (SAP) Requirements

Satisfactory Academic Progress (SAP) determines whether you qualify for financial aid. SAP will be measured on the three metrics required by federal regulations. Students who do not meet the following requirements risk having their financial aid suspended.

Qualitative requirement: Cumulative Grade Point Average

A student must maintain a 2.00 cumulative GPA when reached 48 or more cumulative attempted credits. Developmental credits and transferred credits are all included in the cumulative attempted credits.

Quantitative requirement: Cumulative Completion Rate

A student must successfully earned a minimum number of academic credits at the end of each semester. The minimum cumulative earned credits required is in proportion to the cumulative attempted credits for which they are enrolled each semester.

Maximum Time Frame

A student must declare an academic program and must be taking courses that apply to that degree or certificate.

A student must complete the declared academic program within 150% of the published length of the program in credit hours to maintain aid eligibility.

To determine maximum timeframe multiply the published credit hours needed to complete the program of study by 1.5 (150%). The result will determine how many attempted hours are allowed for the program to Meet SAP and be aid eligible. Once the maximum timeframe hours are reached, student is ineligible for financial aid.

Other than developmental courses, all credits appears on student’s records including transferred credit previously earned at another institution that are accepted by WCC will be counted toward the maximum timeframe at WCC. A student who changes academic programs will have all course credits taken under previous academic programs count towards the maximum timeframe of the new academic program.

FINANCIAL AID CODE OF CONDUCT AND ETHICAL PRINCIPLES

Westchester Community College observes the code of conduct laws enacted by the Higher Education Opportunity Act (Public Law 110-315) (Sunshine Act) enacted August 14, 2008, the Agreement on Code of Conduct between SUNY State Operated Campuses and New York State Attorney General, April 3, 2007, and the State of New York SLATE Act. This code of conduct and ethical principles is based on the principle that the primary goal of the Office of Student Financial Assistance professionals is to help students achieve their educational potential by providing appropriate financial resources. To this end, the financial aid professionals shall:

1. Be committed to removing possible financial barriers for those wishing to pursue postsecondary education.
2. Support efforts to encourage students, as early as the elementary grades, to aspire to and plan for education beyond high school.

3. Make every effort to assist students in receiving financial aid to help meet their financial need.

4. Advocate in the students’ interest at the institutional, state and federal level.

5. Provide services that do not discriminate on the basis of race, gender, ethnicity, sexual orientation, religion, disability, age or economic status.

6. Respect the dignity and protect the privacy of students, and ensure the confidentiality of student records and personal circumstances.

The code of conduct outlined below pertains to all staff in the Office of Student Financial Assistance as well as the Vice President of the college to whom the office reports. All relevant employees will agree to the following to ensure transparency in the administration of the student financial aid programs and avoid conflicts of interest. Do not undertake any employment, compensated or not which is in conflict with proper discharge of their duties or might impair their objectivity or independence of judgment in the exercise of their duties at this institution.

1. Do not use their positions or information received to solicit or secure financial gain, unwarranted privileges by accepting cash payments, stocks, club memberships, gifts, entertainment, expense-paid trips, or other forms of inappropriate remuneration from any business entity involved in any aspect of student financial aid.

2. Adhere to all institutional policies as well as other local, state or federal requirements that are applicable to their conduct or job performance.

3. Provide accurate, unbiased and transparent information which in no way reflects any preference arising from actual or potential personal gain and ensure that students and parents fully understand their rights, obligations and alternatives.

4. Ensure that students and parents understand that Westchester Community College does not participate in a preferred lender list which directs students to a preferred lender. To this end students must be made to understand that, as long as Westchester Community College participates in the FFELP Loan programs:
   - Financial Aid professionals at Westchester Community College are prohibited from recommending any lender.
   - Students are free to select a lender and guarantor of their choice.
   - Students and parents should be made to understand the process of selecting a lender and applying for a loan.

5. The school will promptly certify any loan from any lender selected by a borrower.

6. Clearly inform students that, although they are directed to NYSHEC to choose a lender and complete the Master Promissory Note, they are free to choose a lender not on the HESC website. Similarly, they must be told that they are free to use a guarantor other than HESC.
The college does not have a preferred lender list for alternative loans. Financial Assistance personnel will not make any recommendations to the student as to the choice of a lender.

7. Do not permit an employee or agent of a lender or guarantor to staff the offices, represent his/herself as an employee of the institution or conduct Loan Entrance workshops.

8. The Office of Student Financial Assistance will promptly process any alternative loan submitted for certification according to the regulations of the lender. However, prior to certifying an alternative loan, the College will inform students of the availability of the cheaper federal loan programs and advise students to complete the FAFSA to assess their eligibility for the federal loans. Financial aid professionals are free to provide students with information to assist them in making a comparison of benefits for the students to make an informed choice of a lender.

Item 4 to 7 is no longer applicable once Westchester Community College stops participating in the FFELP loan program and switches to the Federal Direct Unsubsidized and Subsidized Loan Program and the Federal Direct Parent Loan Program.

OFFICE OF REGISTRAR

REGISTRAR ELECTRONIC COMMUNICATION POLICY

The official mode of communication for WCC students using email is from their WCC email account. For illustration: Abcde12345@my.sunywcc.edu

When emailing the Registrar’s office for assistance you must use your WCC email account. For prompt assistance kindly include; your name, student ID, date of birth, last four digits of your social security number within your email inquiry.

- Registrar@sunywcc.edu  New/continuing students contact us for general questions
- Summerregistration@sunywcc.edu  Visiting/continuing students contact us for summer session registration assistance.
- Winterregistration@sunywcc.edu  Visiting/continuing students contact us for winter session registration assistance.
- Etrans@sunywcc.edu  Specifically for official electronic transcripts sent directly from other colleges to Westchester Community College.

REGISTRATION DATES AND DEADLINES

- Available online at: http://www.sunywcc.edu/academics/academiccalendar/
- Academic Calendar information includes: beginning and ending dates of the semester/ the dates for final exams/ the dates for registration/ the dates for refunds/ the dates to withdraw/ the dates final grades are due.
COLLEGE CATALOG

Contains information about the College’s degree and certificate programs, course descriptions and course prerequisite requirements.

- Available online at: www.sunywcc.edu/catalog

COURSES OFFERED BY SEMESTER

- Course Schedules are available online at: www.sunywcc.edu/academics/courses/

FULL-TIME VS. PART-TIME ENROLLMENT

- Enrolling for 12 or more credits is considered full-time
- Less than 12 credits is considered part-time
- Enrolling for 6 credits is considered half-time
- The maximum number of credits a student can enroll for fall and/or spring semester is 19 credits.
- * Any student needing to enroll for more than 19 credits in a semester must get special permission from the appropriate Dean of their major.
- Developmental Education Classes for Math, English and Reading are charged at the standard per credit tuition rate. These courses are included when determining status as full time or part-time enrollment.
- Developmental Education Classes will display within the academic record with a grade, but do not yield academic credits.

AUDITING A COURSE

- Students must enroll through the normal process and pay the standard tuition rates and fees.
- During the first meeting of the course a student must inform your professor of their intent to audit the course.
- Students who are auditing a course are not responsible for taking exams. The professor will assign you a final grade of “AU” for “Audit”.
- Seniors Audit at Westchester Community College is a special program for senior citizens.
- For more information: http://www.sunywcc.edu/mainstream
REGISTRATION TRANSACTIONS

- Are available online through self-service within MyWCC using a student ID and password.
- Registration dates outlined in the Academic calendar: http://www.sunywcc.edu/academics/academiccalendar/
- Course schedules of instruction: http://www.sunywcc.edu/academics/courses/
- MyWCC self-service guides are available to assist students with registration functions such as; enroll, drop, swap, adding a lab, withdrawals. Other self-service functions include; applying for graduation, viewing grades, printing transcripts, schedules and enrollment verification letters. View the list of How-To guides available: http://www.sunywcc.edu/admissions/registering-for-classes/how-to-guides/

REGISTRATION

NEW MATRICULATING STUDENTS

- Must see an academic counselor for advisement.
- Submit immunization records to our Health Office.
- Take our Placement test, or when applicable provide ACT/SAT/Regents scores or have transfer credit which waives the placement exam.
- Must activate their WCC account and set up a password for MyWCC enrollment access.
- Registration services are available online through self-service at MyWCC using a student ID and password.

CONTINUING/RETURNING STUDENTS

- Continuing /Returning students (those who have taken at least 1 credit at the College in the past) are able to register online through MyWCC if they have attended the College within the last 2 years.
- If it has been more than 2 years but less than 7, students should contact the Registrar’s Office in order to be reactivated. Reactivation can also be done in-person at extension sites including (Mt. Vernon, Yonkers Cross County, Ossining and Peekskill).
- If it has been more than 7 years, students must fill out a new application in the Admissions Office.
- New students who filled out an application in the past but never took classes will have to contact the Admissions Office to have their account activated for the desired semester.
- Alumni who graduated from Westchester Community College and wish to continue to study must complete the 2nd Degree Form with the Registrar’s Office to have enrollment access restored for the desired semester.
- A second Associate degree for a specific concentration in a discipline which a student has already completed a degree is not academically recognized nor allowable.
- Registration services are available online through self-service at MyWCC using a student ID and password.

**VISITING STUDENTS NON-Matriculated Summer/Winter**

Students who are visiting from another SUNY school, should check with their home school’s advisor about their school’s Cross Registration Policy.

**Email:** Summerregistration@sunywcc.edu
**Email:** Winterregistration@sunywcc.edu

- Include MyWCC student ID, the section of the course, and the course number.
- Provide via email attachment a college transcript, or official tests scores for evaluation of the necessary prerequisite(s) when applicable.
- Visiting/non-matriculated students will be required to take the College placement test only if they are:
  - registering for an English, Math, or Reading course that requires the placement test and have not met the prerequisite requirements for the course OR
  - registering for a course that requires a certain ‘readiness’ level in English or Math and have not completed a college English or Math course.
- For additional information about the placement test and waivers/exemptions: www.sunywcc.edu/testingcenter
- Overview: http://www.sunywcc.edu/admissions/admissions-information/summer-visiting-student-admission-and-registration-steps/
- For a course description, please visit the College’s catalog at: www.catalog.sunywcc.edu
- If your home institution requires a syllabus, please contact the appropriate School www.sunywcc.edu/contact follow links and contact info for desired area of interest to request a copy.
- Registration services are available online through self-service with MyWCC using a student ID and password.

**SUNY CROSS REGISTRATION**

- Degree seeking WCC students wishing to enroll at WCC and another SUNY school in the same semester should complete a Cross Registration Request at www.suny.edu/crossregister
- This form is not for WCC students planning to transfer to another SUNY college after they graduate from WCC
• This form is not for students wishing to take courses at non-SUNY schools or CUNY schools

• Students from other schools wishing to take classes at WCC and their home school in the same semester should contact their home advising office about the cross registration process.

**REVERSE TRANSFER**

• Students who transferred from WCC without completing a degree have the opportunity to complete.

• Reverse Transfer credits back to WCC by having official college transcripts sent from their new school for review by a WCC transfer evaluator and a counselor.

• For more information email Registrar@sunywcc.edu or Counseling@sunywcc.edu

**TRANSFER CREDITS**

The College’s Transfer Credit Evaluator will evaluate official college transcript(s) to determine if credits for any previous college coursework from regionally accredited institutions will be accepted. Accepted transfer credits will be posted within the student’s MyWCC account.

• Official college transcripts and score reports should be sent to:

  Westchester Community College  
  Attn: Registrar’s Office, Administration Bldg., Rm. 107  
  75 Grasslands Road  
  Valhalla, NY 10595

Electronic transcripts can also be sent for evaluation when sent directly from a college within a secure network. Electronic transcripts directly from colleges should be issued to: Etrans@sunywcc.edu

• A maximum of 50 percent of the required credits are allowable through transfer, examination or evaluation towards a degree or certificate at Westchester Community College.

• Only transfer courses with a grade of a ‘C’ or better will be accepted for credit.

• The college can grant credit only for specific equivalent coursework in the student’s curriculum, and the number of credits for each specific course cannot exceed the credit value of that course.

• Credits may also be granted through Advanced Placement (AP) examinations and the College Level Examination Program (CLEP). Through these programs, a student may successfully complete examinations in a variety of subject areas and can be granted college credit. Official scores must be sent to WCC. A student cannot earn duplicate credit for examination programs and college studies covering the same material.
Credits accepted by examination, Advance Placement and CLEP Exams and WCC’s equivalent Courses can be viewed here: www.sunywcc.edu/catalog

Credit can be granted for studies completed while serving in the Military. Official documents must be submitted.

Through institutional agreements, students can earn college credit for attending and completing programs from Westchester County Department of Corrections, Westchester County Police Academy, NYC Department of Corrections and the NYC Police Academy.

Transfer of international credits is at the discretion of the college. International credits must be evaluated by an outside accrediting agency prior to submission.

ENROLLMENT VERIFICATION LETTERS

Enrollment verification letters are available online through the National Student Clearinghouse. A student can access via their MyWCC account within the Student Center under the ‘Other Academics’ drop-down menu, select ‘Enrollment Verification’ to access the National Student Clearinghouse’s website.

Enrollment inquiries by third parties (employers, agencies, etc.) are subject to FERPA regulations.

Any employer or agency inquiries of specific student data, not considered directory information by WCC, requires a student submit a signed release to the Registrar’s Office.

WESTCHESTER COMMUNITY COLLEGE TRANSCRIPTS

Official and Unofficial transcripts

Official transcripts are a complete list of a student’s academic record. An official transcript has a college seal to signify authenticity. The fee for official transcripts is $10.00 per copy.

- Official transcripts generally are processed in one business day but can take up to two business days.
- Ordering an official transcript can be done via mail, in person, or online. Official electronic or paper copies can be ordered through Credentials: https://www.credentialsonline.com/tplus/?ALUMTRO002881
- For more information our website visit www.sunywcc.edu/transcripts
- An unofficial transcript can viewed and printed by the student within MyWCC account follow the links within
**REFUNDS**

Review Refund Policy here: www.sunywcc.edu/refundpolicy

- A 100% refund of tuition and fees will be issued only when course(s) are dropped before the first day of the semester or in the event the course is cancelled by the college.
- Registration fees are non-refundable after the semester begins.
- Refund schedule is available online here: www.sunywcc.edu/academics/academiccalendar/
- Refunds are processed by the Bursar’s office and inquiries should be directed to: Bursar@sunywcc.edu

**CLASS WITHDRAWAL**

Students can withdraw from a course within MyWCC account without academic penalty and will automatically generate a grade of ‘W’ on the transcript. View the academic calendar for exact dates.

**COMPLETE COLLEGE WITHDRAWAL/ LEAVE OF ABSENCE REQUEST FORM**

Students who need to withdraw from all their classes in a semester can do so by the last date of instruction for the semester. Review the exact date within the Academic Calendar. The Complete College Withdrawal Form must be submitted to the Registrar’s office for processing. The form is available in Registrar’s or Counseling office and requires signatures from an academic counselor, the Library, Bursar’s Office and Financial Aid Office. All grades for the semester will appear on the transcript as “W”s.

**GRADES**

All semester grades are processed in accordance with the dates outlined within the Academic Calendar.

Official grades update the academic transcript when processed and are viewable the student record within MyWCC.

A student who has been approved and granted an Incomplete “I” grade for a course must fulfill the course requirements in accordance with the scheduled agreement with the instructor or will automatically change to an “IF” grade.

- Incomplete granted for a Fall semester or Winter session course, complete course work before the last day of the 10th week of the upcoming Spring term.
- Incomplete granted for a Spring semester or Summer session course, complete work before the last day of the 4th week of the upcoming Fall semester.
- Thereafter, Incomplete grades with automatically convert to a failing grade “IF”.

*Student Access, Involvement and Success- Policies, Procedures & Regulations (Updated 8/1/19)*
CHANGES TO A STUDENT RECORD

Name Changes
Require official, legal documentation presented to the Registrar’s Office

Address Changes
- Change address directly through self-service through MyWCC if present address on record is a Westchester County resident address and the new address is also a Westchester County resident address.
- Address changes for an address into or out of Westchester County, require documentation submitted to the Bursar’s Office.
- All students on an F-1 Visa must contact International Student advisor in order to change their address.

Social Security Number
- An original social security card must be presented to the Registrar’s Office to make a change.

CURRICULUM, MAJOR OR SUB-PLAN CHANGE
A completed Change of Major Form with dated signatures of the student and counselor or curriculum chair should be delivered to the Registrar’s Office for processing.
- A student must meet with an academic counselor or the curriculum chair of the major they want to pursue.
- A review of desired changes with academic and financial aid counselors for impacts is recommended before submitting a completed form to the Registrar’s Office.
- A change of major is allowed once per semester.
- Change of Major Forms received before the semester begins will be processed and effective for the upcoming semester and requirement term.
- Change of Major Forms received during the semester will be effective for the next semester and requirement term.

2nd Degree Form
- Required by alumni after earning a degree/certificate who wish to continue at WCC in a specific area of interest.
- A second associate degree for a specific concentration in a discipline which a student has already completed a degree is not academically recognized nor allowable.
- Available in the Registrar’s office and required to reinstate enrollment access.
GRADUATION

Students must apply for Graduation for the term (Spring/Summer/Fall) in which they will complete their degree and/or certificate requirements. An application for graduation can be made online through MyWCC or in person at the Registrar's Office. Diplomas are mailed directly from our vendor to the student's address on file only if the student does not have any outstanding holds on their account by Financial Aid or the Bursar's office.

Important graduation information can be viewed online:
http://www.sunywcc.edu/academics/graduation/

View additional links for additional information such as:

- Application Checklist
- Application deadlines for May, August, December graduates
- Cap and Gown Order Form (https://www.sunywcc.edu/capgown)
- Commencement Ceremony information provided by the Student Involvement Office

THE EDUCATIONAL OPPORTUNITY PROGRAM

The Educational Opportunity Program is a State funded program that provides access, academic support and supplemental financial assistance to make higher education possible for students who have the potential to succeed despite minimal preparation and limited resources. We seek to not only retain and graduate students but we strive to provide students with a rewarding and fulfilling educational experience, through our Pre-Freshman Summer Program and by offering special workshops, tutoring, counseling and opportunities for cultural enrichment. We welcome students to join our group of students who are: Engaged, Optimistic and Proud!

Eligibility Criteria

- U.S. citizens or Permanent Residents (bearing a “green card”)
- New York State residents for 12 months prior to enrollment
- High school graduates or have a General Equivalency Diploma
- Eligible for admission under traditional standards, and demonstrate potential for completing a college program
- Entering their first semester of college
- Full-time students (minimum of 12 credits)
- Enrolled or placed in at least one non-credit course.
- Within the legislated income guidelines
- Enrolled in an Opportunity Program at your previous college (Transfer Students)
- Not accepted into another Opportunity Program at Westchester Community College (TRIO)

**TRIO/STUDENT SUPPORT SERVICES (SSS) PROGRAM**

Student Support Services is a federally funded TRIO program sponsored by the US Department of Education. SSS offers support services to 170 eligible students attending Westchester Community College. The goal of SSS is to increase retention, graduation rates and promote transfer to four year institutions. SSS provides many opportunities and support services for students including:

- Academic Advising
- Financial Aid Counseling
- Career Coaching
- Tutoring
- Financial Literacy Education
- Individual Counseling and Coaching
- Transfer Assistance

**Eligibility**

To be accepted as a TRIO/SSS participant you must be:

- Accepted for enrollment or currently enrolled at Westchester Community College as a first year student
- Enrolled or placed in at least one developmental course
- U.S. Citizen or permanent resident
- Highly motivated to graduate and/or transfer to a four-year institution

Additionally, one or more of the following must apply to you:

- Family meets financial low income levels as determined by the federal TRIO Program regulations
- A first-generation college student (neither parent has a four year degree)
- A documented disability

**How to Apply to TRIO**

After you have been accepted to Westchester Community College and have taken the placement test, you must:
- Complete a TRIO application
- Submit the application to the TRIO Office (Science Bldg., Rooms 329, 335 and 336)
- Schedule an interview with TRIO Director or Counselor
- Submit eligibility documents as requested

**Responsibilities of TRIO Student**

- Meet regularly with TRIO Counselor
- Submit eligibility documents in a timely manner
- Attend counseling sessions, tutor

**HEALTH SERVICES**

The Westchester Community College Health Services Office will formulate internal policies and procedures to control and coordinate the activities of Health Services. As advised by SUNY, information and guidelines provided by the American College Health Association will be utilized in developing policies. No Health Services Policy shall be construed as to contradict or infringe upon other college policies and procedures.

**Eligibility for Services**

Health Services provides nursing services to students currently enrolled at the main campus and to all of the extension site students who visit, email or call the office. Students are seen on a walk-in basis. Appointments are not necessary and can be unreliable if the nurses have to respond to unexpected medical or other campus emergencies. Health Services is a Registered Nurse directed office and provides services within the scope of nursing licensure. Students and employees are advised of the limitations of a registered nurse directed office and are referred to their primary care providers, emergency rooms, urgent care facilities, clinics or other when their needs surpass those offered by Health Services.

Although Health Services offers services for students, employees are welcome to access certain services, specifically; education, dressing changes, other medical procedure assists and certain health assessments.

Individuals who have graduated or are no longer registered may request transfer of records or other administrative follow-up on prior services.

**Quality of Care**

Health Services provides high quality health care services in accordance with the Registered Nurse Practice Act. Registered nurses have the necessary training, skills and education to deliver the services offered and are skilled at assessing and referring clients out to healthcare providers when indicated. High quality healthcare service is demonstrated by:

- Accessible health services.
- Educational and effective communication with those served regarding their health needs.
• Appropriate and timely consultations, assessment and referrals.
• Appropriate and accurate documentation.

Any complaints against personnel or practices should be directed to the Health Services Coordinator.

**Health Services Responsibilities & Services**

In order to meet the mission of the office and provide the best possible support to students, Health Services will:

a. Provide students with a system of accessible health assessments and consultations with Registered Nurses.

b. Assess and provide nursing care to students within the scope of a registered nurse practice and will refer students to healthcare providers when care is needed beyond the scope of such a practice.

c. Provide clear and effective communication/guidance with students concerning appropriate measures to take regarding health issues and concerns.

d. Provide appropriate and timely referrals when indicated.

e. Provide information and counseling to assist and encourage students to take control of their health and to partner in decision-making.

f. Participate in and offer campus outreach health education programs with the emphasis on the promotion of healthy lifestyles.

g. Maintain adequate documentation of student visits, emergency calls and immunizations.

h. Maintain ongoing interaction with other campus departments and entities to address student healthcare needs, concerns and lifestyle issues.

**NOTE:** Occasional temporary modifications in staffing and services may occur without notice due to conferences, meetings, college closures, weather conditions and due to staffing and budgetary restraints.

**HEALTH SERVICES STUDENT RIGHTS & RESPONSIBILITIES**

The Health Services strives to offer high quality services and programs to students in support of their physical health and well-being. However, to ensure this outcome, there are certain expectations that students are expected to meet. Likewise, students have certain rights that will be afforded to them when interacting with the Health Services Office.

**Student Responsibilities**

In order to ensure the best possible care and services are provided, students are responsible:

a. To submit the required Immunization records as a condition of registration for more than five credit hours and any other medical records as required of them per their curriculums.
b. To advise the nurses of any medical conditions that they may want them to be aware of or that may interfere with academic success.

c. For asking questions regarding medical advice, care or explanations that are not understood.

d. For knowing that Over the Counter, medications are taken at their own risk as the nurses are not aware of their medical histories and limitations.

e. For following all college rules and regulations while in the Health Services Office.

**Student Rights**

In order to ensure the health of the community and the individual, students have the right to:

a. Receive considerate and respectful care and guidance.

b. Know the names and positions of those assisting them with their healthcare needs.

c. Know that the Registered Nurses can assess and treat minor injuries and illnesses but do not diagnose medical conditions. When appropriate, students will be strongly advised to follow up with the appropriate healthcare providers.

d. Know that Emergency Responders will be called when deemed necessary.

e. Refuse treatment, except as prohibited by law and to be informed of the consequences of their decision.

f. Expect that their personal privacy will be respected and protected by the Health Services staff.

g. Expect that medical records will be kept confidential and will be released only with permission of the student or in cases of emergencies.

**INSURANCE**

Westchester Community College does not mandate students to purchase Health Insurance, except those enrolled in certain Allied Health Care programs. The college does not offer an option to purchase a college sponsored health insurance policy. Students inquiring about purchasing health insurance will be referred to:

a. WCC Department of Student Support Services.

b. MVP Health Care: 1-800-TALKMVP: 1-800-825-5687

Clinical facilities that provide internships/clinical rotations for students enrolled in Allied Health programs, require all students submit proof of personal health insurance.

**NURSING SERVICES**

Nurses will triage/assess and utilize nursing knowledge and skills to plan care for all who present to the Health Office for a variety of medical, emotional and behavioral issues. The nurses will
provide health education to assist all who present with making informed decisions and encourage self-care.

Students in need of rest, quiet, private areas and a safe setting are welcomed to utilize the cubby areas or the inclusive bathroom located across from the cubbies.

**Definition of Practice of Nursing**

The practice of the profession of nursing as a registered professional nurse is defined as diagnosing and treating human responses to actual or potential health problems through such services as case finding, health teaching, health counseling, and provision of care supportive to or restorative of life and well-being, and executing medical regimens prescribed by a licensed physician, dentist or other licensed health care provider legally authorized under this title and in accordance with the commissioner's regulations. A nursing regimen shall be consistent with and shall not vary any existing medical regimen. (NYS 6902)

**Routine Student Health Office Visits**

Health Services offers routine assessment, treatment and education to students on a daily basis. Routine services, include but are not limited to the following conditions/needs:

1. Dressing Changes
2. Vital Signs Including Pulse Oximetry
3. Blood Pressure Screenings And Counseling
4. Height And Weight Checks
5. Nutritional And Exercise Counseling
6. Headaches
7. Dizziness
8. Gastrointestinal Problems, Including Nausea & Vomiting
9. Cold And Flu Like Symptoms
10. Lacerations, Cuts And Bruises
11. Birth Control Counseling And Referrals
12. Assistance With Self-Glucose Monitoring
13. Assistance With Self-Administration Of Medication Injections For Transitioning And Other Conditions (With Prescriptions)
14. Splinting
15. Anxiety Relief Measures/Counseling
16. Mental Health Counseling/Referrals
17. Splinter Removal
18 Rashes
19 Menstrual Cramp
20 HIV/STD Referrals And Sexual Health Counseling
21 PPD Readings (For Those With No Reactions)
22 Tobacco Cessation

Students found to be potentially infectious will be encouraged to seek treatment from a healthcare provider or to go home. Attempts to keep the person separate from others should be implemented.

Persons found to have borderline readings on screenings will be encouraged to call their healthcare providers from the Health Office and if readings are elevated, will be transported to emergency rooms or urgent care.

Nurses will follow up when repeated patterns are identified. For example, multiple visits by culinary students due to knife lacerations, students having repeated seizures on campus.

REPORTING KNOWN MEDICAL CONCERNS

While not required, students are encouraged to advise Health Services of any medical conditions, concerns, directives and contact information. A list of “Medical Concerns” will be composed every semester (for those students who reported information) by the Health Services Coordinator and copies will be provided to each nurse and the Office Assistant. Copies labeled Confidential will be kept on the Emergency Call Report clipboards to be used as a reference for the nurses who respond to an emergency outside of the Health Services Office.

Students will be encouraged to share certain medical information with their professors if it poses a potential threat to their academic fitness or if a medical emergency may potentially occur during class time. In certain situations, such as students with seizures, students are encouraged to have their professors contact the nurses to review emergency procedures.

FIRST AID

There are a variety of concerning health situations that Health Services responds to on a daily basis. Individuals may present themselves in the Health Services Office or Health Services may receive calls from Security or other campus constituents requesting a nurse from Health Services respond to a location on the Valhalla campus.

When responding, nurses must practice within the Scope of Practice guidelines of the State of New York. Although nurses will use their knowledge and skills to determine the need for treatment, the following are general guidelines as put forth by the American Heart Association and the American Red Cross. In these situations, nurses will generally:

1. Assess every medical situation and survey the scene for safety before approaching any patient or victim.
2 Direct others to call 6911 (or 911) for any conditions identified as immediate or determined to be potential life threatening conditions.

3 Utilize universal precautions.

4 Obtain as much medical information as possible.

5 Recommend students to share certain medical conditions with their professors especially situations that could result in classroom emergencies such as seizures, drops in blood sugar etc.

6 Notify 911 or encourage the student to contact their physician if, on a routine screening offered by the nurses in the Health Office, abnormal findings, such as an elevated blood pressure or pulse, are revealed.

7 Complete the Health Services Visit Form and file it under “Daily Visits.”

8 Note the visit in the Student Log Book and place a check in the “Healthcare Referral Column” if indicated.

9 Advise employees to contact Human Resources to report and complete any required paperwork for employees who have sustained injuries on campus.

NOTE: These guidelines are intended to help nurses when responding to injuries or other situations in need of minor first aid or situations that progress or are initially identified as emergencies. For additional protocols for responding to campus emergencies, please refer to Medical Emergency Response.

MEDICAL EMERGENCY RESPONSE

In order to ensure the safety and well-being of the college community and ensure college personnel are following uniform procedures to respond to student injuries or medical emergencies, the following protocols have been established.

Emergencies Requiring Immediate 9-11 Notification

Emergencies that may require immediate 9-11 notification include, but are not limited to individuals who experience/are*:

1 unconsciousness or disorientation

2 breathing problems

3 chest discomfort, pain or pressure lasting more than 3 to 5 minutes or pain that goes away and comes back

4 severe bleeding

5 persistent abdominal pain or pressure

6 suspected head, neck or back injuries

7 severe allergic reactions
8 stroke (weakness on one side of the face, weakness or numbness in one arm, slurred speech or trouble getting words out)

9 seizures**

10 vomiting blood or passing blood

11 suspected broken bones

12 suspected poisoning

13 sudden severe headache

14 absence of breathing or pulse

15 severe mental confusion or disorientation

16 actively suicidal

17 incoherent or disjointed speech

18 a loss of contact with reality, including hearing or seeing things that are not there and/or ideas or beliefs that are not realistic

19 extreme panic

**Note:** Response protocols for victims of sexual violence/sexual assault are governed under the Sexual Violence Response Policy.

*Nurses reserve the right to use their professional judgement in all medical situations to determine if 9-11 should be notified.

**Certain petit mal seizures may not require 9-11 notification. Nurses reserve the right to use their professional judgement in making this determination.

**MEDICAL RESPONSE PROCEDURES ON THE MAIN CAMPUS (VALHALLA)**

1 When a member of the college community identifies an incident they believe may constitute an emergency, they should immediately call the Security Base Operator (SBO) – by dialing 6-911 from any campus phone or 914-606-6911 from any cellphone or outside line.

2 When calling the SBO, the caller should stay calm and provide the following information to the SBO:
   a. Who they are.
   b. What happened - that there was an incident on the main campus resulting in student injuries and/or a medical emergency
   c. Where they are – providing the exact location of the emergency site.
   d. General Information known about the victim including perceptions of gender, age, & current condition.
e. The caller should not hang up the phone until advised to by the SBO to do so. The caller or SBO must not discuss any other topics other than the emergency.

3 Upon receiving the call, the SBO will:
   a. Dispatch WCC Security Guards to the site of the emergency.
   b. Activate Emergency Medical Services/911 (EMS/911) if an emergency is immediately identified, suspected or reported by the initial caller. A list of examples of emergency situations can be found under the “Common Emergencies” section of this policy on page one (1). The SBO will also direct EMS/911 responders to the location of the emergency.
   c. Contact Westchester County Police.
   d. Contact Student Health Services to request a nurse respond to the site of the emergency to administer initial medical care. If a nurse is available, Security will transport/accompany the responding nurse to the emergency location.

4 Upon arrival at the emergency site, the Responding Security Guard(s) will:
   a. Assess the scene and provide first aid or basic life support, if necessary, until Emergency Services, a nurse from Student Health Services, and/or a Personal Counselor arrives.
   b. Assist/support the responding nurse and/or Personal Counselor, should one be available, in providing emergency care.
   c. Upon request of the Responding Nurse or injured student, contact EMS/911 if not already done.
   d. Provide crowd and privacy control.
   e. Assist/support the EMS/911 responders in providing emergency care as directed by the EMS/911 responders.

5 Upon notification of a campus medical emergency requiring their attention, a responding nurse from Student Health Services (if available) will:
   a. Contact the Personal Counseling Department if there is a possible mental health condition that would be appropriate for a Personal Counselor to respond to.
   b. Wait for Security mobile pick up by the back door exit, equipped with the Emergency Bag and Emergency Call Clip Board (If the Emergency location is out of the H&W Office)

6 Upon arrival at the emergency site, the Responding Nurse from Student Health Services will:
   a. Assess the scene for safety and for any immediate life threatening conditions.
   b. Instruct security to call EMS/911 if deemed necessary and/or if EMS/911 has not already been contacted.
c. Provide treatment/care accordingly.

d. Contact the Personal Counseling Department if there is a possible mental health condition that would be appropriate for a Personal Counselor to respond to.

e. Document pertinent information on the “Emergency Call Report” and share the information with the 911 responders.

f. If requested by the aided student, notify/contact a family member(s), professor(s) or others to inform them of the situation.

7 Upon arrival at the site of the emergency, the EMS/911 Responders will determine if immediate hospital care is required or will ask the student if they would like to request transport to a hospital/medical facility for further evaluation/treatment.

a. In the event the student is transported to a local Emergency Room or healthcare facility by the EMS/911 Responders, the EMS/911 Responders will determine which hospital the aided will be transported to.

b. In certain situations, the aided may refuse transport to the Emergency Room or healthcare facility. The EMS/911 responders will advise the aided of the risks of not seeking emergency care as recommended and will be required to sign Against Medical Advice (AMA) documents.

c. If a student denies treatment, has signed the AMA documents and in the professional opinion of a Health Services Nurse, Personal Counselor, and/or a Security Supervisor, the student is unable to remain on campus without a risk of disrupting the normal operations and functions of the college, the student will be instructed to leave the campus. Students will be responsible for securing their own transportation home, but may request assistance from the College. The Nurse or Personal Counselor who gives the instruction to leave campus to the student will provide the student with a letter documenting the instruction that includes on-campus resources available if the student returns.

Note: The student is responsible for any and all bills incurred from an emergency transport.

8 The responding Nurse from Health Services will complete a post an “Emergency Call Report.” If a Health Services Nurse is unavailable to report the scene of an emergency, Security will forward a copy of their report to the Coordinator of Health Services.

WCC Security will complete their standard report. To compile this report, Security officials may interview members involved with the emergency (including those present at emergency), take pictures, etc.

9 When deemed appropriate by Health Services or Personal Counseling, a student who is involved in a medical emergency will receive a follow-up from the college. The Coordinator of Health Services, the Acting Director of Personal Counseling, and/or a designee may communicate to the student about missing classes, communicating with professors, returning to the college, and availability for continued support.
MEDICAL RESPONSE PROCEDURES ON THE EXTENSION CENTERS & SATELLITE SITES

1 When a member of the college community identifies an incident they believe may constitute a medical emergency at an Extension Center or at a satellite location, they should immediately call Emergency Medical Services (EMS) by dialing 911. The caller should not hang up the phone until advised to do so by the 911 Responder. The caller or 911 Responder must not discuss any other topics other than the emergency.

2 If possible, members of the college community should also contact a WCC Security Guard, if present at the facility, after they have called EMS/911. Note: Extension Centers have Security Guards present during hours of operation when students are present. Satellite locations do not generally have WCC Security present.

3 Upon arrival at the emergency site, EMS/911 Responders will determine if immediate hospital care is required or ask the student if they would like to request medical attention.
   a. In the event the student is transported to a local Emergency Room or healthcare facility by the EMS/911 Responders, the EMS/911 Responders will determine which hospital the aided will be transported to.
   b. In certain situations, the aided may refuse transport to the Emergency Room or healthcare facility. The EMS/911 responders will advise the aided of the risks of not seeking emergency care as recommended and will be required to sign Against Medical Advice (AMA) documents.
   c. If a student denies treatment and has signed the AMA documents, the Reporting Individual should notify Student Health Services and/or Personal Counseling who will evaluate the situation and conduct follow-up as deemed necessary and appropriate by these personnel in these departments.

4 After the emergency is concluded and the scene is cleared, the Reporting Individual should report the incident to the Director of the Extension Center and/or WCC Security.

5 If responding to the incident, WCC Security will complete their standard report. To compile this report, Security officials may interview members involved with the emergency (including those present at emergency), take pictures, etc. If contacted by an Extension Center and/or the reporting individual, WCC Security will complete their standard report following the same protocol.

MEDICAL RESPONSE PROCEDURES FOR OFF-CAMPUS SPONSORED ACTIVITIES

Note: When travelling off-campus, students sign a Liability Release Agreement indicating their understanding as to the potential dangers inherent in participating in the activity, including College-provided transportation to and from the activity. They agree to assume the risk of personal injury and damage to personal property.
Note: The Advisor/Trip Coordinator is a member of the College’s faculty, staff, or administration who is officially accompanying the students, serving as the official representative of the institution while travelling.

1 When travelling off-campus with students or student groups, the Advisor/Trip Coordinator is responsible for responding to medical and/or mental health emergencies. When they identify an incident they believe may constitute a medical or mental emergency, they should immediately call Emergency Medical Services (EMS) by dialing 911. The caller should not hang up the phone until advised to by the SBO to do so. The caller or 911 Responder must not discuss any other topics other than the emergency.

2 The Advisor/Trip Coordinator should provide the medical conditions and allergy lists from the student’s signed Travel Agreement paperwork (if available) to the EMS/911 Responders upon their arrival at the scene.

3 EMS/911 Responders will determine if immediate hospital care is required or ask the student if they would like to request medical attention.

   a. In the event the student is transported to a local Emergency Room or healthcare facility by the EMS/911 Responders, the EMS/911 Responders will determine which hospital the aided will be transported to.

      i. If a student is hospitalized and/or unfit to continue on the trip, the Advisor/Trip Coordinator will contact the student’s emergency contact and notify them of the situation. The Advisor/Trip Coordinator should coordinate with the student and/or the emergency contact for an individual to: (1) pick up and/or be with the student while hospitalized; and (2) assume responsibility for transporting the student safely back home when able.

   b. In certain situations, the aided may refuse transport to the Emergency Room or healthcare facility. The EMS/911 responders will advise the aided of the risks of not seeking emergency care as recommended and will require such person to sign AMA (Against Medical Advice) documents.

      i. If a student denies treatment and has signed the AMA documents, the Advisor/Trip Coordinator should notify the student that they are no longer eligible to continue on the trip. The Advisor/Trip Coordinator should contact the student’s emergency contact and coordinate with the student and/or the emergency contact for an individual to: (1) pick up the student and/or assume responsibility for transporting the student safely back home.

4 After the emergency is concluded and the scene is cleared, the Advisor/Trip Coordinator should complete a report of the incident by visiting www.sunywcc.edu/incidentreport. The should clock on the General Incident Reporting Form link.

The Advisor/Trip Coordinator should also notify WCC Security about the incident by calling 914-606-6911. Security will not coordinate or respond to the off-campus emergency and will only act as a post-incident point of notification. WCC Security will inform appropriate administrators of the incident in order to respond. When calling Security, the Advisor/Trip Coordinator should:
a. make the responding Security Base Operator (SBO) aware that there was an emergency situation at an off-campus trip and if they have completed an online incident report.

b. inform the SBO if the trip involved a student club/organization, academic class/program or an athletic team.

**STUDENT MEDICAL PAYMENT, INSURANCE INQUIRIES & RESOURCES**

If, after an incident, a student inquires about available funds from the College to help pay for any medical or treatment bills, the student should be informed that their personal insurance should be used as the primary means of coverage to pay for any and all medical costs.

If a student’s insurance does not cover the treatment they received for their injury, and a student inquires about the College paying for their treatments/bills, WCC personnel should, as of September 1, 2018, inform the student that they will need to file a claim with the Westchester County Risk Management Office. WCC Personnel may also encourage the student to apply for a WCC Emergency Grant for possible funding. Students interested in applying for the grant should be referred to Student Support Services in Student Center LL013.

Note: The WCC Faculty/Student Association provides student athletes secondary coverage for certain incidents that lead to injury. A student athlete may be covered for additional expenses not initially covered by a student’s personal insurance. Student athletes should be directed to the Director of Athletics and/or the Executive Director of the Faculty/Student Association about what the coverage includes and how to file a claim.

**REPORTING AFTER AN EMERGENCY SITUATION CONCLUDES**

All emergencies that require the Nurses to respond to a site outside of the Health Services Office should be documented on the following forms:

a. **Emergency Call Report** by the nurse who responded to the emergency

Employees that sustain and injury in the work place will be advised to contact:

a. Human Resources to file an incident/injury report.

b. Security to file an incident/injury report.

c. Their immediate supervisor.

**STUDENT ASSISTANCE NOTIFYING PROFESSORS OF ILLNESS**

If a student is hospitalized or out of school for medical, personal or family medical reasons for three or more days and requests assistance in notifying their professors, Health Services will generally be able to assist a student with the communication process with their professors. Health Services will also encourage students to follow guidelines set forth by their professors as outlined in the course syllabus.
If a student has sought assistance for a health problem and spent time in the Health Services Office related to a health problem, a nurse or Office Assistant can write a note informing the professor that the student did in fact seek treatment during that time period. This will be provided on request only. No other information will be provided in notes provided by Health Services. Health Services will not provide notes for students for routine illnesses, injuries and mental health problems that may lead to missed classes or deadlines. Any notes generated from Health Services will not constitute an “excused absence.”

To request assistance from Health Services with communicating with Professors, students and/or family members may contact the Health Services Office to report the facts of the illness. **NOTE:** When speaking to family members, Health Services will not share any personal information of the student’s to their family member unless the appropriate FERPA release is on file with the college. There are other factors that a student must consider if they have absence from class due to illness. Health Services will generally encourage the student to take the following actions, but it is ultimately the student’s responsibility to know this information and follow through:

a. Refer to the College’s Class Attendance Policy, which can be found online in the College Catalog, found at [www.sunywcc.edu/catalog](http://www.sunywcc.edu/catalog).

b. Refer to each course syllabus as faculty members often have their own specific absence policies in addition to the College’s policy.

c. Contact their professor(s) to inquire how the absences may affect their grade for the course, if makeups are possible, what assignments they missed, etc. Students should refer to their course syllabus for the faculty member’s preferred method of contact. The WCC email may not be the professor’s preferred way to communicate.

d. Contact the Financial Aid Office, if aid has been awarded to the student that semester, to seek advisement regarding any implications on their aid due to their multiple absences.

e. Refer to the College Catalog for the policy on Incompletes. Only professors can assign grades, this includes requests for an “Incomplete” or an “I” grade in a course. These requests must be addressed to individual professors and cannot be facilitated through Health Services.

Generally, after receiving a request for assistance communicating with a Professor, Health Services staff will complete the following steps:

a. **Student Illness Report Form.** On the form, explanations of the illness will be kept general in nature unless the student requests specific information be shared i.e. “student is currently hospitalized.” Reports will be printed and marked as “Confidential.”

b. Each report will be sealed in a professor addressed envelope and the “Confidential.”

c. Health Services will either give the envelopes to the student to hand to the professors or place them envelopes in interoffice mail on behalf of the students.

d. File a copy of the letter and any accompanying documentation in a secured file cabinet.
STUDENT WITHDRAWALS FOR MEDICAL REASONS

Health Services will offer assistance to students who are experiencing medical/psychological illnesses, which are interfering with their ability to function academically, physically attend classes or complete the semester. The college does not assign grades of “MW” (Medical Withdrawal) and does not have an official “Medical Leave” process. No re-entry documents will be necessary for students to return.

Requesting a Withdrawal

Students do not need to speak with a member of Health Services to withdraw from their classes. Students should consult the College Catalog for withdrawal deadlines and policies. However, students are often referred to speak with Health Services regarding a medical condition that has impacted their ability to attend classes. In these situations, Health Services will generally first advise the student to contact their professor(s) to discuss all possible options available to them, which might include their ability to: (a) pass the course; (b) make up work; (c) receive an Incomplete (“I” grade); or (d) withdraw from the course and receive a grade of “W” for the course.

After speaking with their professor(s), students opting to seek withdrawal should consult the College Catalog for withdrawal deadlines and policies. The College Catalog can be found at www.sunywcc.edu/catalog. Students should also contact the Financial Aid Office, if aid has been awarded to the student that semester, to seek advisement from a Counselor regarding any implications on their aid if they decide to withdraw.

If the decision is made to withdraw from one or more classes the student should withdraw online via MyWCC or contact the Registrar’s Office to do so. If it is past the deadline to withdraw from an individual course, students can seek assistance of Health Services to see if their medical situation can qualify as an exception to the withdrawal policy i.e student breaks a bone preventing them from continuing in a physical education class. Medical documentation will be required. The student will be referred to the Tuition Refund Committee for further action (see Requesting a Refund section below)

Requesting a Refund

Students who have withdrawn from all their courses may also qualify for a refund. If requesting a refund, the student should:

1. Speak with a Financial Aid Counselor, if they have not already done so.
2. Submit a Tuition Refund Appeal Request to the Medical Tuition Appeals Committee at: http://www.sunywcc.edu/student-services/registering-for-classes/registering-for-classes/medical-appeal-refund-request/. Students will be required to submit the following:
   a. Personal statement
   b. Signed letter from a health care provider (Doctor, Physician Assistant or Nurse Practitioner) on professional letterhead. The letter must include the nature of the illness/diagnosis, dates of the condition and it’s effect on the student’s ability to attend classes during the semester for which the appeal is being submitted.
When submitting a request for a semester’s refund, students should be aware that pre-existing conditions are not accepted, unless unexpected circumstances occurred or symptoms exacerbated during the semester for which the appeal is requested.

If the refund is granted, it is a one-time only courtesy. Future tuition refund requests for reoccurring medical conditions cannot be granted. Financial aid recipients may need to repay certain funds back such as books and other expenses.

All information submitted for consideration will be treated as confidential and privileged. Approval of the request will be communicated via email within one month by a member of the Tuition Appeal Committee assigned to that task.

**HEALTH SERVICES CONFIDENTIALITY**

Health Services is dedicated to protecting and preserving the privacy/confidentiality of any medical/health information pertaining to any and all current and/or former students as well as to staff and faculty. Health Services staff strive to maintain daily practices of safeguarding Protected Health Information (PHI).

Health Services incorporates business practice that protects PHI and the privacy of visitors to the office. These practices include, but are not limited to the following:

a. Never discuss student health information in public areas such as hallways, elevators, etc. or in the presence of non-Health services personnel

b. Ensure all student health information, such as immunization records, *Allied Health Physical Exam* forms, doctor’s notes, refund appeal forms, illness reports, student visits, etc. are secured in locked file cabinets and have restricted access.

c. Ensure PHI documentation is put away after being used and never left out in visible locations, including on desks and copy machines. Immunization records will be placed immediately into the file folder on the front desk.

d. Dispose of PHI records properly by shredding documentation.

e. Share only minimum details for medical information that must be shared. Health Services will typically only share general information about a situation unless the student requests, in writing, to share specific details i.e. when notifying a professor of a student illness, Health Services will state, “Student cannot not attend class due to a medical condition” and not “Student has the flu.”

f. Share PHI only as per student request.

g. Students picking up copies of any medical records must provide proof of identification. Students requesting their records be mailed, faxed or emailed must provide the Health Services with written permission. The one exception is immunization records, which can be sent to other SUNY institutions without written consent.

h. Utilize a cover page for all fax transactions.
i. Keep computer terminals out of view of visitors. Machines will generally be signed off when staff leave their work area.

j. Allow for closed door sessions between a student and nurse when indicated by a Nurse.

k. Close the curtains in the cubby areas.

l. Allow any student to use the Health Services bathroom without question or objection.

**Staff Training**

To ensure Health Services, staff will:

a. Only access information that is needed to do their jobs.

b. Complete an annual HIPAA Self Learning exercise.

**Complaints**

Health Services will advise students of the formal complaint process for HIPAA violations and utilize the same process when witnessing a violation to be reported to the Vice President for Finance and Administration.

**IMMUNIZATIONS**

In an attempt to protect the campus and surrounding community at large, Health Services works to fully uphold and enforce the provisions of New York State Public Health Laws 2165 (Article 21, Title VI) and 2167. Non-compliant students will be excluded from classes.

**Definitions**

The following definitions apply only of this portion of this document:

a. As defined by PHL Section 2165 (1)(b) and 10 NYCRR Subpart 66-2.1(b), "student" means any person born on or after January 1, 1957, who is registered to attend or attends classes at an institution, whether full-time or part-time, in a degree granting institution. "Part-time student" means a student enrolled for at least six, but less than 12 semester hours, or the equivalent per semester or at least four but less than eight semester hours per quarter. "Full-time student" means a student enrolled for 12 or more semester hours or the equivalent per semester, or 8 or more semester hours per quarter. If a student is registered to attend or attends an institution for less than 6 semester hours or 4 credit hours per quarter, the immunization requirements do not apply to that student. If an enrollee at a post-secondary institution was born before 1957, he/she does not have to comply with PHL Section 2165 immunization requirements.

b. As defined by PHL Section 2167(1)(a), "student" means a person attending an institution and, in the case of a student attending college, "student" means a person who is registered to attend or who attends classes at an institution, who is enrolled for at least 6 semester hours or the equivalent per semester or at least 4 semester hours per quarter. There is no age differentiation regarding meningococcal disease.

**Measles, Mumps and Rubella**
In accordance with New York State Public Health Law 2165 (Article 21 Title VI), all students taking six (6) or more credit hours, born on or after January 1, 1957, must provide Health Services with documented evidence of vaccination or immunity against measles, mumps, and rubella (MMR). Proof of immunity must be submitted before completing the registration process.

Students who register exclusively for online classes are not subject to the immunization requirements. However, those registering for six (6) or more credits in which at least one credit is for an on-campus class, inclusive of Extension Centers and off-campus sites, (i.e. three credits on the Valhalla campus and three credits online) are required to submit immunization documentation prior to completing the registration process.

Students registering for six (6) or more credit hours must show immunization proof/documentation for the following illnesses:

**Measles**

a. Two doses of live measles vaccine. The first dose must have been received no more than 4 days prior to the student’s first birthday and the second dose no less than 28 days after the first dose. The first dose must have been received on or after January 1, 1968. Immunization prior to January 1, 1968 will be accepted if the student’s health care provider certifies a live vaccine was used.

**OR**

b. Physician documentation of disease.

**OR**

c. Serologic evidence of immunity.

**Mumps**

a. One dose of live mumps vaccine administered no more than four days prior to the student’s first birthday and on/or after January 1, 1969.

**OR**

b. Physician documentation of disease

**OR**

c. Serologic evidence of immunity

**Rubella**

a. One dose of live rubella vaccine administered no more than four days prior to the student’s first birthday, and on or after January 1, 1969.

**OR**

b. Serologic evidence of immunity

*Physician documentation of disease is not sufficient evidence of immunity for Rubella

**Complete Immunization Documentation**
If a student has complied and submits all necessary immunization documentation (including meningitis immunization documentation), the record is considered complete. Health Services will update the student’s record in MyWCC to indicate compliance and remove any negative service indicators on the student’s MyWCC account.

Incomplete Immunization Data

Generally, a student who has not presented immunization documentation for measles, mumps, and rubella will not be allowed to register for six (6) or more credit hours until the documentation is submitted and complete. However, New York State regulations allow students who are in the process of receiving immunizations or are waiting for serologic evidence of immunity to continue to attend school for a medically acceptable (certain) period of time. Students who meet this criteria must speak with Health Services to inquire about receiving a temporary waiver. Temporary waivers may be granted under the following circumstances:

a. Student receives one (1) measles, mumps, and rubella vaccination and provides the Health Office with proof of an appointment date for the second measles shot (30 day limit).

b. Student is an international student and has proof of (1) measles, mumps, and rubella vaccination and is waiting for proof of a second measles shot to arrive via mail (30 day limit).

c. Student shows written proof that measles, mumps and rubella titers were drawn. Test results should be expected within three to seven days.

d. Student presents proof of honorable discharge from the armed services within ten (10) years from the date of application to the college. The proof of honorable discharge shall qualify as a certificate enabling the student to attend the college pending actual receipt of immunization records from the armed services.

If the student falls into any of the above mentioned categories, he or she may be granted a Temporary Waiver for the specified amount of time. The student must read and sign the Temporary Waiver form which states:

*I understand that I am not in full compliance with the New York State Immunization Law and failure to do so will result in losing my registration at Westchester Community College without a refund.*

Upon completing a request for a Temporary Waiver, Health Services will:

a. Enter the student’s immunization information in MyWCC as a “Waiver” and note the compliance date deadline in the Comment Section. The service Indicator should indicate “Complete” or “Waiver.”

b. Attach the completed Temporary Waiver to a copy of the student’s record or appointment information in a folder marked “Temporary Waivers.”

c. When the student submits all the remaining documentation/information detailed on their Temporary Waiver form, their immunization compliance will be considered complete. Health Services will update the student’s record in MyWCC to indicate compliance and remove any negative service indicators on the student’s MyWCC account.
Exemptions

A student may be exempt from the measles, mumps and rubella vaccinations for the following reasons:

a. Medical

If a licensed physician or nurse practitioner certifies that the student has a health condition which is a valid contraindication of receiving a specific vaccine, the student may be exempt from vaccination. A permanent or temporary exemption may be granted. A temporary exemption will be granted for conditions such as pregnancy. Provisions will be made by Health Services to review records periodically to see if contraindications still exist.

b. Religious

c. A student may be exempt from vaccination if, in the opinion of the Health Services Coordinator or Nurse, the student holds genuine and sincere religious beliefs which are contrary to the practice of immunization. If the student is less than 18 years of age, they may be exempt from vaccination if in the opinion of the Health Services Coordinator or Nurse, the student’s parent(s) or guardian(s) holds genuine and sincere religious beliefs which are contrary to the practice of immunization. Requests for exemptions must be in writing and signed by the student or parent, if under 18 years of age.

d. Prior to granting medical or religious exemptions, the New York State Immunization Information System (NYSIIS) data base should be referred to for documentation of any previous measles, mumps, and rubella vaccination.

Outbreak & Student Exclusions

In the event of an identified case of measles, mumps, or rubella, Health Services will notify the Westchester Public Health Department immediately. Efforts will be made to protect medical and religious exempt individuals from exposure. This may include exclusions from attending classes and/or exclusions from being present on campus. Pregnant students, regardless of age, should confirm immunity or be excluded from the outbreak setting. In the event of an outbreak, any student born prior to 1957 who does not recall having had measles, mumps or rubella (depending on outbreak), should be notified and encouraged to be immunized as per the New York State Department of Health. All Department of Health mandates will be adhered to.

Enforcement

Students who have not complied with the conditions of the immunization policies, including failing to comply with the provisions of the temporary waiver, will be notified by phone or emails that they must comply or be withdrawn from classes.

If the student does not comply, notification will be sent to their Professors to inform them that the student is not in compliance, should be sent to the Health Services Office immediately and not allowed to return to the class until further notice is received from Health Services. The Registrar’s Office will also be notified of non-compliant students and asked to withdraw the student from all classes.

If a student become compliant after the above process has been initiated, the Health Services will complete a Clearance Slip. The student will generally receive a copy of this form and be instructed...
to present it to their professor(s). The Registrar will also be notified to have the student reinstated into their courses and have any negative service indicators related to immunization compliance removed.

For further information regarding immunization requirements, contraindications to measles, mumps, and rubella vaccines, non-contraindications, measles, mumps, and rubella outbreaks, control strategies, please refer to the *Immunization Handbook for New York State Post-Secondary Institutions*.

**Meningococcal Meningitis**

New York PHL 2067 requires all students registering for at least six (6) semester hours or the equivalent per semester to complete the *Meningococcal Meningitis Response Form*, providing date of vaccination (ACWY within the past 5 years or the complete series of Meningitis B vaccine-series of 2 or 3 depends on which Men B vaccine) OR sign a vaccine waiver after reading a *Meningococcal Disease Information Sheet*.

**Accepted Immunization Documentation**

Health Services will maintain the records of the following for every student for which this law applies:

a. A vaccine record indicating at least 1 dose of meningococcal ACWY* vaccine within the last 5 years or a complete 2 or 3 dose of meningococcal B** without a response form;

   **OR**

   b. An acknowledgement of meningococcal disease risks and declination of the meningitis immunization.

*Accepted vaccines for meningococcal ACWY: MCV4, Menactra, Meveo, MPSV4, or Menomune

**Accepted vaccines for meningococcal B: Bexsero (two doses, 1 month apart) or Trumenba (3 doses, the second does given two months after the first and the final dose given six months after the first dose)

**Enforcement**

Students must comply with the requirements prior to registering. No exceptions can be made for immunization requirements for meningococcal meningitis. Temporary waivers are not given for meningitis compliance, unless there exists an approved extenuating circumstances by the Health Services Coordinator or Nurse i.e. a student is out of country and has a designee registering him or her for classes.

**Acceptable Immunization Documentation and Registrations**

The following documents are accepted as certificates of Immunizations:

a. The WCC Immunization Record Form.

b. Laboratory reports showing evidence of immunity

c. Records from a physician office, clinic, hospital or health department
d. Childhood immunization records that are stamped or signed by a healthcare provider

e. Records from a prior school attended by the student, including secondary school or college records

f. Immigration and or International Immunization Records (must be translated to English)

g. NYSIIS and New York City Registry of Immunization Information documentation. Certain Health Services personnel will have access to the NYSIIS and can look up a student’s record upon request

Communicating Immunization Requirements

Information about the immunization requirements for students will be made available on the following:

a. The Immunization Record Form. This form includes instructions on required vaccines and is mailed to every newly accepted student.

b. College Catalog (www.sunywcc.edu/catalog)

c. Combined Immunization/Meningitis Form (which can be found at ???)

To learn more about the immunization requirements, individuals can also contact the Health Services Office directly by calling 914-606-6610 or emailing healthoffice@sunywcc.edu.

Immunization Record Keeping and Confidentiality

All Immunization Records are considered protected health information (PHI). Immunization information as well as any and all student health information is considered confidential and will not be discussed, left in areas visible to others or shared (unless indicated by student). Access to file cabinets is limited to Health Office Staff. All Health Services personnel must read and complete the HIPAA Self Learning Module before handling immunization records.

Submission of Immunization Records

Students can submit their immunization records directly to Health Services through mail, email, fax, or in person.

a. Records submitted in person can be brought to the Health Services Office, located in Student Center Room 181. Records will be copied and the original will be immediately returned to the student or person submitting them.

b. 

c. Records submitted via email can be sent to healthoffice@sunywcc.edu. Records will be printed.

After the records are reviewed and inputted in to MyWCC (virtual student record database), hard copies will be filed and kept in a secure location for seven (7) years. The records entered into MyWCC will be maintained for an indefinite period of time.

Requesting Copies of Immunization Records
Copies of student immunization records will be issued, upon request, to students. Students will only have access to their immunization records. Health Services will not distribute immunization records to anyone other than the individual whose record is being requested, unless noted otherwise.

Students requesting their immunization records can pick up their records in the Health Office or request records be sent via email or fax. Students will be required to present a photo ID when picking up their files in person.

Students can also request their records be transferred to colleges and doctor’s offices via fax, email or mail. Cover sheets with statements declaring the information is protected will generally be sent with all fax correspondences concerning a student’s immunization record.

As per the SUNY Health Service Council, in a memo dated July 9, 2014, release of immunization records to SUNY institutions can be done with an oral request of a student. Cover sheets will be utilized.

**Monitoring Compliance**

*MyWCC* is designed to prevent non-compliant students from registering for 6 or more credit hours per semester. However, there are times in which the system allows students to register or individuals bypass the blocks put in place to prevent students from registering despite noncompliance. In order to ensure the college remains in compliance with all applicable immunization laws and requirements, the following steps will be taken by Health Services:

a. Conduct a query during the first, second and third week of each semester to identify the names of students who have registered without the required immunizations.

b. Send the list of identified students to the Registrar’s Office or IT for analysis of how the system failed and to take steps to remEDIATE the problem.

c. Check the New York State Immunization Information System Data Base for MMR/Meningitis Records and if found enter the information into People Soft Campus Solutions for clearance.

d. Send letters to the professors of non-compliant students requesting they send the student or if off campus to call the Health Services Office.

e. Advise the student of the requirements and give a one week time period to comply.

f. Notify the registrar’s office of those students who do not comply. The Registrar’s Office will contact the student and advise them that they have failed to comply and therefore will be withdrawn from their classes.

**ALLIED HEALTH PROGRAM MEDICAL CLEARANCES**

Health Services has accepted responsibility for providing medical clearances for students accepted into an Allied Health program at the college, which currently includes: (a) Nursing, (b) Radiology Technology, (c) Respiratory Care, (d) Dietetic Technology/Nutrition, and (e) EMS/EMT Paramedic.
Health Services has the dual responsibility of protecting both the Allied Health student and the patients they serve. The Health Services Coordinator and/or Registered Nurses assume the responsibility of certifying that the students have met the criteria set forth by the clinical facilities, New York State Code 405 and the NYS Health Care Provider Act.

Health Services is responsible for granting clearances to students who have met the physical and mental health criteria. These clearances are necessary as it reduces the risks of occupation hazards/exposures, the spread of communicable diseases, and serves to maintain positive and trusting relationships between the college and the facilities that provide clinical opportunities for our students. The procedure to grant these clearances is as follows:

a. Upon acceptance into an Allied Health program, students will be notified of the medical requirements, deadline dates to receive clearance for participation, and the requirement that they carry their own health insurance.

b. Students will be advised that they must complete the Allied Health Physical Examination Records Form and get their complete physical exams and particular tests during specified time periods. Physical exam findings must be recorded and signed/stamped by a Health Care Provider on the appropriate forms.

c. Students must also provide the following:

   i. Proof of immunity to Measles, Mumps, Rubella, Varicella and Hepatitis B via laboratory findings. If, despite completion of the Hepatitis B vaccines, the Hepatitis B Surface antibody is negative, students will be required to start/repeat the series again. Clearances will be given with the first Hepatitis B vaccine. It is the student’s responsibility to update their records with the second and third vaccines.

   ii. Tuberculin screenings via PPD’s or ISGRA and Tdap vaccines must be completed during said timelines.

   iii. Students with histories of positive PPDs must also complete a PPD Positive Form and submit a chest x-ray within the allotted time period (three years).

   iv. Proof of a seasonal flu vaccine, no exceptions will be made.

d. Students must make four copies of their completed Allied Health Physical Examination Records Form and all required laboratory reports. The original forms must be presented, in person, to the Health Services Office. The student must remain in the Health Services Office while the nurse reviews the findings.

e. Upon receipt of all documentation that satisfies the requirements of a clearance, Health Services forward the approved clearance forms to the respective departmental Clinical Coordinator.

Health and Wellness will maintain a lists of students who have received clearances. Health Services will also keep the incomplete forms/documents in the appropriate folders in the “Incomplete Allied Health” folders. Health Services will return the original documents to the student.
Communication with Clinical Facilities & Academic Departments

Upon request form the Department Chairs/Clinical Coordinators, the Health Services Coordinator and/or Nurses will provide documentation to the clinical facilities. Documentation will be sent in the form of a letter or on forms designed for specific hospitals and will be faxed or emailed depending on the individual institution requests.

The Health Services Coordinator and or the Staff Nurses will serve on the medical advisory boards of each department and attend yearly meetings providing an opportunity to meet with representatives from the institutions who also serve on the board.

INFECTION CONTROL

OSHA Risk Statement: Employment in a Health Care Facility carries certain risks and responsibilities. One significant risk is being in close proximity to persons, who are ill, some of whom may have communicable diseases. It is the policy of Health Services that risk of possible exposure to illness and potentially contaminated substances be minimized. Health Services strives to reduce the risk of exposure and prevent transmission of infection to Health Services personnel, students and staff who use the services of the office.

Services with Possible Exposure

As Health Services is an RN directed office, it does not provide primary care. Therefore, the following services/activities, which can lead to possible exposure, are not available: physical exams (internal exams), blood drawing, slide evaluations, and catheter care.

Minor first aid is routinely provided and the nurses respond to emergencies that occur on campus. If there are serious injuries or illnesses, students are referred out, depending on the type and severity of the emergency. These situations may involve students who are experiencing vomiting, diarrhea or bleeding from open wounds. On some occasions, students request the use of the Health Office for self-blood testing such as finger sticks for testing glucose levels. These situations are considered activities leading to possible exposure. Services with low risks of exposure are offered such as patient interviews, treatment of sprains and strains, treatment of contusions without abrasions and rarely, administration of injections.

Personnel Risk for Exposure

Personnel at risk include the Professional Registered Nurses who staff the office. On some occasions outside agencies are contracted to provide services that the Health Office is unable to undertake due to licensing limitations of an RN directed office. These agencies may include the Visiting Nurse Services or the Westchester County Department of Health. Services these agencies may include the administration of the flu vaccine or STD/HIV testing. These services are usually offered in other locations on campus and do not routinely take place in the Health Services Office. For example, the HIV testing is done by Planned Parenthood in their mobile van. They are responsible for following the standard precautions as outlined in their respective employer/facilities infection control policies.
Personnel not considered at risk include all clerical staff and work study students. However, all personnel are required to participate in training and topics such as the importance of hand washing and keeping food separate from treatment areas etc. are emphasized.

**Bloodborne Pathogens**

All Health Services employees will be provided a copy of the Health Services Policies and Procedure Manual. Health Services employees are required to read the control plan and participate in annual Bloodborne Pathogen online training.

**Prevention Strategies**

While all bodily fluids are not known to transport bloodborne pathogens, they do transmit other infectious agents. Thus, standard precautions should be applied to all body fluids (except sweat). Prevention for exposure to blood borne pathogens is be accomplished in four ways:

a. **Education**: The Health Services Coordinator (HSC) will distribute copies of the WCC Exposure Control Plan to all Health Office personnel and a copy will be kept in a clearly labeled binder and maintained in the administrative area of the Health Services Office. All personnel that complete the training will receive certificates which will be kept on file with the WCC Environmental Health & Safety Officer. It should be noted that completion of a NYS approved course is required for re-licensure for Registered Professional Nurses.

Although the risk of occupational exposure is low, secondary to the limitations of services provided, all Health Services personnel will be provided with the following:

1. Hepatitis A Information Sheet
2. Hepatitis B Information Sheet
3. Hepatitis C Information Sheet
4. HIV/AIDS Information Sheet

b. **Personal Protective Equipment (PPE)**: The use of PPE as outlined in the WCC Exposure Control Plan should be used when indicated, depending on the situation. PPE includes gloves, gowns, masks, eye protection and resuscitation devices that prevent blood or other body fluids from contact with the providers, clothes, skin, eyes, mouth and mucous membranes. Although medical procedures are not routinely performed in the Health Services Office, PPE will be available in case of a potential blood splatter, spray, etc. Resuscitation devices with one-way valve mouthpieces are stored with the emergency equipment and should be used during all resuscitations. PPE must be used appropriately and according to manufacturer’s instructions, removed when soiled or penetrated with blood or body fluids, and will be replaced and disposed of appropriately.

c. **Engineering and Work Practice Controls**: All Health Services personnel are required to read the WCC Exposure Control Plan, particularly Section VI: “Control Methods” which include best practices for washing hands, skin, eyes and mucous membranes; handling needles and sharps; other safe work practices.

1. Hands must be washed for the following reasons: before and after contact with each patient; after any contact with blood or other body fluids; immediately after removing gloves; before eating and after toileting. It may be necessary to wash
hands between tasks on the same patient to prevent cross contamination of different body sites.

2 After wetting hands with warm, running water, employees should apply soap and rub hands together for at least 20 seconds. Hands should be rinsed with lots of running water. Hands should be dried using paper towels and if possible a towel should be used to turn off the faucet. Hand sanitizers should be used if running water and soap are not available.

3 Eating, drinking, applying cosmetics or handling contact lenses should not take place where there is a potential for exposure. The sink and counter area next to the sink in the treatment room has been designated as the wound care area and therefore is off limits to the activities just mentioned. At this time, there are no medical uses of the refrigerator in the treatment room.

4 As outlined in the WCC Exposure Plan, employees should flush skin or mucous membranes with water immediately, or as soon as possible, after contact exposures. For any eye contact exposure, eyes should be flushed with an eyewash unit or running water (if eye wash is unavailable) for 20 minutes.

5 Employees should promptly seek medical attention for eye, open skin, mucous membrane or contaminated sharp’s exposures. They should also report the exposure to their supervisor and Human Resources to complete an Employee Injury, Illness and Medical Emergency Report as outlined in SUNY WCC’s Workers’ Compensation Injury /Illness Reporting Policy and Procedures.

6 All Health Services personnel are strongly encouraged to receive the Hepatitis Vaccination Series as a routine, pre-exposure measure. However, those who choose not to and experience an occupational exposure to hepatitis will be referred to Human Resources as outlined in the WCC Exposure Plan. Vaccinated employees experiencing a hepatitis exposure will be referred as well.

7 Sharps: Students who must self-administer insulin or other prescribed injectables while on campus are encouraged to utilize the Health Services Office. If they are not carrying their own sharpie container, they should dispose of the container housed under the sink in the treatment room. Needles should not be bent or broken after use and should be promptly placed into the container. Needles should not be reinserted into their original sheaths before disposal. There should be no hand-to-hand transfer of sharps. Once filled the sharps container should be closed, taped and delivered (hand carried) to the Biology Department to be included in the waste disposal program as Health Services does not generate enough waste for a separate contract.

d. Housekeeping: All areas in the Health Services Office are to be maintained in a clean and sanitary condition. Work surfaces/counters and beds/cots should be wiped down after use with Envirocide/Surface Disinfectant/Decontaminate Cleaner Spray or a 10% Bleach solution.

Housekeeping will be notified for any blood or other bodily fluid spills. As per the WCC Housekeeping supervisor, all housekeeping employees have been trained on appropriate
steps to clean up/decontaminate bodily fluid spills. Fecal matter, urine and vomitus may be flushed into the municipal sewage system.

**Communicable Disease**

Isolating Communicable Patients

Westchester Community College is a commuter school and therefore students known to have a communicable disease most likely would have been diagnosed as such by their own healthcare provider. In those cases, students would have already been advised by their provider not to physically attend classes and the provider would have been mandated to report such a disease to the health department. However, the first step in the control of communicable disease is quick identification of the disease. Any student presenting to Health Services who is suspected of having such a disease, including but not limited to: measles, mumps, rubella, varicella, bacterial meningitis, tuberculosis and various infestations such as lice or scabies will immediately be referred to their health care provider and reported to the Westchester County Department of Health.

Health Services will work to ensure the individual is isolated from others until he/she is transported elsewhere. All potentially contaminated materials should be removed from the room or cubby area, thoroughly cleaned, and disinfected prior to allowing another person in that area.

Exposures

Upon detection of, or presumption of, a tuberculosis exposure or a vaccine preventable disease on any campus, Health Services will follow the guidance and directives of the Westchester County Department of Health (WCDOH) or the New York State Department of Health (NYSDOH). In order to reduce the exposure of communicable disease to the college community the following actions will be taken:

a. **Tuberculosis:** The Westchester County Department of Health or the New York State Department of Health will notify Westchester Community College when it has been determined that there has been a tuberculosis exposure on any of its campus locations. Steps included in the exposure plan include but are not limited to:

   i. Identify persons with a potential exposure by obtaining class rosters from the Registrar’s Office.

   ii. Obtain information from the student regarding any social events that he/she attended during the infectious period.

   iii. Compose an email communication or letter, in collaboration with the Westchester County Department of Health, to send to students, staff and faculty notifying them of a potential exposure.

   iv. Obtain attendance information from professors allowing the health department to determine exposure time of potentially exposed students and professors

   v. Arrange for the Health Department to offer information sessions to the general campus community.
vi. When indicated arrange for the Health Department to speak with the involved classes.

vii. Assist in setting up tuberculosis clinics.

viii. Provide the Health Department the demographic information of exposed students, staff and faculty.

ix. If requested by the health department, withdraw non-compliant students from classes.

x. Follow the recommendations of the Westchester County Department of Health with regards to allowing students who have been identified and treated for tuberculosis back into classes.

b. Vaccine Preventable Disease Outbreak: The Westchester County Department of Health or the New York State Department of Health will notify Westchester Community College when it has been determined that there has been a vaccine preventable exposure on any of the campus locations. In order to reduce the exposure of the vaccine preventable diseases the following steps will be taken:

i. Identify persons with a potential exposure by obtaining class rosters and class rosters from classes located in close proximity as requested by the Westchester County Department of Health.

ii. Provide the WCDOH with the demographic information of the patient as well as any other exposed individuals.

iii. Obtain from the student a list of social events that he/she may have attended during the infectious process.

iv. Review the immunization records for all students that were potentially exposed to Measles, Mumps and Rubella and Meningococcal Disease during the identified infectious period.

v. Compose an email communication or letter, in collaboration with the Westchester County Department of Health, to send to students, staff and faculty notifying them of a potential exposure.

vi. Obtain attendance information from professors allowing the health department to determine exposure time of students and professors.

vii. Arrange for the health department to offer information sessions to the general campus community.

viii. When indicated arrange for the health department to speak with the involved classes.

ix. Assist the Westchester County Department of Health in setting up Vaccination Clinics.
x. Students who have not been vaccinated against Measles, Mumps, Rubella (including medical, religious and credit exemptions) or under vaccinated individuals will be notified of an immediate exclusion from campus. In the case of measles, the exclusion may last up to 21 days from the last potential exposure (one incubation period). Other time periods will be in alignment with the incubation period of the infectious disease. Students who are excluded from classes and campus activities, will not be allowed to attend any campus events.

xi. No refunds will be provided to unvaccinated students for missing classes or other academic work.

xii. In the case of Rubella, pregnant students, regardless of age, should confirm immunity or be excluded from the outbreak setting.

xiii. Students born prior to 1957 (age exempt) who do not know their immune status should be follow the instructions of the Westchester County Department of Health which may include vaccination.

xiv. Students, regardless of their vaccination status, should be instructed on what signs and symptoms to monitor and report on.

xv. The Westchester County Department of Health will deem when it is safe for unvaccinated or under vaccinated students to return to campus and classes.

xvi. Assist the Westchester County Department of Health in implementing the control strategies for each individual communicable disease.

c. Mandated Policy & Procedure Manuals for Specific Communicable Diseases: As per mandates from the United States Center for Disease Control and New York State, policy and procedures have been developed for specific communicable diseases and are available in the Health Services Office. These policies and procedures include:

i. SARS (Severe Acute Respiratory Syndrome)

ii. 

iii. MRSA (Methicillin Resistant Staphylococcus Aureus

iv. 

v. Pandemic Flu Preparedness Plan

vi. 

vii. Ebola

Per routine protocol, confidentiality will be maintained and privacy of patients will be protected. Any inquiries from outside sources will be referred to the Westchester County Department of Health and/or the Westchester Community College Department of Marketing & Communications.
PERSONAL COUNSELING SERVICES

The Personal Counseling Department works to provide the Westchester Community College community with a variety of services to meet the diverse needs of its student. All services are provided at no-cost to the student. In order to help students address their identified needs, the Personal Counseling Department provides short term, solution focused counseling.

Individual Counseling

The Personal Counseling Department provides free and confidential individual counseling to Westchester Community College students. The Personal Counseling Department functions as a short term service. Since all students present with unique challenges, the length and frequency of care is based on the assessment of the assigned Counselor.

Group Counseling

Group Counseling is provided to Westchester Community College students at no cost. Groups are developed by the Personal Counseling Department based on an identified community need. Group sessions range in size, scope, and objective based on the community interest in the group and group structure.

Programming

The Personal Counseling Department works to provide the Westchester Community College community with educational and informative programs and events at no-cost. The goal of these programs is to increase awareness of mental health issues, reduce stigma around mental health treatment, enhance a supportive campus culture, and empower students to address identified needs with available resources.

Case Management & Referral

Due to the short-term nature of the Personal Counseling Department’s scope of care, students may need more support than can be provided by a Personal Counselor. The Personal Counseling Department works to accurately assess a student’s needs and identify resources on campus or in the broader community to meet those needs. The Personal Counseling Department may also provide brief case management to facilitate a student connecting with identified resources.

PERSONAL COUNSELING REFERRAL

Students can be referred to The Personal Counseling Department by Westchester Community College students, faculty, staff, and concerned community members.

If a faculty, staff, student, or other third party has reasonable concerns about a Westchester Community College student, these can be communicated to the Personal Counseling Department directly via online referral form, e-mail, or by calling the department.

The Personal Counseling Department knows the value of a face-to-face introduction with a student. While an in-person referral can be beneficial, Personal Counselors cannot guarantee availability unless an appointment is made in advance.
When to Refer

A student should refer when there is reason to believe a student is experiencing current emotional and psychological distress. Examples include but are not limited to:

- Student Stated Need for Help or Support
- Observed Changes in Mood and/or Behavior
- Anxiety and Depression
- References to Suicide
- Traumatic Life Events or Changes in Personal Relationships (ie: death of family member)
- Drug and/or Alcohol Abuse
- Changes in Physical Health and/or Physical Appearance (ie: extreme weight change)

For Faculty and Staff

How to Refer

- Online: Faculty and staff must complete the Personal Counseling Department online referral form. For non-emergency referrals only.
- E-Mail: PersonalCounseling@sunywcc.edu
- In-person: If the student agrees, faculty and staff can accompany students directly to Personal Counseling Department.
- Phone: Personal Counselors can be contacted via phone at 914-606-7784 or 914-606-6721.
  - *Personal Counselors are available to consult and answer questions over the phone, in-person, and via e-mail. However, a referral is not considered complete until the online form is completed.

Staff/faculty referring a student to Personal Counseling can expect:

- A Personal Counselor will review the referral form and reach out to the student within 24-48 business hours.
- The Personal Counselors will only reach out to you should they have questions, concerns, or require additional information.

Consultation with Faculty and Staff

Faculty and Staff are encouraged to reach out to the Personal Counseling Department when they have concerns related to student wellbeing and mental health. Consultations with a Personal Counselor can take place in-person, on the phone, or via e-mail if necessary. Personal Counselors cannot confirm or deny that student is receiving PCD services without written release from student.
Personal Counselors will work with staff to develop an action plan that addresses identified concerns and aims to provide student with necessary resources.

Outreach

The Personal Counseling Department is responsible for reaching out to students who are directly referred for services by the Associate Dean of Student Life, the Viking CARE Team, and Health Services.

MENTAL HEALTH EMERGENCY PROCEDURES

This section covers the policies and procedures taken when a student is deemed either high risk or in crisis. The Personal Counseling Department prides itself on prioritizing student well-being and safety.

High Risk Students

Characteristics of a student who is assessed as High Risk would include:

- students in the middle of a psychotic break or episode
- students with consistent suicidal ideation with no plan,
- students with homicidal ideation with no plan,
- students who are consistently partaking in self-destructive behaviors (ie: increased substance use or self-injury)
- students whose current situation could escalate to crisis level if not provided with appropriate care.

If a Personal Counselor assesses a student to be High Risk, the Personal Counselor will work collaboratively with student to develop an Action Plan to lower risk. Action Plan may include but is not limited to: Safety Plan (see Definitions Page), Communication with 3rd Parties for Support (ie: Campus Services, Treatment Providers off Campus, Family, etc.), Referrals to Mental Health Services off campus.

Crisis Intervention

A student in Crisis meets the criteria for high risk students in addition to necessitating immediate intervention and response from The Personal Counseling Department.

The goal of crisis intervention is to deescalate the situation and develop plan of action to support student, ensure safety, and connect them to appropriate long-term resources.

In some crisis situations, a higher level of care may be necessary to ensure student’s safety and safety of college community.

Imminent Danger may be used to describe a student who:

- After Risk Assessment is deemed Actively Suicidal
- Is assessed to be Actively Homicidal
• Medical Emergency

If a student is assessed to be in **Imminent Danger**, they will be transported to local emergency room by ambulance for safety and liability reasons. Campus Security and Health Services will be contacted.

**Follow-Up Procedures**

If the Personal Counseling Department refers or has a student admitted to emergency services, psychiatric evaluation, hospitalization, and/or a higher level of mental health treatment, the Department will send the student a standardized letter to their college e-mail address. This letter will include information about missing classes, communicating with professors, returning to the college, and continued support.

**Return to School**

When a student returns to WCC after a psychological hospitalization, the Personal Counseling Department will contact the Student by email or phone call to inform the student of the Department’s services. If student chooses to connect with Personal Counseling Department, assigned counselor will have student sign release of information for current treatment providers and facility attended during hospitalization. Personal Counselor will collaborate with student and treatment team to develop support plan for student on campus.

**PERSONAL COUNSELING – CONFIDENTIALITY PRACTICES**

The Westchester Community College Personal Counseling Department strives to provide services for students that meet the American Counseling Association’s Code of Ethics. This includes protecting the information of those served by the Department by following the regulations of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule and Security Rule.

**Release of Information**

To ensure the privacy and confidentiality of all students, a Personal Counselor must obtain written consent prior to sharing information with any provider or identified person outside of the Personal Counseling Department.

**Use of Technology**

Telephonic communication can be used for providing support to students who are not able to meet in-person. Personal Counselors should only use their office phone for Department related phone calls. A Counselor may also use the telephone for direct outreach to students of concern, for contacting faculty or staff regarding a student, or sharing information about a student with a provider that a student has signed a release of information for.

Email communication can be used for blind outreach to students, scheduling/rescheduling appointments, and contacting providers when a release of information has been provided. Personal Counselors expect communication of clinical information in person or via telephone, but may share through email if necessary. Emails sent on behalf of the Personal Counseling Department can only be sent from the Personal Counselor’s email or the Personal Counseling Department’s email.
All clinical documentation (assessments, treatment plans, progress notes, contact notes, etc.) will be kept in Titanium, a secure electronic note taking system.

Circumstances for Breaching Confidentiality

Though the Personal Counseling Department works to ensure confidentiality and privacy for all students, there are circumstances in which a Personal Counselor may have to breach confidentiality to ensure the safety of the student or someone in the community.

If a student is threatening harm to themselves or someone else and is assessed as actively working on following through on these threats, the assigned Counselor is responsible to take steps to ensure the safety of the student. As following the steps explained in the High Risk Students and Crisis Intervention Section of the Emergency Procedures of this manual, Personal Counselors will contact Campus Security, Health Services, community emergency services, and any other necessary resources to protect the student and/or anyone that the student has threatened harm to.

Information regarding confidentiality and limits to confidentiality are outlined in Informed Consent. Student receives Informed Consent during first session with Personal Counselor.

If a student reports the abuse or neglect of a child under the age of 18, Personal Counselors are required to follow the New York State Child Protective Services steps to reporting a claim of abuse or neglect. It is recommended but not required that the Personal Counselor inform the student of their obligation to report an incident. If appropriate, Personal Counselor can give the student the option to report the incident with Counselor’s support.

FERPA

The Family Educational Rights and Privacy Act (FERPA) is a U.S. Federal law that protects the privacy of student education records. As part of Westchester Community College, the Personal Counseling Department is held to the FERPA mandates. Personal Counselors are unable to disclose any student’s educational records to anyone without written consent.

PERSONAL COUNSELING – RECORD KEEPING

Forms and Student Files

The Personal Counseling Department has developed a record keeping system in order to keep track of essential treatment information for students. Records are kept in HIPAA compliant areas and only necessary Personal Counseling staff are given access to them.

CARE TEAM – COMMUNITY ASSESSMENT & RISK EVALUATION

The CARE Team consists of college personnel with expertise in law enforcement/threat assessment/tactical applications, college operations, medical and mental health, and student affairs. Membership is based on the position and not the individual. The members selected have regular contact with campus community members in some manner, which will aid in the assessment of individual, and/or the authority to take the appropriate action, as needed. A collaborative process to assess concerning behavior will be used. Depending on the situation, additional personnel with specific areas of specialization or responsibility may be called upon to
assist the team. The team may also consult other individuals as needed, such as a faculty member who has a concern about a student, family member, and/or local law enforcement. The CARE Team Co-Chairs will keep senior college officials, through the Vice President of Student Access, Involvement & Success, advised of situations.

The CARE Team is responsible for:

1. Developing and implementing educational and training programs for all members of the college community with regard to behavioral assessment. This should include publications and promotional materials designed to create awareness, understanding, and participation with the CARE Team.

2. Maintaining a current website, which can be easily accessed from the college’s home page and other relevant departmental pages. This site should include links to informational, and instructions for filing a report with the CARE Team.

3. Receiving, coordinating, and assessing referrals received from faculty, staff, students, and others regarding students of concern.

4. Coordinating interventions and resource assistance for persons of concern.

5. Providing an annual report to the Vice President for Student Access, Involvement & Success.

**CARE TEAM STUDENT – RECORD REQUESTS**

In the event that students request to see their records, those records will be made available to the student in a timely manner, but with the names of other students and/or reporting sources redacted. A printed copy of their record will be presented to them at no cost. The CARE Team Co-Chairs (or that person’s designee) will review the records with students prior to them leaving with the records.

**CARE TEAM STUDENT – RECORD EXPUNGEMENT/REMOVAL**

There are several reasons why students may request that their notes be expunged:

- concerns that the notes would be discovered as they apply for political office,
- the need to gain security clearance from the government or law enforcement for a job,
- to ensure they are not blocked from a teaching or nursing position, or
- a student learns of the documentation and is not comfortable having these records exist.

In the review, these reasons must be balanced against the ongoing relationship between the student and the college. The College doesn’t want to lose data they may need again in the future.

When an expungement request is submitted, the Co-Chairs of the CARE Team will appoint two members, chosen based on the aspects of the specific case, to make up a review committee. They will discuss the request and come to a decision about the appropriateness of the removal of the records. This process will generally be completed within two weeks.
The committee retains the authority to expunge, amend, or keep the note as it is. This provides for a more robust discussion with the student when the needs of the college to keep essential data and the desire of the student to have the data removed come into conflict.

**ATHLETICS**

The Intercollegiate Athletic Program at WCC is organized under the jurisdiction of the Division of Student Access, Involvement & Success, and The Faculty Student Association. The Director of Athletics reports to the Vice-President for Student Access, Involvement & Success, and the Executive Director of the FSA and is responsible for the overall operation of the program.

The Athletic Program staff consists of the Director of Athletics, Assistant Athletic Director, Athletics Operations Coordinator, Recreation Coordinator, and Administrative Assistant. All athletic administrators, coaches and staff report directly to the Director of Athletics.

Westchester Community College is a member of the National Junior Collegiate Athletic Association (www.njcaa.org) and competes at the Division I, II, and III level. The Intercollegiate Athletic Program offers 12 sports for men and women, with the majority competing in the Mid-Hudson Athletic Conference.

**STUDENT ATHLETE ELIGABILITY**

To be eligible to practice, compete or participate in Intercollegiate Athletics, a potential Student – Athlete must:

1. Meet the admissions proficiency requirements of the college, as deemed by SUNY Westchester.
2. Be a full-time matriculated undergraduate student carrying at least 12 degree credits (or equated credits) throughout the entire semester. Receiving a W, WU or WN may jeopardize full-time eligibility status.
3. Meet the minimum requirements for good academic standing (Generally a 2.0) and maintain satisfactory progress toward a degree; as determined by SUNY Westchester Community College.
4. Have a current (annual) physical registered at and on file with the Office of Athletics
5. Complete and clear initial eligibility check.
6. Read, understand, and agree to abide by the provisions outlined in the Code of Conduct.

**Maintaining Student-Athlete Eligibility**

Student athletes are responsible for maintaining athletic eligibility by abiding by the regulations of the NJCAA.

Athletic eligibility gets reviewed at the start of each playing season and between semesters. Any student-athlete intending to drop a class during their playing and practice season MUST speak to their coach and/or the athletic director before taking any action.
If a student-athlete does not meet the above requirements for eligibility, he/she must take corrective action in order to regain their eligibility. In some cases, this may mean retaking classes, taking summer and winter session classes or completing incomplete grades.

As outlined by the NJCAA Article V, Section 4 D, E & F one season of eligibility will be used when participation occurs during or after the first contest in the traditional segment.

For more information regarding athletic eligibility and academic support, please see Michael Belfiore, Athletic Director.

Academics:

Student-athletes are eligible to compete for two seasons of intercollegiate competition in any one sport, and can be done only during a full time semester (12 credits) of college attendance. They also must maintain satisfactory progress towards graduation. A 2.0 cumulative GPA or better is a good indicator to determine eligibility, but it is not absolute. Specific eligibility requirements can be found in the NJCAA Handbook.

Furthermore, the NJCAA requires the submission of an Eligibility Affidavit.

Any misleading, false or otherwise fraudulent statements on Athletic Program documents could result in loss or diminished eligibility. It is the coaches’ responsibility to be aware of this information and potential and sign off on each affidavit.

Medical:

For a student to participate/compete in varsity athletics at Westchester Community College he/she must have the following:

- A valid physical dated within one calendar year of the upcoming season’s end date
- All physical forms must be in file within Athletics Office prior to participation in any practice

Insurance Coverage: Any injury incurred by a student-athlete during an OFFICIALLY scheduled practice or competition will first be covered by their own insurance, and then, only after all other personal carriers have been exhausted will the athletic program cover any remaining expenses.

Please Note: The aforementioned medical is REQUIRED for all student-athletes (both returning and new participants).

ATHLETIC ACADEMIC SUPPORT PROGRAM

Nurturing the academic advancement of our student-athletes is among the primary goals of the Athletic Department. To that end the Athletic Department has created the Vikings Collaborative Academic Support Environment (V-CASE). The V-CASE program serves all student-athletes currently enrolled at WCC, past and present, with additional resources designed to promote their academic engagement.

The goals of V-CASE are to:
1. Increase the percentage of “competition ready” eligible student-athletes.

2. Increase the overall GPA of the athletic program.
   a. Raise the overall athletic GPA to 3.0 in 3 years.
   b. Achieve an average GPA of student-athletes that is higher than the overall WCC GPA.

3. Decrease the average length of time to graduation to 2.5 years.

V-CASE Fast Track Program

Within the student population we’ve identified some who aggressively seek a two year academic experience with WCC. These students will receive support through the V-CASE’s Fast Track program which monitors and measures every step in the students’ academic life cycle to ensure the earliest graduation date possible.

Athletic Competition Verification Forms

In order to verify both their participation in a game/competition and their absence from class because of said game/competition, student-athletes are expected to hand deliver an Athletic Competition Absence Verification Form to their professors. Student-athletes are expected to deliver this letter prior to the missed class. Forms should be picked up in the Main Athletic Department Office (Physical Education Building Room 2) at least one week prior of the game/competition.

A student-athlete is expected to discuss their anticipated class absences with their professors during the first week of class. Being excused from class is a privilege that cannot be assumed and is up to the discretion of the Professor. Permission must be granted and is not guaranteed. Students should be committed to attend all other classes and make satisfactory progress so that impacts of missing classes due to games a minimized.

Academic Progress Monitoring Letters

In order to track a student’s academic progress, monitoring letters will be sent out twice (at minimum) each semester to all the professors of a student-athlete. Returned monitoring reports will be shared with Academic Support Coordinators, Director of Athletics and a student-athlete’s head coach.

ATHLETIC TRAINING POLICIES AND PROCEDURES

Philosophy of Athletic Training:

It is the goal of the Athletic Program to protect each athlete from bodily harm and injury during intercollegiate athletic participation. If and when an injury/illness occurs because of the inherent factors of sport participation, the prevention of re-injury is of utmost importance. Within the realm of good medical judgment, we will help the coaching staff and student athletes achieve their goals for athletic success in whatever way we possibly can.
Athletic Injury Reporting Guidelines:

Please read the following points carefully. Failure to follow the below listed guidelines can result in a denial of your insurance claim resulting in self-payment. Your understanding and compliance will provide efficient service for you and is instrumental in protecting your well-being during participation in your particular sport(s).

An injury resulting in a medical bill or claim must be directly related to and caused by your participation in a supervised practice or competition. Your claim can be denied if you fail to follow the procedures listed below and you will be responsible for any and all balances due.

1. Report all injuries to the athletic staff (coaches, AD) immediately, even if you think they are insignificant, as it may result in a medical bill at a later date. Unless the injury is verified by a Westchester Community College staff member or a designated orthopedic physician, the claim can and will be denied. There is a limitation when you may obtain medical service related to a specific injury.

2. Before visiting an off-campus medical facility, review your injury with the Athletic Director and ensure that an incident report is completed.

3. In the event of an injury during a scheduled practice or competition without athletic training coverage-late night or weekend, notify your coach immediately of the injury. Your coach will notify the Director of Athletics who will provide the appropriate procedures to follow. In the event of an emergency or if the athletic trainer is unavailable, emergency care can be sought at Westchester Medical Center (100 Woods Rd. Valhalla, NY 10595). In the event of an emergency during a road trip and an athletic trainer is not available, follow the instructions of your coach who will receive advice from the home school athletics administrator(s).

4. In the event of an illness or unreported injuries which necessitate a medical referral, the head coach and Athletic Director must be notified and where appropriate, medical clearance must be given by a doctor to resume activities. This policy is in place to help maintain health and safety of all students participating in Westchester Community College athletic programs. Student-athletes will remain ineligible to participate in practice and / or competition until a written note is received by the Athletic Director.
   a. Student-Athletes are not covered outside of a supervised official practice or competition. Individual workouts during open recreation hours are not covered. Group fitness classes, intramural sports and other injuries are not covered.

5. If the student athlete does not have insurance coverage, Westchester Community College athletics strongly recommends (s) he considers enrollment in a private or school sponsored student accident and health insurance program. Student athletes would be covered under their private policy for illnesses and injuries not related to intercollegiate athletics.

6. Student-athletes are not covered for any illnesses, pre-existing conditions, or chronic conditions as they are exclusions under our contract with our insurance carrier.
Medical Coverage for Visiting Teams:

The Per Diem Athletic Training Staff will provide medical coverage for visiting teams. In the event of an injury we will follow our emergency action plan and policies and procedures.

Medical (Physician) Referrals:

When it is deemed necessary by the Athletic Trainer and or in accordance with set protocols, injured athletes will be referred to Physicians for evaluation and treatment of injuries. In emergency situations athletes will be referred to the appropriate facility, by appropriate transportation, i.e. Emergency Room, Doctors office, and / or Urgent Care. **In the event of an illness or unreported injury, the Athletic Director must be notified, and a medical note given anytime a student athlete is seen by health care professional outside of the per diem trainers.** A student athlete is **ineligible to participate in practice and/or competition until a written note is received from a medical professional. No coach may refer an injured/sick athlete to an outside physician or medical practitioner without prior consultation with the Athletic Director.**

Serious Injury or Death to an Athlete:

In the event of a serious injury, where the athlete is hospitalized, a representative from the Athletic Program will contact the family. A representative of the college is to stay at the hospital with the athlete until the family has arrived or other arrangements have been made. In the event of a death, a representative from the college will notify the family. A representative of the college will stay at the hospital until the family arrives or other arrangements have been made. The Director of Athletics will notify the college administration.

Lightning Safety:

A SKYSCAN lightning detector can help detect lightning storms. At present, such equipment is not available and all participants should use the following guidelines in the event of lightning. If you obtain a “flash to bang” count of 30 seconds all individuals are to leave the athletic site and head for safe shelter. It is recommended that you not return to the athletic site for 30 minutes after the storm has passed. To use the “flash to bang” method, count the seconds from the time the lightning is sighted to when the clap of thunder is heard. If the time is 30 seconds or less clear the athletic site

Cold & Warm Weather Policy:

In cold weather temperatures proper layered clothing should be worn and encouraged by WCC’s Athletics department staff and coaches. These include:

1. Core of the body – Wear several layers around the core of the body. This is especially for those individuals that are not very active.
2. Long pants designed to insulate. Cotton sweatpants are excellent. On very cold days a nylon shell or wind pant can be worn on top of them for additional wind break.
3. Long sleeve shirt/sweatshirt/coat designed to insulate and break the wind. Layers are also effective at keeping arms warm.
5. Gloves or mittens.
6. Hats should always be worn. Significant body heat can escape through the head. Some hats have built in ear protection. If not, wear ear-muffs, Ear protection/Hat or helmet.
7. Face protection.
   a. Wicking socks that do not hold moisture inside are excellent. Wool is also excellent. Cotton absorbs and retains moisture.

Clothing should be layered to allow adjustments as activity level may fluctuate during a practice which may elevate or drop body temperature. The first layer of clothing should wick sweat and moisture away from the body. The top layers should act as insulators to trap heat and block wind.

The following temperature guidelines have been established for intercollegiate teams during cold weather. Cold weather is defined as any temperature that can negatively affect the body’s regulatory system. These do not have to be freezing temperatures! The following guidelines have been established for athletic practice and event participation.

**Unrestricted outdoor participation:**
- Temperature and/or wind chill should remain above 30° F.
- Heat Index below 80 degrees

**Restricted outdoor participation:**
- 25° F and 30° F temperature and/or windchill – Limited to 45 minutes
- 15° F and 24° F temperature and/or windchill – Limited to 30 minutes
- Heat Index above 85 degrees F – mandatory water breaks enforced by athletic trainer
- Below 15° F temperature and/or windchill – Cancellation

In addition to the above guidelines it is recommended that additional directives are given to student athletes.

1. Cold exposure/activity requires more energy from a body. Additional calorie intake may be required.
2. Cold exposure/activity requires similar hydration to room temperature; however, the “thirst reflex” is not activated. Conscious efforts, before and after practice, to hydrate should be initiated.
3. Never train alone. A simple ankle sprain in cold weather may become life threatening!
4. Student athletes should be instructed on signs of cold stress (wind chill, frostbite and hypothermia). Fatigue, confusion, slurred speech, red or painful extremities, swollen extremities, blurred vision, red watery eyes, dizziness, headache, numbness, tingling of skin and extremities, shivering, uncontrollable shivering, etc. are a few warning signs of cold stress.
The temperature, wind speed, and wind chill will be monitored by the Athletic Director through the National Weather Service, weather.com and/or the local weather channel.

**ATHLETIC CONCUSSION POLICY**

In an April 2010 document the NCAA set forth a policy that: “Institutions shall have a concussion management plan on file such that a student-athlete who exhibits signs, symptoms or behaviors consistent with a concussion shall be removed from practice or competition and evaluated by an athletic healthcare provider with experience in the evaluation and management of concussion. Student-athletes diagnosed with a concussion shall not return to activity for the remainder of that day. Medical clearance shall be determined by the team physician or their designee according to the concussion management plan.” To that end, all head injuries, no matter how seemingly insignificant, will be reported to the Athletic Director immediately. If the head injury occurs at an away event, the coach is to call the athletic director as soon as reasonably possible.

**ATHLETIC INSURANCE COVERAGE AND PROCEDURE**

**Student-Athlete Authorization for Disclosure of Protected Health Information (HIPAA):**

The Health Insurance Portability and Accountability Act (HIPAA), implemented on April 12, 2003, is one of the most far reaching pieces of health care legislation ever enacted. The government underscores the importance of this legislation especially as it relates to its Privacy Rule. It sets the first national standard “allowing patients more control over their health information, it sets boundaries on the use and release of health records, it establishes appropriate safeguards that health care providers and others must achieve to protect the privacy of health information, it holds violators accountable, with civil and criminal penalties that can be imposed if they violate patients’ privacy rights, and it strikes a balance when public responsibility requires disclosure of some forms of data - for example, to protect public health.”

**Westchester Community College Athletic Program Insurance Coverage Information:**

The Westchester Community College Athletic Program has intercollegiate sports accident insurance which can be used for certain supplemental, excess, and/or catastrophic injury which occurs to a Westchester Community College student-athlete during a scheduled official supervised practice or competition. Please understand that Westchester Community College’s insurance will only pay what is usual and customary. Any balances remaining over the usual and customary allowance will be your responsibility. The athletic insurance is subject to the following limitations and regulations;

1. Only injuries sustained during a scheduled and supervised practice or competition will be covered. Illness, pre-existing conditions and chronic conditions are not covered. Please note that fitness center workouts during recreation hours are not considered a scheduled and supervised practice.

2. Supplemental coverage is provided for expenses incurred to a maximum of $25,000. Supplemental coverage means that any personal, family, or employer group insurance must first contribute its maximum before this coverage comes into effect. This supplementary coverage will pay what is usual and customary and is designed to pick up any shortage that
your insurance company does not cover if no other insurance is available. This coverage is limited to a certain period of time after the injury.

3. All claims must first be sent to the personal, family, or employer group insurance before being submitted to the Westchester Community College athletic insurance.

4. The Westchester Community College injury reporting procedure and the Westchester Community College insurance claim procedure (below) must be followed exactly or the claim could be denied.

5. Failure to follow the correct guidelines of your personal insurance resulting in the denial of payment is not sufficient reason for the Westchester Community College athletics insurance to accept responsibility for your bills.

**Westchester Community College Athletic Program Insurance Claim Procedures:**

All medical bills acquired by you as a result of an injury in the intercollegiate athletics program will be sent directly to you. In some cases, the athletic program may receive a copy of these bills. Do not give the Westchester Community College athletic program as the primary location for the bills to be sent. In order for your claims to be filed properly and successfully, you are required to follow the following guidelines

1. All procedures must be followed to be covered by Westchester Community College’s athletic insurance.

2. All bills incurred will be in the name of the injured athlete and must first be submitted to the individual, family, or group insurance first. After you submit the bills to your insurance carrier, one of the two events will occur:
   a. The insurance company will honor the claim and pay all or part of the bills incurred and will issue you an Explanation of Benefits (EOB).
   b. The insurance company will not honor the claim and issue you an EOB and/or a letter of denial.

3. If there remains a balance after your insurance has contributed to the claim, send copies of the EOB and a copy of the itemized medical bills which includes the description of medical services provided to the Westchester Community College athletics program to the attention of the AD. Please do not send statements unless it shows the medical services provided and is itemized.

4. If you receive a letter of denial from your insurance carrier, send a copy of the letter of denial and an itemized bill as described in the above paragraph.

5. Once your family or group insurance has contributed to its maximum or denied the claim, the claim will be processed with the Westchester Community College Athletic insurance program. They will, in some instances, require additional information from you. Please cooperate with them as they will process the claim in the least amount of time possible. It is in your best interest to have the claims settled as quickly as possible since the bills are in your name.
6. Any misrepresentation or claim of a lack of insurance when coverage is indeed present (Including Medicare or Medicaid) can result in denial of your claim.

7. If your insurance denies your claim because of the failure to follow their established policies, Westchester Community College’s athletic insurance is not responsible for your bills.

8. If your insurance requires you are a full-time student, it is your responsibility to provide that information to your carrier. Westchester Community College athletic insurance will not be responsible for your bills under these conditions.

9. All procedures must be approved by our AD to be covered by Westchester Community College’s athletic insurance.

**STUDENT ATHLETE PREGNANCY POLICY**

Westchester Community College athletics program has instituted a student-athlete pregnancy policy for the protection of the student-athlete and her developing child.

As soon as you learn that you are pregnant, you should inform your Coach and Athletic Trainer, as well as, your personal physician, family or others who are important to you.

The American College of Obstetrics and Gynecology (ACOD) has recommended that following a thorough clinical evaluation, healthy pregnant women should be encouraged to engage in a regular, moderate intensity, physical activity. The safety to participate in each sport must be dictated by the movements and physical demands required to compete in that sport. The American College of Sports Medicine discourages heavy weight lifting or similar activities that require heavy straining. High intensity exercise required for competitions in nearly all sports has not been well studied and may increase fetal risk. Many medical experts recommend that women avoid participating in competitive contact sports after the 14th week of pregnancy (NCAA sports Medicine Handbook 2005-2006).

You will only be permitted to participate athletically if you present a written consent letter from your OB/GYN doctor detailing the magnitude and extent of the allowable participation. Additionally, your participation must be approved by the Westchester Community College athletic trainer.

All medical expenses that are a result of pregnancy are the responsibility of the student-athlete.

**EMERGENCY PLAN FOR INTERCOLLEGIATE ATHLETICS**

A serious injury is any condition whereby the student-athlete’s life is in jeopardy or the athlete risks permanent impairment. These injuries may include, but are not limited to: cervical spine and head injuries, severe bleeding, compound/open fractures, heat illness and cardiovascular arrest.

The Athletic Director must be contacted in all such situations.
Coaches Emergency Procedure:

In the event of severe head or spinal column injury, DO NOT MOVE the Student-Athlete; send someone to get a certified athletic trainer or Security Officer or trained emergency medical personnel. If the certified athletic trainer is not at the site:

1. If you believe the injury to be severe: Follow CPR/AED PROTOCOL
   a. Do Not Move The Student-Athlete
   b. Do Not Leave The Student-Athlete
   c. Check ABC’s (Airway, Breathing, Circulation)
   d. Check for fractures and severe bleeding
   e. Call Security Emergency line at 914-606-6911 or ex 6911 if on campus phone. Describe injury or emergency clearly and monitor situation until EMT or Security Personnel Arrive. Security will call for further assistance if needed.

2. If the injury is not serious
   a. Ask the athlete what happened, what they heard and/or felt.
   b. Evaluate the injury to the best of your ability, err on the side of caution
   c. Call Security if needed at 914-606-6911 or ex 6911

Life-Threatening Emergencies:

1. Dial 911, Call Security at 914-606-6911 or ex 6911

Emergency – Away Events:

1. Coach must have cell phone available when traveling for emergency situation.
2. Let the home Certified Athletic Trainer administer the care. If there is no certified medical professional available, you, the coach, are responsible for the welfare of the injured athlete.
3. The head coach or assistant coach should provide the emergency information of the injured athlete to the Certified Athletic Trainer or medical professional available.
4. If needed, the athlete should be referred to the nearest hospital. Emergency information sheets are in each kit.
5. If the injured student-athlete is taken to the hospital; the head or assistant coach MUST accompany them.
6. Head coach should collect all of the medical information provided by the treating hospital. This information should be given to the home certified athletic trainer so they can contact the hospital and coordinate any further treatments if necessary.
7. The head coach or assistant coach MUST contact the parents or emergency contact person provided by the athlete.
8. Each Coach, Event Manager or Certified Athletic Trainer will have a cellular phone available for emergency calls.

SEXUAL VIOLENCE RESPONSE POLICY

SECTION I

Introduction

Westchester Community College values and respects the self-worth of all individuals in our community and affirms their right to have a safe, nonthreatening, and respectful environment. The College has no tolerance for sexual misconduct and sexual violence of any kind, which includes sexual harassment, stalking, intimate partner violence, and sexual assault. We recognize that these malicious acts can and do happen and as such, we have the following policies and procedures to respond to acts of sexual violence, so as to identify resources for individuals reporting sexual violence and for individuals accused of or responding to allegations of sexual violence.

SECTION II

Student’s Bill of Rights

The State University of New York and Westchester Community College are committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in College/College-wide and campus programs, activities, and employment. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad.

All students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the College;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the College courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;

7. Describe the incident to as few College representatives as practicable and not be required to unnecessarily repeat a description of the incident;

8. Be protected from retaliation by the College, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the College;

9. Access to at least one level of appeal of a determination;

10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and

11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the College.

SECTION III

Procedures for Responding to an Individual Who Has Been the Victim of Sexual Violence

Westchester Community College shall ensure that reporting individuals have the following:

1. Information regarding privileged and confidential resources they may contact regarding domestic violence, dating violence, stalking or sexual assault;

2. 

3. Information about counselors and advocates they may contact regarding domestic violence, dating violence, stalking, or sexual assault;

4. A plain language explanation of confidentiality which shall, at a minimum, include the following provision: “Even Westchester Community College offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution.”

Ensuring the Reporting Individual’s Safety

If you or the reporting individual believe that there is an immediate threat for danger, call the police. In emergency situations taking place on-campus, call the emergency Security line at 914-606-6911 or 6911 from any campus phone. Below are the non-emergency numbers for many of the local police agencies:

Greenburgh Town Police Department – 914-682-5300
Elmsford Village Police Department – 914-592-8383
Westchester County Police – 914-864-7700
Offering Medical Treatment

Individuals who have experienced a recent sexual assault or act of physical violence are encouraged to visit a hospital or clinic, to assess and address their medical needs. A medical exam can assess a victim’s injuries and provide necessary medical advice and medication. Reporting individuals should be advised that information provided during a medical exam is confidential and will not be released or shared without the reporting individual’s consent, but are subject to exceptions under the law, including when an individual is a threat to self or others and the mandatory reporting of child abuse.

Individuals reporting sexual assault should also be advised of their option to undergo a Sexual Assault Forensic Exam. These exams are performed by skilled clinicians at local hospitals. The exam includes assessment for and treatment of injury, addressing concerns of pregnancy and sexually transmitted infections (STI’s), and collection of evidence. Individuals reporting sexual assault should be advised as follows:

- That choosing to undergo a Sexual Assault Forensic Exam **does not** require that the victim report the violence to police or College administration. However, the exam is strongly recommended as it will greatly enhance the likelihood of a successful prosecution of the assailant in criminal cases should the victim choose to report the incident now or in the future.

- That it is important not to bathe, wash, change clothes, or brush one’s teeth prior to seeking medical attention. If possible, it is also best that the victim not take fluids or use the bathroom prior to the exam.

- That for the purposes of evidence collection, the Sexual Assault Forensic Exam should be conducted within 96 hours of the assault. However, even if 96 hours have elapsed, the exam is still recommended. That the Sexual Assault Forensic Exam is free, and does not have to be charged to the victim’s insurance.

- That information provided during the Sexual Assault Forensic Exam is confidential, and will not be released or shared with anyone, including Police and the College, without the victim’s consent.

- The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information may be found here: [www.ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf](http://www.ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf) or by calling 1-800-247-8035. Options are explained here: [www.ovs.ny.gov/helpforcrimevictims.html](http://www.ovs.ny.gov/helpforcrimevictims.html)

If an individual reporting sexual violence chooses to obtain medical care, assistance can be provided in arranging for transportation to the hospital or clinic chosen by the reporting individual. Reporting individuals should be further informed that they can request that an advocate accompany them to the hospital. Assistance with providing transportation and/or an advocate can be provided by Security, The Health Services Office, Personal Counseling, Associate Dean of Student Life or the Associate Dean of Diversity, Equity, & Inclusion.
Employee Disclosure

At the first instance of disclosure by a reporting individual to a full-time College employee, the following information shall be presented to the reporting individual:

“You have the right to make a report to College Security, local law enforcement, and/or state police or choose not to report; to report the incident to the College; to be protected by the College from retaliation for reporting an incident; and to receive assistance and resources from the College.”

Students that have reported sexual violence should then be directed to the Title IX Coordinator, the Student Bill of Rights, and this policy for further guidance and information. All other members of the College community should be directed to this policy for further guidance and information.

After disclosure to a full-time staff member by a reporting individual, the full-time staff member must notify the Title IX Coordinator of the report they received.

SECTION IV

Resources for Victim/Survivors of Sexual Violence

Persons who experience unwelcome sexual behavior may respond to the experience in many different ways, including feeling confused, overwhelmed, and vulnerable, out of control, embarrassed, angry, distrustful, or depressed. The College provides a variety of resources for support and advocacy to assist individuals who have experienced sexual violence. The College will also provide reporting individuals with information about how to report the violence, should they choose to do so. Reporting individuals have the right to emergency access to one of the following College representatives:

- Title IX Coordinator
  914-606-6313
titleixcoordinator@sunywcc.edu
- Personal Counseling
  914-606-7784
personalcounseling@sunywcc.edu
- Security
  914-606-6911 (available 24 hours)
security@sunywcc.edu

The above representatives are trained in interviewing victims of sexual assault and will be available upon the first instance of disclosure by a reporting individual to provide written information regarding options to proceed, and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic exam or other medical examination as soon as possible. These representatives can also provide information about an administrative investigation by the College and the criminal justice process and will inform the individual about the different standards of proof utilized by each process, explaining that:

“There are significant differences between the College and criminal justice processes because they have different, important goals. In the criminal justice system, prosecutors pursue cases when they believe there is sufficient evidence to prove, beyond a reasonable doubt, that an individual has
committed a criminal act. A person who is convicted of a crime will face criminal penalties, such as incarceration, probation, or the imposition of a fine. The college disciplinary process seeks to determine whether an individual has violated college policy. In this process, a preponderance of the evidence standard of proof is used to determine responsibility. A person who is found to have violated college policy may be suspended, expelled or otherwise restricted from full participation in the college community.

The above representatives will refer a reporting individual to law enforcement if there are questions about whether a specific incident violated the law. Each representative will inform the reporting individual whether he or she is authorized to offer the reporting individual confidentiality or privacy.

Victims/Survivors of Sexual Violence may also obtain intervention services from:

**Counseling Centers**

**On Campus**

- **Personal Counseling**
  
  [www.sunywcc.edu/student-services/counseling/personal-counseling](http://www.sunywcc.edu/student-services/counseling/personal-counseling)

  Kristy Robinson, LMSW
  (914) 606-7784
  Student Center Room 226

  Patrick Sheehan, LMHC
  (914) 606-6721
  Student Center Room 225

**Off Campus**

- **National Sexual Assault Hotline**
  
  1-800-656-HOPE (1-800-656-4673)
  24/Hours; Free & Confidential

- **Westchester Community Opportunity Program’s Victims Assistance Services**
  
  2269 Saw Mill River Road, Bldg. #3
  Elmsford, NY
  Office: (914) 345-3113
  Local 24/hour Hotline: (914) 345-9111
  24 Hour Rape Crisis Toll-Free Hotline: (855) 827-2255
  [www.westcop.org](http://www.westcop.org)

  Services include, but are not limed to:
  
  - Crisis Intervention
  - Counseling
  - Advocates (Forensic Exam/Hospital Accompaniment, Court Accompaniment, Criminal justice advocacy, etc.)
Specialized Trauma Therapies
- Safety Planning
- Support and Therapy Groups
- SANE (Sexual Assault Nurse Examiner) Forensic Exams
- Assistance obtaining protective orders and accessing shelter
- Bilingual (English/Spanish) services available.

**Westchester Hispanic Coalition** (White Plains, NY)

46 Waller Avenue
White Plains, NY 10605
Office: 914-948-8466
24/hour Hotline: 1-844-YA-NO-MAS (1-844-926-6627)

Services include, but are not limited to:

- Crisis Intervention
- Counseling
- Advocates (Forensic Exam/Hospital Accompaniment, Court Accompaniment, Criminal justice advocacy, etc)
- Emotional support
- Information & Referral
- Forensic Exam Accompaniment
- Empowerment group.
- Bilingual (English/Spanish) services available.

**Hope’s Door**

Office: (914)747-0828
24/hour Hotline: 1-888-438-8700 (bilingual English/Spanish)
Locations in Hawthorne & Ossining
http://hopesdoorny.org

Services include, but are not limited to:

- Emergency Shelter
- Safety Planning, Danger Assessment
- Counseling & Support Groups
- Information & Referral
- Office of Victims Services Compensation
- Self-Advocacy Skills Training & Assistance obtaining benefits and other services
- Legal Representation

**My Sister’s Place**

1 Water Street
White Plains, NY 10601
Office: 914-683-1333
24/hour Crisis Hotline: 1.800.298.7233 (SAFE)

Services include, but are not limited to:
Individuals who have experienced a recent sexual assault or act of physical violence are encouraged to visit a hospital or clinic, to assess and address their medical needs. A medical exam can assess a victim’s injuries and provide necessary medical advice and medication. Reporting individuals should be advised that information provided during a medical exam is confidential and will not be released or shared without the reporting individual’s consent, but are subject to exceptions under the law, including when an individual is a threat to him or herself or others and the mandatory reporting of child abuse.

Individuals reporting sexual assault have an option to undergo a Sexual Assault Forensic Exam. These exams are performed by skilled clinicians at local hospitals. The exam includes assessment for and treatment of injury, addressing concerns of pregnancy and sexually transmitted infections (STI’s), and collection of evidence.

**Off Campus**

- **Westchester Medical Center: Forensic Acute Care Team (FACT)**

  100 Woods Rd, Valhalla, NY 10595  
  Phone: (914) 493-7000  

  FACT is a team of experienced, highly qualified and compassionate physicians and nurses available 24/hours, seven days a week. They offer various aspects of medical and/or forensic care to patients presenting with concerns for recent (within 96 hours) sexual abuse or assault.

  **Free forensic and medical (ADD) services** are available to patients of all ages presenting with acute concerns for sexual abuse or assault. Acute means that the abuse/assault is reported to have occurred within the past 96 hours, or if the patient reports active symptoms (pain, bleeding or skin injury).

  On-site mental health and social work services are available 24 x 7 as well victim advocacy service liaisons to community agencies.

  Patients do not have to notify the police in order to obtain FACT program services.

**SECTION V**

**Protection & Accommodations**

Individuals reporting sexual violence and individuals accused of or responding to allegations of sexual violence are afforded the following protections and accommodations:
• When the accused is a student, to have the College issue a “No Contact Order.” When a No Contact order is in effect, continued contact with the protected individual is a violation of the *Student Code of Conduct* and will result in additional conduct charges. If the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person. Both the accused/respondent and reporting individual may request a prompt review of the need for and terms of a No Contact Order, consistent with the *Student Code of Conduct*. Parties may submit evidence in support of their request.

• To have assistance from the College, Security, or other college officials in initiating legal proceedings in family court or civil court, including but not limited to obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.

• To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a College official who can explain the order and answer questions about it, including information from the order about the accused’s responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).

• To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.

• To have assistance from Security in calling local law enforcement in effecting an arrest for violating an Order of Protection.

• When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to interim suspension per the process established in the *Student Code of Conduct*. Parties may request a prompt review of the need for and terms of an interim suspension in accordance with the procedures set forth in *Student Code of Conduct*.

• When the accused is not a student but is a member of the college community and presents a continuing threat to the health and safety of the community, to subject the accused to interim measures in accordance with applicable collective bargaining agreements, employee handbooks, and College policies and rules.

• When the accused is not a member of the college community, to have assistance from College Security or other college officials in obtaining a persona non grata letter, subject to legal requirements and college policy.

• To receive assistance from appropriate College representatives/community partners in initiating legal proceedings in family court or civil court.

• To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them.

Students that have experienced sexual violence may request accommodations through the Title IX Coordinator who will serve as a point to assist in obtaining the above measures. All other members
of the College community, including those accused of or responding to allegations of sexual violence, may request reasonable accommodations through the Title IX Coordinator.

SECTION VI

Options for Confidentially Disclosing Sexual Violence

Westchester Community College wants individuals who have experienced sexual violence to get the information and support that they need regardless of whether they would like to move forward with a report of sexual violence to campus officials or to police. A person may want to talk with someone about something they have observed or experienced, even if they are not sure that the behavior constitutes sexual violence. A conversation where questions can be answered is far superior to keeping something to one’s self. Confidentiality varies, and this section of the policy is aimed at helping our community understand how confidentiality applies to the different resources that may be available.

On-Campus Options to Disclose Sexual Violence Confidentially

Reporting individuals have the right to confidentially disclose an incident to College officials who are designated as confidential resources. These individuals can assist in obtaining services for reporting individuals. Individuals who are confidential resources will not report crimes to law enforcement or college officials without permission, except for extreme circumstances, such as a health and/or safety emergency. At Westchester Community College this includes:

**Personal Counseling**

[www.sunywcc.edu/student-services/counseling/personal-counseling](www.sunywcc.edu/student-services/counseling/personal-counseling)

personalcounseling@sunywcc.edu

Kristy Robinson, LMSW  
(914) 606-7784  
Student Center Room 226

Patrick Sheehan, LMHC  
(914) 606-6721  
Student Center Room 225

**Health Services**

[www.sunywcc.edu/student-services/health-services](www.sunywcc.edu/student-services/health-services)

healthservices@sunywcc.edu

Janice Gilroy, RN  
(914) 606-6610  
Student Center Room 181

Kerri Pohar, RN  
(914) 606-6610  
Student Center Room 181

Mary Barden, RN  
(914) 606-6610  
Student Center Room 181

Off-Campus Options to Disclose Sexual Violence Confidentially

Reporting Individuals may also confidentially disclose the incident and obtain services from the following resources and hotlines. Reporting individuals are encouraged to additionally contact a campus confidential or private resource so that the campus can take appropriate action in these cases.
Counselors & Advocates

Crisis service offices will generally maintain confidentiality unless a reporting individual requests disclosure and signs a consent or waiver form. More information on an agency’s policies on confidentiality may be obtained directly from the agency:

- **Westchester Community Opportunity Program’s Victims Assistance Services**
  2269 Saw Mill River Road, Bldg. #3
  Elmsford, NY
  **Office:** (914) 345-3113
  **Local 24/hour Hotline:** (914) 345-9111
  **24 Hour Rape Crisis Toll-Free Hotline:** (855) 827-2255
  [www.westcop.org](http://www.westcop.org)

  Services include, but are not limited to:
  - Crisis Intervention
  - Counseling
  - Advocates (Forensic Exam/Hospital Accompaniment, Court Accompaniment, Criminal justice advocacy, etc.)
  - Specialized Trauma Therapies
  - Safety Planning
  - Support and Therapy Groups
  - SANE (Sexual Assault Nurse Examiner) Forensic Exams
  - Assistance obtaining protective orders and accessing shelter
  - Bilingual (English/Spanish) services available.

- **Westchester Hispanic Coalition** (White Plains, NY)
  46 Waller Avenue
  White Plains, NY 10605
  **Office:** 914- 948-8466
  **24/hour Hotline:** 1-844-YA-NO-MAS (1-844-926-6627)

  Services include, but are not limited to:
  - Crisis Intervention
  - Counseling
  - Advocates (Forensic Exam/Hospital Accompaniment, Court Accompaniment, Criminal justice advocacy, etc)
  - Emotional support
  - Information & Referral
  - Forensic Exam Accompaniment
  - Empowerment group.
  - Bilingual (English/Spanish) services available.

Off-Campus Healthcare Providers

Reporting Individuals may also confidentially disclose the incident and obtain services from off-campus medical providers. Some of the area providers are listed below.
It is important for reporting individuals to be aware that:

- Medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered;
- The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found here: http://www_ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf or by calling 1-800-247-8035. Options are explained here: http://www.ovs.ny.gov/helpforcrimevictims.html
- Note that even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to him or herself or others and the mandatory reporting of child abuse.

Additional Off-Campus Confidential Disclosure Resources

To disclose confidentially and obtain services from the New York State, New York City, or county hotlines: http://www_opdv.ny.gov/help/dvhotlines.html Additional disclosure and assistance options are catalogued by the Office for the Prevention of Domestic Violence and presented in several languages: http://www_opdv.ny.gov/help/index.html (or by phone 1-800-942-6906), and assistance can also be obtained through:

- SurvJustice: http://survjustice.org/our-services/civil-rights-complaints/
- Legal Momentum: https://www.legalmomentum.org/
- NYSCASA: http://nyscasa.org/get-help
- NYSCADV: http://www.nyscadv.org/
- Pandora’s Project: http://www.pandys.org/lgbtsurvivors.html
- GLBTQ Domestic Violence Project: http://www.glbtqdv.org/
- RAINN: https://www.rainn.org/get-help
- Safe Horizons: http://www.safehorizon.org/

Please note that the hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the campus.

Privacy versus Confidentiality

Even Westchester Community College offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information provided by a reporting individual to a non-confidential resource 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 under the law for tracking patterns and spotting systemic issues. Westchester Community College will limit the disclosure as much as possible, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

**Requesting Confidentiality: How the College Will Weigh the Request & Respond**

The College may seek consent from a reporting individual prior to conducting an investigation. The reporting individual may decline to consent to an investigation, and that determination will be honored unless the College’s failure to act does not adequately mitigate the risk of harm to the reporting individual or other members of the College community. Likewise, if a reporting individual discloses an incident to a College employee who is responsible for responding to or reporting sexual violence or sexual harassment, but the reporting individual wishes to maintain confidentiality and/or does not consent to the College’s request to initiate an investigation, the Title IX Coordinator must weigh their request against the College’s obligation to provide a safe, non-discriminatory environment for all members of our community, including the reporting individual.

The Title IX Coordinator will consider many factors to determine if they must proceed with an investigation in order to maintain a safe, non-discriminatory environment for all members of the community, despite any request(s) of the reporting individual. Criteria to make this determination include, but is not limited to:

- Whether the accused has a history of violent behavior or is a repeat offender;
- Whether the incident represents escalation, i.e. a prior situation involving sustained stalking,
- The increased risk that the accused will commit additional acts of violence;
- Whether the accused used a weapon or force;
- Whether the reporting individual is a minor; and
- Whether we possess other means to obtain evidence such as security footage, and whether the report reveals a pattern of perpetration at a given location or by a particular group.

Honoring the reporting individual’s request may limit the College’s ability to meaningfully investigate and pursue conduct action against an accused individual. If the College determines that an investigation is required, the reporting individual will be notified and immediate action will be taken as necessary to protect and assist the reporting individual.

The College will assist the reporting individual with academic, housing, transportation, employment, and other reasonable and available accommodations regardless of their reporting choices. While reporting individuals may request accommodations through several college offices, the following office can serve as a primary point of contact to assist with these measures:

**Title IX Coordinator**
914-606-6313
titleixcoordinator@sunywcc.edu

The College may also take proactive steps, such as training or awareness efforts, to combat sexual violence in a general way that does not identify the reporting individual or the situation they disclosed.
Public Awareness/Advocacy Events

If a situation is disclosed through a public awareness event such as events taking place during Domestic Violence Awareness Month, Take Back the Night, candlelight vigils, protests, or other public events, the College is not obligated to begin an investigation. The College may use the information provided to inform the need for additional education and prevention efforts.

SECTION VII

How to Report Sexual Violence

Any person may file a report regarding any student, faculty, staff or community member involved in an incident of non-consensual sexual activity, sexual assault, stalking, domestic violence, dating violence or sexual harassment. In accordance with the Student’s Bill of Rights, reporting individuals shall have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below.

Employee Reporting

If a College employee has been the victim of sexual violence or sexual misconduct, they should consult the College’s Procedures on Sexual Harassment Complaints which can be found at: http://www.sunywcc.edu/about/jobshuman-resources/human-resources-policies-and-procedures/

Options for Confidential Reporting

Please refer to Section VII: Options for Confidentially Disclosing Sexual Violence of this document for information as to how a reporting individual can make a confidential report.

Reporting to the College

Reporting individuals have the right to report an incident of sexual violence to one of the following College officials who can offer privacy and can provide information about remedies, accommodations, evidence preservation, and how to obtain resources. Please note that an official who can offer privacy may still be required by law and College policy to inform one or more College officials about the incident, including but not limited to the Title IX Coordinator. These officials will:

- Provide the reporting individual with a copy of the Students’ Bill of Rights
- Disclose that they are private and not confidential resources, and that they may be required by law and College policy to inform one or more College officials about the incident, including but not limited to the Title IX Coordinator.
- Notify reporting individuals that the criminal justice process uses different standards of proof and evidence than institutional administrative procedures, and questions about the penal law or the criminal process should be directed to law enforcement or the District Attorney.

Reporting Individuals also have the right to meet with any of the following individuals to file a report of sexual violence:

- Title IX Coordinator
The Title IX Coordinator is available to receive reports and to provide information and assistance regarding an incident of sexual assault, domestic violence, dating violence, and/or stalking. Reports will be investigated in accordance with College policy and a reporting individual’s identity shall remain private at all times if they wish to maintain privacy. If a reporting individual wishes to keep his/her identity anonymous, he or she may call the Title IX Coordinator anonymously to discuss the situation and available options.

**Title IX Coordinator**
75 Grasslands Road, Student Center 203, Valhalla, NY 10595
914-606-6313
titleixcoordinator@sunywcc.edu

- **Security & Local Law Enforcement**

  Reporting Individuals have the right to file a criminal complaint with College Security and/or with local law enforcement and/or state police. Reporting individuals can receive assistance from College Security in making contact with local law enforcement and/or state police.

  Reporting individuals can also receive assistance from College Security, in initiating legal proceedings in family court or civil court, including but not limited to obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order. In addition, both the accused/respondent and the reporting individual may receive assistance in how to obtain a copy of the order of protection or equivalent when received by the College and have an opportunity to meet or speak with a College representative, or other appropriate individual, who can explain the order and answer questions about it, including information from the order about the accused’s responsibility to stay away from the protected person or persons; an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension; and to receive assistance from campus security in effecting an arrest by calling on local law enforcement for violating such an order, provided that nothing in this article shall limit current law enforcement jurisdiction & procedures.

  **Security**
  75 Grasslands Road, Student Center 116, Valhalla, NY 10595
  914-606-6911 (available 24/hours)
  security@sunycc.edu

  **Local Law Enforcement**
  Westchester County Police
  914-864-7700
  Greenburgh Town Police
  914-682-5300

  **State Police**
  State police 24-hour hotline to report sexual assault on a New York college campus:
• **Human Resources**

When the accused is an employee, a reporting individual may also report the incident to the College’s Office of Human Resources or may request that one of the above referenced confidential or private employees assist in reporting to Human Resources. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the College, College officials will, at the request of the reporting party, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and college policy.

*Human Resources*
914-606-6880
humanresources@sunywcc.edu

**Anonymous Reporting**

Options for anonymously reporting incidents of sexual violence to College officials are available here:

**On Campus Resources**

Title IX Coordinator
titleixcoordinator@sunywcc.edu

Utilizing the anonymous online reporting system, accessible at:

**Off Campus Resources**

If you would like to speak anonymously about crisis intervention, resources, and referrals without a reporting mechanism, you can do so by contacting the New York State Hotline for Sexual Assault and Domestic Violence at 1-800-942-6906.

**Withdrawal of Complaints/Involvement**

A reporting individual has the right to withdraw their complaint from the College process at any time. The College may elect to maintain a record of the evidence and information collected and may decide to continue to investigate a complaint in order to maintain a safe, non-discriminatory environment for all members of the community. For more information about when the College may choose to continue an investigation despite a request made by the reporting individual, please refer to Section VI of this document, titled *Options for Confidentially Disclosing Sexual Violence*, under the “Requesting Confidentiality: How The College Will Weigh the Request & Respond” subheading.
SECTION VIII

Investigation Procedures

The College is committed to conducting adequate, reliable, and impartial investigations of reports and complaints of sexual violence, and to doing so in a timely manner. The Title IX Coordinator is responsible for overseeing and coordinating many aspects of this response. All fulltime College employees, other than the confidential resources discussed above, are required to promptly and fully report all information about alleged or suspected sexual violence to the Title IX Coordinator.

Purpose of the Investigation

The College will conduct an investigation into allegations of sexual violence that occur within the College community or that have an effect on the College community. The purpose of an investigation is:

1. When the Respondent is a student or an employee, to collect and compile evidence for the purpose of determining whether the complaint, if accepted as true, alleges a violation of College policy and if so, which specific policies may have been violated;

2. When the Respondent is a student or employee, to determine whether the allegations warrant review by through the Student Code of Conduct or Human Resources, if such review has not yet been initiated;

3. When the Respondent is not a member of the College community, to collect and compile evidence relevant to the allegations in order to determine whether a violation of College policy has occurred. The Title IX Coordinator or designee will make this determination.

4. To assist the College in its obligation to stop individual instances of sexual violence, to prevent the recurrence of the violence, and to remedy any effects the violence has had on the entire College community.

Student’s Rights in an Investigation

If a reporting individual reports an incident of non-consensual sexual activity or sexual assault, but does not wish to participate in the investigation and adjudication process, the situation will be reviewed by the Title IX Coordinator for student concerns. They will determine whether there is sufficient information to proceed with an investigation.

If the accused/respondent does not wish to participate in the investigation and adjudication process, the process will proceed without their contribution to the determination of the facts of the case. The respondent should note that the appeal process based on appearance of new information not available to the hearing officers does not apply in cases of deliberate omission of information by the respondent, including refusal by the respondent to participate in the investigation.

All students will receive a process investigated by individuals in a thorough manner, without a conflict of interest, and who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the respondent, including the right to a presumption that the respondent is “not responsible” until a finding of responsibility is made.

A reporting individual may also refer to the Student’s Bill of Rights found in Section II of this document for a complete list of all their rights.
Title IX Coordinator’s Receives Report

When the Title IX Coordinator receives a report alleging actual or suspected sexual violence, they will do the following:

1. Review all available information to determine whether or not immediate remedial action can and should be taken.

2. In conjunction with the College Security, determine whether a timely warning should be issued to the entire College community in accordance with Clery Act requirements. Should the College determine that a timely warning is necessary, the College will make every effort to notify the reporting individual prior to the issuance of the notification.

3. Conduct a preliminary inquiry into the report or assign an investigator(s) to do so.

Preliminary Inquiry

Upon receipt of a report alleging sexual violence, the Title IX Coordinator or a designee will assess whether a formal Title IX investigation will be conducted under this policy; that is, whether the allegations in the initial report(s), if true, would constitute prohibited sexual violence in accordance with College policy. This preliminary review, including any necessary interviews to be conducted and any necessary interim measures to be put in place, will usually be completed within seven (7) days of receipt of the complaint.

Investigation Process when the Accused is a Student

If the Title IX Coordinator determines that an investigation is necessary, the following will occur, in no particular order:

1. The Title IX Coordinator will assign an investigator or team of investigators to conduct the investigation. The Title IX Coordinator may be a member of that team.

2. The Title IX Coordinator will notify all parties to the complaint, if their identities are known, that the College will be conducting an investigation;

3. The Title IX Coordinator will contact the reporting individual in order to:
   a. Advise the reporting individual of resources available both on and off campus for support, advocacy, and accommodations for safety and security;
   b. Advise the reporting individual of their reporting rights and options; including the right to request that the College not take action;
   c. Advise the reporting individual about the investigation process;
   d. Advise the reporting individual about the College’s prohibition against retaliation;

4. The Title IX Coordinator will meet with the Respondent(s) in order to:
   a. Advise the respondent(s) of resources available both on and off campus for support, advocacy, and accommodations;
   b. Advise the respondent about the investigation process;
c. Advise the respondent about the College’s prohibition against retaliation;

d. The Title IX Investigation team will meet with separately with the Reporting Individual and the Respondent(s) in order to:

e. Conduct an interview, should they choose to participate;

f. Allow each to provide evidence, including, but not limited to documents, recordings, and names of potential witnesses.

5. All reports shall be investigated in accordance with College policy and the reporting individual’s identity shall remain private at all times if said reporting individual wishes to maintain privacy.

6. All of those contacted by the investigator will be required to maintain the privacy of the investigation however; the investigative team may consult with the Title IX Coordinator in decisions regarding the investigation process.

7. The Title IX Investigation team will attempt to meet with and speak to all witnesses who have or may have information relevant to the investigation. The Title IX Investigation Team will make the final decisions about with whom to talk and what to ask.

8. The Title IX Investigation team will attempt to collect all evidence relevant to the investigation.

9. When it appears that the investigation may result in a student conduct referral, the Title IX Investigation team will prepare a draft investigation report. Once that draft is prepared the following will occur:

   a. First, each witness will be permitted to review the portion of the report that memorializes their statements to investigators. The witness will be permitted to suggest changes, offer clarifications, and make additions. The witness will ultimately be asked to affirm, in writing, (1) that they are satisfied that they have shared all relevant information known to them, and (2) that the report is an accurate representation of their conversations with the investigators.

   b. Next, the reporting individual and respondent(s) will be permitted to review the entire draft report. With respect to their own statements, they will be permitted to suggest changes, offer clarifications, and make additions. Each party will also be given the opportunity to respond to the content of the draft report, request that additional questions be asked of witnesses or the other party to the complaint, and to offer additional evidence or information. The Title IX Investigation Team will make the final decisions about with whom to talk and what to ask and what to include.

   c. If one party has additional questions, or if additional evidence is offered, the investigators will follow up on those questions or the evidence and if relevant, will include it in the draft report. The process set forth in paragraph (b), above, will then be repeated until all parties are satisfied that investigation is thorough and complete.

10. Once the victim/survivor and the respondent(s) are satisfied that the investigation report is accurate and complete as to their statements; a final investigation report will be prepared and distributed to the parties. The parties will then be required to affirm, in writing, that:
(1) they have had the opportunity to review the report in its entirety, (2) the portion of the report in which their statements are summarized is accurate and complete, (3) they are satisfied that they have shared all relevant information and evidence known to them, and (4) they are satisfied that the investigation was thorough and complete.

11. If the investigation identifies evidence that, if true, could constitute a violation of The Student Code of Conduct, the Investigative Team will make a referral to the Associate Dean of Student Life and the investigation report will be provided to that office for further action.

12. Absent extenuating circumstances, investigation and resolution is expected to take place within sixty (60) calendar days from receipt of the complaint. All deadlines and time requirements detailed below may be extended for good cause as determined by the Title IX Coordinator or the Vice President for Student Access, Involvement & Success, or a designee of either of those individuals. Both the reporting individual and respondent will be notified in writing of the delay, the reason for delay, and provided the date of the new deadline or event. Extensions requested by one party will not be longer than 5 business/school days.

Investigation Process when the Accused is an Employee

When the accused is an employee, the investigation will be conducted by Security in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the reporting individual, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and College policy.

SECTION IX

Adjudication of Sexual Violence Complaints

Student Conduct Process

When the alleged perpetrator of an act of sexual violence is a student, the reporting individual has the right to request that student conduct charges be filed against the accused. Conduct proceedings are governed by the procedures set forth in the Student Code of Conduct, as well as within federal and New York state law, including the due process provisions of the United States and New York State Constitutions. The Student Code of Conduct can be found here: [www.sunywcc.edu/codeofconduct](http://www.sunywcc.edu/codeofconduct)

Employee Complaint Adjudications

When the accused is an employee, an investigation and any subsequent disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the reporting individual, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and college policy.
SECTION X

Prohibition Against Retaliation

Retaliation is an intentional act taken against an individual who initiates or participates in any sexual violence or misconduct investigation or proceeding. Any act of retaliation, either directly or through a third party, against a person who files a sexual violence complaint, serves as a witness, or assists or participates in any manner in any investigation or conduct proceeding involving allegations of sexual violence is strictly prohibited and will result in disciplinary action. Reports of retaliation can be made to the following College officials:

- Title IX Coordinator
  914-606-6313
titleixcoordinator@sunywcc.edu

SECTION XI

College Crime Reporting

Reports of certain crimes occurring in certain geographic locations will be included in the Westchester Community College Clery Act Annual Security Report in an anonymous manner that neither identifies the specifics of the crime or the identity of the reporting individual and/or victim/survivor. Westchester Community College is obligated to issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to students and employees (subject to exceptions when potentially compromising law enforcement efforts and when the warning itself could potentially identify the reporting individual). A victim/survivor will never be identified in a timely warning.

The Family Educational Rights and Privacy Act allows institutions to share information with parents when (1) there is a health or safety emergency, or (2) when the student is a dependent on either parents’ prior year federal income tax return. Generally, Westchester Community College will not share information about a report of sexual violence with parents without the permission of the reporting individual.

SECTION XII

Scope of this Policy

This policy applies to all members of the College community and its guests, without regard to an individual's race, color, national origin, religion, creed, age, disability, sex, gender identity, gender expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction. Employees, students, applicants or other members of the College community (including but not limited to vendors, visitors and guests) may not be subjected to harassment that is prohibited by law, or treated adversely or retaliated against based upon a protected characteristic. This policy applies both on-campus and off-campus, as described below:

On-campus violations

This policy forbids acts of sexual violence anywhere on campus. "Campus" includes College-owned or leased property, streets and pathways contiguous to College property, or in the
immediate vicinity of campus. It also includes the property, facilities, and leased premises of organizations affiliated with the College.

**Off-campus violations**

Off-campus violations, including online behavior, that affect a clear and distinct interest of the College are subject to disciplinary sanctions. For example, sexual violence by a student is within the College's interests when the behavior:

1. Involves conduct directed at a College student or other member of the College community;
2. Occurs during College sponsored events (e.g., field trips, social or educational functions, College-related travel, student recruitment activities, internships, and service learning experiences);
3. Occurs during the events of organizations affiliated with the College, including the events of student organizations;
4. Occurs during a Study Abroad program or other international travel; or
5. Poses a disruption or threat to the College community.
6. The effects of the violence are such that they create a hostile environment within the College community.

**SECTION XII**

**Student Onboarding and Ongoing Education**

The College believes that sexual violence prevention training and education cannot be accomplished via a single day or a single method of training. To that end, the College, in accordance with SUNY-wide policy and state and federal law, will continue to educate all new and current students using a variety of best practices aimed at educating the entire College community in a way that decreases sexual violence and maintains a culture where sexual assault and acts of sexual violence are not tolerated.

During the course of their onboarding to the College, all new first-year and transfer students will receive training on the following topics:

- The College prohibits sexual harassment, including sexual violence, domestic violence, dating violence, stalking, other violence or threats of violence, and will offer resources to any victims/survivors of such violence while taking administrative and conduct action regarding any accused individual within the jurisdiction of the College.
- Relevant definitions including, but not limited to, the definitions of sexual violence and consent.
- Policies apply equally to all students regardless of sexual orientation, gender identity, or gender expression.
- The role of the Title IX Coordinator, College Police/Campus Security, and other relevant offices that address violence prevention and response.
• Awareness of violence, its impact on victims/survivors and their friends and family, and its long-term effects.

• The Students’ Bill of Rights and Sexual Violence Response Policy, including:
  o How to report sexual violence and other crimes confidentially, and/or to College officials, campus law enforcement and security, and local law enforcement.
  o How to obtain services and support.

• Bystander intervention and the importance of taking action, when one can safely do so, to prevent violence.

• The protections of the Policy for Alcohol and/or Drug Use Amnesty in Sexual and Interpersonal Violence Cases.

• Risk assessment and reduction including, but not limited to, steps that potential victims/survivors and potential assailants and bystanders to violence can take to lower the incidence of sexual violence.

• Consequences and sanctions for individuals who commit these violations.

The College will use multiple methods to educate students about sexual violence prevention. The College will provide training general and specific training in domestic violence, dating violence, stalking and sexual assault prevention and shall conduct a campaign that complies with the Violence Against Women Act, 20 U.S.C. 1092(f), to educate the student population. They shall, as appropriate, provide or expand specific training to include groups such as international students, students that are also employees, and online and distance education students. They shall also provide specific training to members of groups that the College identifies as high-risk populations.

Further, the College will require that student leaders and officers of registered/recognized student organizations and those seeking recognition complete training on domestic violence, dating violence, sexual assault, and stalking prevention prior to receiving recognition or registration and require student-athletes to complete training in domestic violence, dating violence, sexual assault, and stalking prior to participating in intercollegiate athletics.

**Methods of training and educating** students may include, but are not limited to:

• President’s welcome messaging;

• Peer theater and peer educational programs;

• Online training;

• Social media outreach;

• First-year seminars and transitional courses;

• Course syllabi;

• Faculty teach-ins;

• College-wide reading programs;
• Posters, bulletin boards, and other targeted print and email materials;
• Programming surrounding large recurring campus events;
• Partnering with neighboring SUNY and non-SUNY colleges to offer training and education;
• Partnering with State and local community organizations that provide outreach, support, crisis intervention, counseling and other resources to victims/survivors of crimes to offer training and education. Partnerships can also be used to educate community organizations about the resources and remedies available on campus for students and employees seeking services; and
• Outreach and partnering with local businesses that attract students to advertise and educate about these policies.

The College will engage in a regular assessment of sexual violence education and prevention programming and policies to determine effectiveness.

SECTION XIV

Role of the Title IX Coordinator

The Title IX Coordinator has been charged with managing the College’s response to sexual assault, sexual harassment, dating violence, domestic violence, and stalking. Informed by current federal and state law and guidance, the Title IX Coordinator aims to ensure that the College responds promptly and effectively to reports of sexual violence, prevent its recurrence, and remedy its effects.

Title IX Coordinator’s Responsibilities:

• Oversee the College’s response to all forms of sexual violence, to ensure prompt and equitable resolution of all complaints.
• Provide a central place to report an incident and overseeing the reporting process.
• Provide information about College policies and procedures.
• Provide referrals to campus and community resources and victim advocates.
• Facilitate accommodations to address safety concerns and to support victims and complainants so that academic and professional pursuits may continue unimpeded.
• Keep records to ensure patterns of behavior are identified.
• Oversee investigations of misconduct to ensure fairness, impartiality, and equity.
• Coordinate and providing training, education, & prevention programs for the college community.
• Compile and submit any and all reports to maintain compliance with college, local, state, and federal agencies.
SECTION XV

Definitions

A. Terms used throughout this policy

- **Accused individual**: A person accused of a violation who has not yet entered a judicial or College administrative conduct or review process.

- **Affirmative consent**: 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.

- **Reporting Individual**: Encompasses the terms victim, survivor, complainant, claimant, witness with victim status, and any other term used by the College to reference an individual who brings forth a report of a violation.

- **Responding Individual or Respondent**: A person accused of a violation who has entered the College’s administrative review process or administrative student conduct process.

- **Sexual assault**: Any physical sexual act committed without consent.

- **Sex discrimination**: Includes all forms of sexual misconduct by employees, students, or third parties against employees, students, or third parties. Students, College employees, and third parties are prohibited from harassing other students and/or employees whether or not the incidents of harassment occur on the College campus and whether or not the incidents occur during working hours.

- **Sexual Misconduct**: means sexual harassment or sexual violence and encompasses a wide range of behavior for sexual purposes that is against another’s will or at the expense of another. Sexual misconduct includes, but is not limited to sexual assault, intimate partner violence, stalking of a sexual nature, or any conduct of a sexual nature that is nonconsensual, or has the effect of threatening or intimidating another.

- **Sexual violence**: The term sexual violence as used throughout this policy includes sexual harassment, sexual assault, and domestic violence, dating violence, intimate partner violence and stalking.

- **Sexual harassment**: Unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it unreasonably interferes with, denies or limits someone’s ability to participate in or benefit from the College’s educational program and/or activities, and is based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

- **Title IX Coordinator**: The term Title IX Coordinator as used throughout this policy includes shall mean the Title IX Coordinator and/or his or her designee or designees.
• **Bystander**: a person who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of rules or policies of an institution.

• **Confidentiality**: The condition of not wishing to have information passed on to anyone else. This disposition may be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to institution officials, in a manner consistent with state and federal law, including but not limited to 20 U.S.C. 1092(f) and 20 U.S.C. 1681(a). Licensed mental health counselors, medical providers and pastoral counselors are examples of institution employees who may offer confidentiality.

• **Privacy**: the disposition to prefer having information secluded from as many people as possible. This condition may be offered by an individual when such individual is unable to offer confidentiality under the law, but shall still not disclose information learned from a reporting individual or bystander to a crime or incident more than necessary to comply with this and other applicable laws, including informing appropriate institution officials. Institutions may substitute another relevant term having the same meaning, as appropriate to the policies of the institution.

B. Federal and State Laws referred to directly or indirectly throughout this policy

• **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**
  
  This federal law, passed in 1990, the “Clery Act” requires all colleges and universities who receive federal funding to share information about crime on campus and their efforts to improve campus safety through the publishing of an annual security report. Additionally, the act requires institutions to provide survivors of sexual violence with reasonable accommodations and assistance in reporting and it requires institutions to outline specific policies and procedures for the prevention of sexual violence in their annual security reports.

• **New York State Education Law Article 129-B**
  
  Also known as “Enough is Enough”, requires all colleges in the State of New York to adopt a comprehensive set of policies and guidelines, including a uniform definition of affirmative consent, a statewide amnesty policy, and expanded access to law enforcement.

• **Title IX of the Education Amendments of 1972**

  Title IX is a comprehensive federal law that protects people from discrimination based on sex in education programs or activities which receive Federal financial assistance. The law prohibits discrimination on the basis of sex in any federally funded education program or activity. Colleges must promptly respond to known instances of gender discrimination, which includes sexual harassment and sexual violence, in a way that limits its effects and prevents its recurrence.

• **Violence Against Women Act ("VAWA") Reauthorization Act of 2013**

  This federal law requires colleges and universities to: (1) report dating violence, domestic violence, sexual assault, and stalking, beyond crime categories the Clery Act already mandates; (2) adopt certain student discipline procedures, such as for notifying purported
victims of their rights; and (3) adopt certain institutional policies to address and prevent campus sexual violence through the education and training of an institution’s community.

C. Prohibited Conduct

The following conduct is prohibited by Westchester Community College’s Code of Conduct and is applicable to students:

- **Sexual Harassment**

  Unwelcome verbal or physical conduct of a sexual nature that creates an intimidating, hostile or offensive campus, educational or working environment for another person. This includes unwelcome sexual advances or requests for sexual favors, inappropriate sexual or gender-based activities, comments or gestures, or other forms of verbal or physical conduct or communications constituting sexual harassment.

  Obscene or indecent behavior, which includes, but is not limited to: indecent exposure or the display of sexual behavior that would reasonably be offensive to others; disorderly, lewd, indecent, or obscene conduct or expression.

- **Stalking**

  Intentionally engaging in a course of conduct, directed at a specific person, which is likely to causes a reasonable person to fear for his or her safety or the safety of others or cause that person to suffer substantial emotional damage. Stalking does not require direct contact between parties and can be accomplished in many ways, including through the use of electronic media such as the internet, pagers, cell phones, or other similar devices. Examples include, but are not limited to:

  i. Repeatedly committing unwanted acts that alarm, cause fear, or seriously annoy a member of the College community or family member that serve no legitimate purpose.

  ii. Repeatedly engaging in unwanted communications, including electronic means, with any member of the College community in a manner likely to alarm, cause fear, or seriously annoy that serve no legitimate purpose.

  iii. Repeatedly following another person without his or her consent.

  iv. Contacting any member of the College community after being asked or ordered not to contact this person.

- **Intimate Partner Violence**

  Intimate partner violence includes dating violence and domestic violence, both are defined below. Intimate partner violence can occur in relationships of the same or different genders.

  **Dating Violence**

  Any act of 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 shall be determined based on the victim’s statement and with consideration of the type and length
of the relationship and the frequency of interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship, regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship.

**Domestic Violence**

Any violent action committed by a current or former spouse or intimate partner of the victim, a person sharing a child with the victim, or a person cohabiting with the victim as a spouse or intimate partner. Includes asserted violent misdemeanor and felony offenses committed by the victim’s current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

- **Rape, Sexual Assault & Sexual Exploitation**

  Any form of non-consensual sexual activity or sexual assault, including:

  **Sexual Assault I**

  Sexual intercourse or any sexual penetration, however slight, of another person’s oral, anal, or genital opening with any object (an object includes but is not limited to parts of a person’s body) without the active consent of the victim.

  **Sexual Assault II**

  Touching a person’s intimate parts (defined as genitalia, groin, breast, or buttocks), whether directly or through clothing, without the active consent of the victim. Sexual Assault II also includes forcing an unwilling person to touch another’s intimate parts.

  **Sexual Exploitation**

  Nonconsensual, abusive sexual behavior that does not otherwise constitute Sexual Assault I, Sexual Assault II or Sexual Harassment. Examples include but are not limited to: intentional, nonconsensual tampering with or removal of condoms or other methods of birth control and STI prevention prior to or during sexual contact in a manner that significantly increases the likelihood of STI contraction and/or pregnancy by the non-consenting party; nonconsensual video or audio taping of sexual activity; allowing others to watch consensual or nonconsensual sexual activity without the consent of a sexual partner; observing others engaged in dressing/undressing or in sexual acts without their knowledge or consent; trafficking people to be sold for sex; and inducing incapacitation with the intent to sexually assault another person.
CODE OF CONDUCT

INTRODUCTION

The Westchester Community College Student Code of Conduct creates an effective living and learning environment by setting standards, providing a student-centered disciplinary process, and offering sanctions that foster ethical development, personal accountability and civility toward others. Students enrolling at the college assume an obligation to conduct themselves in a manner compatible with the college’s academic standards; general policies; local, state and federal law; and the Student Code of Conduct. Behavior that adversely affects the student’s responsible membership in the College community shall result in appropriate disciplinary action. The College will not tolerate any interference with the rights of any member of our college community, any defacement of college property or any disruption of any authorized college function. The Student Code of Conduct and the accompanying student disciplinary processes are intended to assist students in their personal development by providing a fair conduct review procedure that issues consistent penalties for behaviors that are incongruent with the College’s expectations.

In furthering the educational aims of the college and maintaining compliance with the provisions of Article 129-A and Article 129-B of the education law of the State of New York, the Student Code of Conduct outlines the practices utilized in administering the student disciplinary system at the College.

SECTION I: Philosophy

The Student Code of Conduct embraces several core philosophies: (1) protecting the rights of community members, including, but not limited to the freedom of speech and the right of peaceable assembly; (2) creating an environment that is conducive to learning, including respect for academic freedom and constructive criticism; (3) maintaining the safety and well-being of the community and its members and the conviction that honesty and integrity are key values of community; and (4) the belief that all members of the institution should be part of an inclusive campus environment that respects differences of culture, gender, gender identity, gender expression, sexual orientation, religion, race, age, and ability.

SECTION II: Responsibility for Implementation

The Vice President & Dean of Student Access, Involvement and Success, as Chief Student Affairs Officer of the College, has overall responsibility for implementation of the Student Conduct Code and the student disciplinary process. The overall management of the Code and the disciplinary process has been delegated to the Associate Dean of Student Life and his/her designee. Any question of interpretation regarding the Student Code of Conduct shall be referred to the Associate Dean of Student Life or his/her designee for final determination.

SECTION III: Jurisdiction

The College will have jurisdiction over misconduct that occurs on College premises, rented facilities and/or at College-sponsored activities, but may also address off-campus behavior if the College determines that the actions, or the continued presence of the student hinders or disrupts the procedures or functions of the College. Off-campus criminal offenses that violate the Student
Conduct Code may be subject to College disciplinary action. This disciplinary action may occur concurrently while the student is facing criminal charges; the charges are pending; have been reduced or have been dismissed. Should the Associate Dean of Student Life determine that a particular alleged act of off-campus misconduct falls within the jurisdiction of the College, the case will be referred to the College student conduct system.

**SECTION IV: Definitions**

The following selected terms are defined in an effort to facilitate a more thorough understanding of the *Student Code of Conduct*. Certain definitions have been adapted from Section 6439 NYS Education Law Article 129-B.

1. **Hearing Officer or Student Conduct Officer**: a College staff member who is authorized to determine the appropriate resolution of an alleged violation of the *Student Code of Conduct*, and/or to impose sanctions or affect other remedies as appropriate. Subject to the provision in this code, a Hearing Officer or Student Conduct Officer is vested with the authority to, among other duties, investigate a complaint of an alleged violation of the *Student Code of Conduct*; decline to pursue a complaint; refer identified disputants to mediation or other appropriate resources; establish the *Student Code of Conduct* alleged violations regarding a Respondent; approve an administrative agreement developed with a Respondent; conduct a hearing; impose sanctions; chair and/or advise a hearing.

2. **Business day**: any day, Monday through Friday, that the College is open.

3. **Code of conduct**: the written policies adopted by an institution governing student behavior, rights, and responsibilities while such student is matriculated in the institution.

4. **Title IX Coordinator**: shall mean the Title IX Coordinator and/or his or her designee or designees.

5. **Bystander**: shall mean a person who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of rules or policies of an institution.

6. **Confidentiality**: means the condition of not wishing to have information passed on to anyone else. This disposition may be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to institution officials, in a manner consistent with state and federal law, including but not limited to 20 U.S.C. 1092(f) and 20 U.S.C. 1681(a). Licensed mental health counselors, medical providers and pastoral counselors are examples of institution employees who may offer confidentiality.

7. **Privacy**: means the disposition to prefer having their information secluded from as many people as possible. This condition may be offered by an individual when such individual is unable to offer confidentiality under the law but shall still not disclose information learned from a Reporting Individual or bystander to a crime or incident more than necessary to comply with this and other applicable laws, including informing appropriate institution officials. Institutions may substitute another relevant term having the same meaning, as appropriate to the policies of the institution.

8. **Accused**: a person accused of a violation who has not yet entered an institution’s conduct process.
9. **Respondent**: a person accused of a violation who has entered an institution’s conduct process.

10. **Complainant**: the person responsible for filing or presenting a misconduct complaint.

11. **Reporting individual**: shall encompass the terms victim, survivor, Complainant, claimant, witness with victim status, and any other term used by an institution to reference an individual who brings forth a report of misconduct, including reports of sexual misconduct. When a student, faculty or staff member believes that s/he has been a victim of another student’s misconduct, the person who believes s/he has been a victim will have the same rights under the Student Code of Conduct as are provided to the accused or Respondent.

12. **Designee**: a staff or faculty member who has responsibility for implementing the student conduct process or administering the student conduct system, in part or in whole.

13. **Associate Dean of Student Life**: refers to the person responsible for the overall coordination of the College student conduct system, including the development of policies, procedures, and education/training programs. This individual may serve as a hearing officer, Student Conduct Officer and/or as a Complainant.

14. **Member of the College community**: includes any person who is a student, instructor, or College staff member; any other person working for the College, either directly or indirectly (e.g., private enterprise on campus); or any person who resides on College premises. A person’s status in a particular situation shall be determined by the Associate Dean of Student Life.

15. **Student**: any person admitted, registered, enrolled, or attending any College course or College conducted program; any person admitted to the College who is on College premises or College-related premises for any purpose pertaining to his or her registration or enrollment.

16. **Student organization or student group**: an association or group of persons that has complied with the formal requirements for College recognition by the Department of Student Involvement and/or the Student Government Association.

17. **Support person/Advisor**: any person who accompanies a Respondent or Reporting Individual for the limited purpose of providing support, advisement and guidance. A support person/advisor may not directly address the Hearing Officers, question witnesses, or otherwise actively participate in the student conduct process, but may speak privately with the advisee during the proceedings.

18. **College or Institution**: shall mean Westchester Community College.

19. **College official**: any person employed by the College to perform administrative, instructional, or professional duties.

20. **College premises**: all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the College, either solely or in conjunction with another entity.

21. **Sanction**: a requirement or status that is imposed as a result of either accepting responsibility or being found responsible for violating the Student Code of Conduct.

22. **Sexual Misconduct**: means sexual harassment or sexual violence and encompasses a wide range of behavior for sexual purposes that is against another’s will or at the expense of another.
Sexual misconduct includes, but is not limited to sexual assault, intimate partner violence, stalking of a sexual nature, or any conduct of a sexual nature that is nonconsensual, or has the effect of threatening or intimidating another.

23. Sexual Violence: Includes sexual harassment, sexual assault, and domestic violence, dating violence, intimate partner violence and stalking.

24. Sexual activity: shall have the same meaning as “sexual act” and “sexual contact” as provided in 18 U.S.C. 2246(2) and 18 U.S.C. 2246(3).

a. The term “sexual act” means:
   i. contact between the penis and the vulva or the penis and the anus and contact involving the penis occurs upon penetration, however slight;
   ii. contact between the mouth & penis, the mouth & vulva, or the mouth & anus;
   iii. the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or
   iv. the intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person;

b. The term “sexual contact” means the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.”

25. Domestic violence: includes asserted violent misdemeanor and felony offenses committed by the victim’s current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

26. Dating violence: violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

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

28. Sexual assault: is any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Falling under the definition of sexual assault are sexual activities as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape.

29. Affirm Consent to Sexual Activity or Affirmative Consent: is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s
sex, sexual orientation, gender identity, or gender expression. (Section 6441 Education Law Article 129-B)

a. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.

b. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.

c. Consent may be initially given but withdrawn at any time.

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

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

f. When consent is withdrawn or can no longer be given, sexual activity must stop.

SECTION V: Violations

As members of the College community, students have an obligation to uphold the Student Code of Conduct as well as to obey federal, state, and local laws. The Associate Dean of Student Life or designee shall make the final determination on what constitutes a potential violation of the Student Code of Conduct and shall establish the specific behavioral allegations(s) as appropriate. The subsequent behaviors are subject to disciplinary action under the Westchester Community College Student Code of Conduct, but are not limited to the following infractions. A student or a group of students may be charged with any of the violations listed below as well as any institutional policy. In cases where a violation is committed by an individual student, any other students not directly involved, but who participate in the activity by encouraging or condoning the act in any manner, will also be subject to disciplinary action. The College, in its sole discretion, reserves the right to report any possible criminal acts to appropriate law enforcement agencies.

A student who withdraws from the College shall not be exempt from disciplinary infractions that took place prior to withdrawal. In these instances, a notation will be placed on a student’s academic transcript, as well as the student’s conduct record.

1. **Academic Dishonesty**

   Conduct that includes, but is not limited to: plagiarism, cheating, multiple submission, forgery, sabotage, unauthorized collaboration, falsification, bribery or use of purchased research service reports without appropriate notation, and theft, damage, or misuse of library or computer resources. Attempts to commit such acts shall also constitute academic dishonesty.

2. **Drugs & Alcohol**

   Possessing, using, distributing, delivery or selling alcohol, a controlled substance or dangerous drug, or any drug unlawful to possess i.e. marijuana, except as expressly permitted by law.
Under the Influence of Alcohol, Controlled Substance or Dangerous Drugs in Class or at College Sponsored Activities. The possession, use or distribution of drug paraphernalia including, but not limited to: bongs, water pipes, or hypodermic needles that are not specifically required for the administration of prescribed medications. Possession and/or use of legal medication outside the parameters of the medical authorization. Possession and/or use of prescribed medication to someone other than oneself.

3. Smoking & Tobacco Use
The use of tobacco products, vaping devices, electronic cigarettes, and other nicotine delivery devices in any College facility or outdoor area. Westchester Community College is proud to be a tobacco-free, smoke-free, and vape-free campus.

4. Misuse of College Property
Unauthorized possession, duplication, or misuse of College property or other personal or public property, including, but not limited to, records, electronic files, telecommunications systems, forms of identification, or any unauthorized use of the College’s hardware, software or network systems. This includes the public posting, selling of, or in any other way, distribution of notes of class lectures, course handouts and outlines, and/or any other College-supplied materials without the express written permission of the instructor.

5. Destruction of Property
Removing, destroying, or damaging College property, property under College administration/supervision, or the personal property of others. This includes attempted or actual damage to property.

6. Theft
Stealing property and/or services; possessing stolen property.

7. Unauthorized Entry or Use
Entering or using College facilities or property on or off campus, belonging to individuals, College recognized groups, and/or corporate entities without proper authorization.

8. Disruptive Conduct
Unreasonable actions that impair, interfere with, or obstruct the orderly conduct, processes, functions or activities of the College, including those in, but not limited to: classroom or other instructional settings, administration, student conduct procedures, or other authorized activities, including public service functions. This can include: leading or inciting others to disrupt scheduled and/or normal activities within any College owned or rented facility; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus; participation in campus demonstrations which disrupt the normal operations of the College; and actions that infringe on the rights of other members of the College.

9. Threatening, Attempting or Actual Physical Harm or Violence
Intentionally, recklessly or attempting causing physical harm or violence to any person or reasonable fear of such harm. Students cannot justify such behavior as defensive if:

a. The behavior is a physical response to a very provocation.

b. The student has the ability to leave the situation, but instead chooses to respond physically

c. In circumstances where such actions are punitive or retaliatory.

10. Harassment or Abuse of Another

Behaviors intended to bully, intimidate, insult, or create a hostile environment for another individual. These behaviors can be written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at another individual. No individual shall post or distribute disparaging or compromising images of another, altered or otherwise or post denigrating text on, but not limited to, the following modes: internet websites or newspapers, without the express consent/authorization of the individual. Harassment based on protected class (i.e. race, color, national origin, sex, age, disability, creed, religion, sexual orientation, veteran status, etc) is prohibited; see 25. Hate or Bias-Related Crime for additional information.

11. Endangerment

Acting to create or contribute to dangerous or unsafe environments anywhere on or off-campus. Reckless or intentional acts, which endanger, or put at risk, the welfare of oneself or others.

12. Solicitation

The disbursement of promotional/informational material on College property or on items or personal property on campus (i.e. motor vehicles), taking requests for donations, or the selling or vending of any merchandise or services without prior written consent from the appropriate College official.

13. Compliance

Failing to comply with the directions of an authorized local, state, federal or College official acting in the performance of his or her duties, or any other person responsible for a facility or registered function acting in accordance with their duties.

14. Forgery, Falsification, Fraud, & Dishonesty

Knowingly providing false or incorrect information to any College official or misrepresenting yourself to the institution. This includes altering, possessing, distributing, selling or misusing false documents, records, transcripts, stored data or instrument identification.

15. Fire and Safety

Engaging in behavior that disrupts any fire and safety systems, procedures and policies. This can include, but is not limited to: damage to, removal of or tampering with any fire safety system, firefighting equipment or other emergency warning equipment; intentional or reckless burning or setting fire to any building or piece of property owned or controlled by the College;
failure to conform to safety regulations, failing to evacuate facilities in a timely fashion in an emergency situation or in response to fire alarms.

16. Weapons, Firearms, Explosives & Other Dangerous Objects

Possessing or using any object or substance designed to inflict a wound, cause injury, or incapacitate, including, but not limited to, all firearms, switchblade knives, knives with blades five or more inches in length, explosives, fireworks or dangerous chemicals (except as authorized for use in class, or in connection with College-sponsored research or other approved activities). The term firearms include pellet guns, air guns, rifles, shotguns, handguns, multiple firing weapons and any weapon capable of firing a shot.

NOTE: Possession of any rifle, shotgun or firearm in or upon any building or grounds of the College is a crime under New York state law. Any person doing so is subject to arrest and incarceration in addition to any sanctions incurred through the College’s conduct process.

17. Gambling

Any unauthorized gambling on campus, including but not limited to participation in: games of chance, illegal lottery and policy for money or something of value; promoting or advancing gambling; gambling using College computing/network facilities; possessing gambling devices or gambling records.

18. Parking and Motor Vehicle Violations

Violating college policies and regulations and/or local, state, or federal law governing the possession or use of motor vehicles on campus. Violations of this policy include but are not limited to:

a. Use of an unauthorized vehicle on campus
b. Failure to adhere to traffic regulations;
c. Driving under the influence of alcohol or other drugs.
d. Causing damage to College property or personal property while operating a motor vehicle

19. Student Group Violations

Students are expected to know and abide by the policies and procedures governing their membership in a student club or organization. Prohibited conduct by officers/members of recognized student clubs and organizations may result in referral to the conduct process for individual students or entire student groups.

Full policies governing student groups can be found at www.sunywcc.edu/clubs and can be discussed in person in the Department of Student Involvement in Student Center 108, 914-606-6731 or at getinvolved@sunywcc.edu.

20. Hazing

Any reckless or intentional conduct in connection with the initiation into, or affiliation with, any organization which degrades, humiliates or endangers the mental or physical health of any
person, regardless of the person’s willingness to participate. It can also include activities that
damage, destroy or remove any public or private property.

21. Violations committed by guests, friends, or family members

Any violations to the code committed by guests, friends, or family members invited to the
campus or on behalf of a student. Students are responsible for informing their guests, friends
or family members about campus regulations and conduct policies before they invite them on-
campus. Therefore, any behavior can be sanctioned if that third party violates the Student Code
of Conduct.

22. Aiding & Abetting in Code Violations

Aiding and abetting another in any violation of College policies, regulations and codes.

23. Prohibited Recreational Activities

The use or operation of rollerblades, skates, skateboards, hover boards, bicycles, and similar
items inside College facilities or on College grounds, unless expressly permitted.

24. Student Computer & Communications Technology

Violating the College’s Student Computer & Communications Technology Use Policy which
can be found http://www.sunywcc.edu/cms/wp-content/uploads/2012/02/Westchester-
Community-College-Technology-Use-Policy-Student.pdf.

25. Hate or Bias-Related Crime

Intentionally selecting a person against whom an offense is committed or intended to be
committed because of a belief or perception regarding the race, color, national origin, ancestry,
ethnicity, gender, gender identity or expression, sexual orientation, religion, religious practice,
age, physical or mental disabilities, including learning disabilities, and past/present history of
a metal disorder, regardless of whether the belief or perception is correct.

Intentionally committing an act or acts constituting the offense in whole or in substantial part
because of a belief or perception regarding the race, color, national origin, ancestry, ethnicity,
gender, gender identity or expression, sexual orientation, religion, religious practice, age,
physical or mental disabilities, including learning disabilities, and past/present history of a
metal disorder, regardless of whether the belief or perception is correct.

26. Sexual Harassment

Unwelcome verbal or physical conduct of a sexual nature that creates an intimidating, hostile
or offensive campus, educational or working environment for another person. This includes
but is not limited to unwelcome sexual advances or requests for sexual favors, inappropriate
sexual or gender-based activities, comments or gestures, or other forms of verbal or physical
conduct or communications constituting sexual harassment.

Obscene or indecent behavior, which includes, but is not limited to: indecent exposure or the
display of sexual behavior that would reasonably be offensive to others; disorderly, lewd,
indecent, or obscene conduct or expression.
27. Stalking

Intentionally engaging in a course of conduct, directed at a specific person, which is likely to cause a reasonable person to fear for his or her safety or the safety of others or cause that person to suffer substantial emotional damage. Stalking does not require direct contact between parties and can be accomplished in many ways, including through the use of electronic media such as the internet, pagers, cell phones, or other similar devices. Examples include, but are not limited to:

a. Repeatedly committing unwanted acts that alarm, cause fear, or seriously annoy a member of the College community or family member that serve no legitimate purpose.

b. Repeatedly engaging in unwanted communications, including electronic means, with any member of the College community in a manner likely to alarm, cause fear, or seriously annoy that serve no legitimate purpose.

c. Repeatedly following another person without his or her consent.

d. Contacting any member of the College community after being asked or ordered not to contact this person.

28. Intimate Partner Violence

Intimate partner violence includes dating violence and domestic violence, both are defined below. Intimate partner violence can occur in relationships of the same or different genders.

**Dating Violence**

Any act of 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 shall be determined based on the victim’s statement and with consideration of the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship, regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship.

**Domestic Violence**

Any violent action committed by a current or former spouse or intimate partner of the victim, a person sharing a child with the victim, or a person cohabiting with the victim as a spouse or intimate partner. Includes asserted violent misdemeanor and felony offenses committed by the victim’s current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

29. Rape, Sexual Assault & Sexual Exploitation

Any form of non-consensual sexual activity or sexual assault, including:

**Sexual Assault I**
Sexual intercourse or any sexual penetration, however slight, of another person’s oral, anal, or genital opening with any object (an object includes but is not limited to parts of a person’s body) without the active consent of the victim.

**Sexual Assault II**

Touching a person’s intimate parts (defined as genitalia, groin, breast, or buttocks), whether directly or through clothing, without the active consent of the victim. Sexual Assault II also includes forcing an unwilling person to touch another’s intimate parts.

**Sexual Exploitation**

Nonconsensual, abusive sexual behavior that does not otherwise constitute Sexual Assault I, Sexual Assault II or Sexual Harassment. Examples include but are not limited to: intentional, nonconsensual tampering with or removal of condoms or other methods of birth control and STI prevention prior to or during sexual contact in a manner that significantly increases the likelihood of STI contraction and/or pregnancy by the non-consenting party; nonconsensual video or audio taping of sexual activity; allowing others to watch consensual or nonconsensual sexual activity without the consent of a sexual partner; observing others engaged in dressing/undressing or in sexual acts without their knowledge or consent; trafficking people to be sold for sex; and inducing incapacitation with the intent to sexually assault another person.

**30. Abuse of the Student Conduct System**

Abusing the Student Conduct System, including but not limited to:

a. Failure to obey the summons of a Conduct Body or College official.

b. Failure to comply with sanction(s) imposed under the Student Code of Conduct.

c. Knowingly alleging a violation of the Student Code of Conduct without cause.

d. Attempting to discourage an individual’s proper participation in, or use of, the conduct system.

e. Influencing or attempting to influence another person to commit an abuse of the conduct system.

**31. Retaliation**

Engaging, directly or indirectly, in any action or attempting to harass, intimidate, retaliate against, or improperly influence any individual involved with the Student Conduct System.

An intentional act taken against an individual who initiates any sexual misconduct complaint, including stalking of intimate partner violence, pursues legal recourse for such a complaint, or participants in any manner in the investigation of such a report. Any act of retaliation is prohibited and is subject to a student conduct referral.

**32. Other Violations**

Violation of any other College policy or regulation can be subject to disciplinary action, including: any other published or posted College regulations/policies not specifically mentioned, including, but not limited to the: College Catalog and Handbook.
Felony or Misdemeanor Arrests: It is the obligation of every student to notify the Associate Dean of Student Life of any felony or misdemeanor arrests occurring at any time after the student pays his/her/their admissions deposit through graduation or separation from the institution, regardless of geographic location of the arrest or specific crime alleged. Failure to do so may result in conduct charges by the college. The College may review the facts underlying the arrest to determine if there is a concomitant policy violation.

SECTION VI: Reporting Misconduct & Interim Administrative Action

1. Reports of Misconduct
   a. Any person may file a report regarding any student or registered student organization alleging misconduct. Reports shall be prepared in writing and directed to the Associate Dean of Student Life or designee. Individuals are encouraged to visit www.sunywcc.edu/incidentreportforms to file an incident report with the College.

   b. While timeliness for submitting a report is preferable, there is no deadline to file a report of alleged misconduct as long as the accused/Respondent is a current student at the College.

   c. The Associate Dean of Student Life or designee shall determine if a complaint alleges or addresses a potential violation of the Student Code of Conduct and will notify the accused of such allegations. The decision to continue a complaint through the conduct process is the decision of the Associate Dean of Student Life or designee.

   d. Generally, the Associate Dean of Student Life or designee will assign a Student Conduct Officer(s) to the case who will investigate, schedule a conference with the Respondent(s) and other individuals as deemed necessary and appropriate.

   NOTE: Reports of Sexual Misconduct are treated separately from other reports of misconduct. Information regarding reporting, responding to, investigating, and placing interim measures for reports of Sexual Misconduct and can be found in the College’s Response to Sexual Violence policy found at: www.sunywcc.edu/titleix

2. Interim Administrative Action
   a. The Associate Dean of Student Life or designee may impose an immediate interim suspension, an interim removal from a class, an interim loss of recognition, and/or other necessary restrictions on the accused/respondent prior to the adjudication of the alleged violation. Such action may be taken when, in the professional judgment of the Associate Dean of Student Life or his or her designee, a threat of imminent harm to persons or property exist or if the alleged behavior demonstrates significant distraction from the educational environment of the class and/or institution.

   b. Interim administrative action is not a sanction. It is taken in an effort to protect the safety and well-being of the accused/respondent, of others, of the College, or of property. Interim administrative action is preliminary in nature; it is in effect only until there is a final resolution of the student conduct matter up to and including the finalization of the appeal process.
SECTION VII: Student Conduct Process

The student conduct process utilizes a “preponderance of evidence” standard of proof, which evaluates whether it is more likely than not that a violation occurred.

1. Administrative Conference

   a. The Administrative Conference is a meeting between a Respondent and a Student Conduct Officer to review a complaint/incident explain the student conduct process, and possible options for resolving the matter. Prior to the scheduled meeting, the Student Conduct Officer may conduct an investigation into the charges and incident. The Respondent may also request a pre-meeting to learn more about their rights, the student conduct process, and potential sanctions.

   b. Administrative Conferences will be scheduled around a student’s academic schedules.

   c. Generally, the Student Conduct Officer will ask the Respondent whether or not they accept responsibility for the charges.

      i. A Respondent who acknowledges responsibility shall have the opportunity to resolve the case with the Student Conduct Officer by agreeing to an appropriate sanction. Respondents who agree to resolve the case in this manner shall have no right to appeal. If the Respondent does not accept an appropriate sanction from the Student Conduct Officer, but the Student Conduct Officer has determined that the preponderance standard has been met, a sanction may be imposed. Imposed sanctions may only be imposed in cases where sanctions will not result in suspension or expulsion. In such circumstances, where a sanction is imposed, the Respondent maintains the right to appeal the decision as described in Section X.

      ii. If a Respondent does not acknowledge responsibility, but the Student Conduct Officer has determined that the preponderance standard has been met, a sanction may be imposed. Imposed sanctions may only be applied in cases where sanctions will not result in suspension or expulsion. In such circumstances, where a sanction is imposed, the Respondent maintains the right to appeal the decision as described in Section X.

      iii. If a Respondent does not acknowledge responsibility and the Respondent is facing suspension or expulsion, a Hearing will be scheduled. The Student Conduct Officer also reserves the right to refer the case to a Hearing should they choose.

   d. If the Respondent fails to attend a scheduled Administrative Conference, the Student Conduct Officer may choose to reschedule the appointment or they may choose to impose a sanction if they feel the preponderance of evidence standard has been met using the information available. In such circumstances, where a sanction is imposed, the Respondent maintains the right to appeal the decision as described in Section X.

   e. Excluding the Student Conduct Officer, participants are prohibited from making their own recording (including, but not limited to audio, photographic, video, and/or written
recording). It is up to the discretion of the Student Conduct Officer if he/she choses to record the meeting. The College will maintain the audio recordings as required by New York state law. Recordings are the property of the College. Upon written request, a Respondent may review the audio recording and make appropriate arrangements for it to be transcribed on College premises. Arrangements for a transcriber and all associated costs involved in the transcription will be the sole responsibility of the requesting individual.

f. Admission of any person into the Administrative Conference shall be at the discretion of the Student Conduct Officer. Generally, there will be no other individuals allowed in the meeting besides the Respondent and the Student Conduct Officer.

g. The Respondent shall each have the right to:
   i. A written statement of the charges against them.
   ii. An opportunity to present truthful and accurate information in their defense.
   iii. A written statement of the outcome of the meeting and a description of the appeal procedure (if applicable).

h. Cases of sexual misconduct cannot be adjudicated through an Administrative Conference and will follow a conduct process described in Section IX.

2. Hearing

Generally, when the Respondent is facing suspension, expulsion, or at the discretion of a Student Conduct Officer, a hearing will be scheduled. The referring Student Conduct Officer will generally serve as the Complainant at the Hearing.

a. Hearing Officers & Hearing Participants

i. The Associate Dean of Student Life or designee will assign two to three hearing officers to conduct a hearing, with one individual being designated as the Hearing Chair. Hearing Officers are designated and trained by the Associate Dean of Student Life annually. Hearing officers are College officials. They may conduct hearings on any type of alleged violation of the Student Code of Conduct, excluding sexual misconduct cases which are to be adjudicated through a hearing process described in Section IX. Hearing officers may impose any sanction deemed appropriate.

ii. The hearing participants generally include the Reporting Individual, Respondent(s), a Complainant, witnesses, two to three hearing officers, and a support person/advisor for the Respondent, Complainant and/or Reporting Individual.

b. Evidence

i. An essential component of any a hearing is the determination, using a preponderance of evidence, and the weighing of the facts that pertain to the allegation(s). Therefore, it is vital that personal statements and other information be presented clearly and factually. All participants are expected to
be respectful of each other’s purpose in the hearing process and to conduct themselves according to the direction of the hearing body. In an effort to be as fair as possible to the Complainant and Respondent, student conduct procedures may be modified by the hearing officers.

Evidence, to include but not limited to written documents, photographs, videos, and witness names, to be presented by the Complainant(s) and Respondent(s) during any hearing should be sent to the Office of the Associate Dean of Student Life (Student Center 203) at least two (2) business days in advance of the scheduled hearing so it can be shared with the opposing party. The Hearing Officers may, in their sole discretion, exclude evidence that has not been shared or adjourn the hearing to afford all parties the opportunity to review evidence to be presented during the hearing. The Hearing Officers will make the final decision related to the admissibility of all evidence.

c. **Student Rights in a Hearing**

The Complainant, Reporting Individual and the Respondent shall each have the right to:

i. Receive proper written notification of a hearing date, time and place at least five (5) calendar days in advance.

ii. A written statement of the charges against them;

iii. Be informed about the hearing process;

iv. A prompt and impartial hearing;

v. Request a delay of a hearing due to extenuating circumstance(s);

vi. Be notified of the proposed information to be presented and to know the identity of witnesses who have been called to speak at the hearing or provide written information for the hearing when such information is known by the Associate Dean of Student Life or designee prior to the hearing.

vii. Present information, witnesses, and witness statements when deemed appropriate and relevant by the hearing body as long as such witnesses and information are identified by the Associate Dean of Student Life or designee no less than two business days in advance of the hearing.

viii. One support person/advisor from the College, who is a full time employee of the institution, of his/her choosing. This support person/advisor may attend but may not participate or speak during the process. A student should select a support person/advisor whose schedule allows attendance at the scheduled date and time for the administrative hearing because delays will not normally be allowed due to the scheduling conflicts of a support person/advisor.

ix. Be present at the pertinent stages of the hearing process as indicated by the Associate Dean of Student Life or designee. The deliberations of the hearing body are private.
x. State whether they feel a hearing officer should not participate in the panel due to bias or any other reason, which would prevent them from making a fair assessment of the evidence. The final decision on any such requests for recusal will be made by the Associate Dean of Student Life.

xi. Respond truthfully and accurately to statements and other information presented at the hearing.

xii. Present a personal or community impact statement to the hearing body upon a finding of “responsible.”

xiii. A written statement of the outcome of the proceedings and a description of the appeal procedure.

xiv. Have the right to appeal the decision.

d. Hearing Procedures

A hearing is conducted differently from legal proceedings and shall generally be conducted in accordance with the procedures listed below:

i. A hearing shall be closed and not open to the public. Admission of any person into the hearing room shall be at the discretion of the chair. The chair shall have the authority to remove any person whose presence is deemed unnecessary or obstructive to the proceedings.

ii. When a hearing involves more than one Respondent, the Associate Dean of Student Life or designee may, at his or her discretion, permit the hearings to be conducted either separately or jointly.

iii. If a Respondent, after receiving notification, does not appear for a hearing, the hearing will proceed without the Respondent and a finding will be made based upon the information available and sanction(s) imposed, if appropriate.

iv. The Complainant and Respondent shall each have the opportunity to present opening statements.

v. The Complainant and the Respondent may arrange for witnesses to present pertinent information to the hearing officers.

vi. The Respondent, Complainant, investigating Student Conduct Officer, and any witnesses will provide information to and answer questions from the hearing officers.

vii. Questions may be suggested by the Respondent and/or Complainant to be answered by each other or by other witnesses. Questions will be directed to the chair, rather than to the individuals directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. It will be left to the discretion of the chair whether or not to entertain the questions.
viii. Pertinent evidence (records or exhibits) and written statements may be accepted as information for consideration at the hearing officers’ discretion. Information presented by a student during a hearing that indicates a potential violation of the Student Code of Conduct may be adjudicated at a future time.

ix. After the portion of the hearing concludes in which all pertinent information has been received, the hearing officers shall determine whether the Respondent has violated each section of The Student Code of Conduct which the student had been charged with violating.

x. The hearing officer’s determination shall be made based on the preponderance of the evidence, meaning whether it is more likely than not that the Respondent violated the Student Code of Conduct.

xi. When a student Respondent has been found “responsible” on any violation, the hearing body may review the student’s academic transcript, student conduct history, hear impact statements by the Respondent, Complainant, and Student Conduct Officer, and impose the appropriate sanction(s).

xii. The Respondent’s status at the College is normally deferred until the appeal process is completed. In certain cases, however, the Hearing Officers or the Associate Dean of Student Life or designee may determine that the Respondent’s presence is a threat to the College community and uphold the sanction imposed by the Hearing Officers until the appeal process is completed.

xiii. All procedural questions are subject to the final decision of the Chair. Procedural questions may be asked at any point during the course of the hearing by any member of the hearing, with the exception of the support person/advisor, who may advise the individual they are supporting to ask a question.

e. Recordings

Hearings may be recorded by the College and, if recorded, the College will maintain the audio recordings as required by New York state law. Recordings are the property of the College. Participants are prohibited from making their own recording (including, but not limited to audio, photographic, video, and/or written recording). Upon written request, a Respondent or Complainant may review the audio recording and make appropriate arrangements for it to be transcribed on College premises. Arrangements for a transcriber and all associated costs involved in the transcription will be the sole responsibility of the requesting individual.

SECTION VIII: Sanctions for Misconduct

The following are sanctions that may be imposed on individuals and/or groups found in violation of The Student Code of Conduct:

1. **Official Warning**: is an official written statement of the College’s disapproval of a student’s actions and a warning that any future violation(s) could result in more severe sanctions which could include probation, suspension, or expulsion. This is not a referral, but rather a written instruction from the College to the student with the expectation that the student modifies future behavior in accordance with the Warning.
2. **College Probation**: is a higher-level sanction issued for serious violations or a pattern of violations of the Student Code of Conduct. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student commits another violation during the probationary period. During the probation period, a student may be excluded from some programs and curricular or extra-curricular activities.

3. **Course Withdrawal**: is an involuntary withdrawal from one or more courses for that current semester due to certain violation or a pattern of violations of the Student Code of Conduct. The student will receive a “W” on their transcript for the course(s) they are involuntary withdrawn from. This sanctions carries with it the penalty of forfeiting any tuition or fees associated with the course he/she is involuntary withdrawn from.

4. **Suspension**: is an involuntary separation of the student from the College for a definite period of time and/or until certain conditions for readmission are met. A student who is suspended is unable to register for and attend classes, participate in any College activities, or be present on College property. Suspension is a severe sanction and the student forfeits tuition and fees and does not receive academic credit for the semester in which the suspension occurred.

   The student is not guaranteed readmission at the end of the designated period of time, but a review regarding eligibility for readmission is guaranteed if a student submits the necessary information. The student must apply in writing for reinstatement to the Vice President for Student Access, Involvement and Success. The student must provide evidence that all conditions for readmission are complete at the time of the request for reinstatement. The Vice President may also request additional information he/she believes will aid them in assessing the student’s readiness for reinstatement. The Vice President shall determine if the student is ready for reinstatement. If reinstatement is granted, the student may reenroll for courses beginning the next academic term. If reinstatement is denied, the student will remain suspended for another definite period of time, determined by the Vice President, at which time they may reapply for readmission again at the close of that next period of time. The decision of the Vice President is final.

   Students can submit requests for readmission by visiting [www.sunywcc.edu/studentforms](http://www.sunywcc.edu/studentforms) and clicking on the "Readmission After Disciplinary Suspension Request" link.

5. **Expulsion**: is an involuntary separation from the College for an indefinite period and will be invoked where extreme violations of the Student Code of Conduct occur. A student who is expelled is permanently prohibited from being on any property of the College, attend any events/activities of the College, and shall not be readmitted to the institution. Suspension is a severe sanction and the student forfeits tuition and fees and does not receive academic credit for the semester in which they were expelled.

6. **Secondary Sanctions**: The following may be imposed instead of or in addition to those specified above. Secondary sanctions include, but are not limited to:

   a. **Restitution**: may be assigned when College property is damaged. An assessment of the damage will be made by the appropriate College department and/or personnel. The responsible student(s) may be billed as appropriate. Restitution for personal property cannot be resolved via the Student Conduct system.
b. Educational activities: including, but not limited to: reflective writing assignment, attendance at events, participation in alcohol/drug education programs, community service, by-stander intervention programs, etc. may be assigned.

c. Restrictions/Loss of Privileges: to any and all College buildings or grounds, to specific College services or programs may be imposed.

d. Mandated counseling, psychiatric or threat assessments: may be imposed to individuals who pose a threat to themselves or others. Assessments may be assigned for online programs, with on campus resources, or through off-campus services at the student’s expense.

e. No Contact Order: is a written directive prohibiting contact with a protected individual, either directly or through a third party. If the accused or Respondent and a protected person observe each other in a public place, it is the responsibility of the accused or Respondent to leave the area immediately and without directly contacting the protected person.

f. Cease and Desist: is a written directive to both parties prohibiting contact with each other, either directly or through a third party.

g. Parental Notification: occurs when, in accordance with the Federal Educational Rights and Privacy Act (FERPA), students are under the age of 21 and found responsible for violations of the College’s alcohol or drug policies. This notification will typically be in writing.

7. **Sanctions for Hate or Bias-Related Crimes**: If a student is responsible for a violation that is directed toward an individual or group due to race, color, national origin, ancestry, ethnicity, gender, gender identity or expression, sexual orientation, religion, religious practice, age, physical or mental disabilities, including learning disabilities, and past/present history of a mental disorder, the Student Conduct Officer or hearing officer(s) may enhance the sanctions.

8. **Student Club/Organization Violations**: If a student club organization is found responsible for a violation of the *Student Code of Conduct*, they may receive any sanction listed above and:

   a. Loss of Recognition: will result in loss of all College privileges for a student club/organization for a designated period of time and will require an organization to reapply for College recognition. Conditions for future recognition may be specified.

The Associate Dean of Student Life or designee will place an administrative hold on a student’s college account when the student fails to complete any sanctions by the assigned deadline. The hold will remain in effect until the assigned sanction(s) are completed.

Refer to the Sanctioning Guide available at [www.sunywcc.edu/codeofconduct](http://www.sunywcc.edu/codeofconduct) for more information about specific sanctions that can be imposed for violations.

**SECTION IX: Conduct Process for Sexual Misconduct**

The following procedures have been adopted by Westchester Community College to adjudicate complaints regarding sexual misconduct from reporting individuals that include violations of the
student code to include: (27) Sexual Harassment; (28) Stalking; (29) Intimate Partner Violence (dating violence and domestic violence); and (30) Rape, Sexual Assault, & Sexual Exploitation.

Conduct proceedings are governed by the procedures set forth in Section VI of this document as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions. In the event that there is a conflict between any procedures set forth in this section with any procedures described in any other portion of this code (including Section VI), the procedures set forth in this section (Section IX) will control for cases of sexual misconduct.

All students involved in a hearing, where a student is accused of sexual misconduct will be afforded a hearing adjudicated in a fair, impartial, timely manner that provides a meaningful opportunity to be heard. All students will receive a process conducted by individuals without a conflict of interest, and who receive annual training in conducting hearings of sexual violence, the effects of trauma, impartiality, the rights of the Respondent, including the right to a presumption that the Respondent is “not responsible” until a finding of responsibility is made.

The Title IX Coordinator or designee will assign three hearing officers, who are College Officials to conduct the hearing, with one individual being designated as the Hearing Chair. Hearing Officers are designated and trained by the Title IX Coordinator annually. The hearing participants may include the investigating officer, Respondent(s), a Complainant, reporting individual, witnesses, three hearing officers, the Title IX Coordinator and a support person/advisor for each Respondent or reporting individual.

Students who are found responsible for violations of sexual misconduct, including: (27) Sexual Harassment; and/or (28) Stalking; must at minimum receive a sanction of probation. Students who are found responsible for violations of sexual misconduct, including: (29) Intimate Partner Violence (dating violence and domestic violence); and/or (30) Rape, Sexual Assault, & Sexual Exploitation; must at minimum receive a sanction of suspension. Refer to the Sanctioning Guide available at www.sunywcc.edu/codeofconduct for more information about specific sanctions that can be imposed for violations of sexual misconduct.

1. **Students’ Bill of Rights**

   The College is committed to providing options, support, and assistance to members of our community that are affected by sexual assault, sexual harassment, intimate partner violence and stalking, regardless of whether the crime occurred on campus, off campus, or while studying abroad. The rights enumerated in the Student’s Bill of Rights are afforded to all students reporting sexual violence, as well as all students accused of sexual violence, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction. To view a complete list of all of the rights afforded to students in the Student Bill of Rights, please visit: www.sunywcc.edu/billofrights.

2. **Policy for Alcohol and/or Drug Use Amnesty in Sexual Misconduct Cases**

   The health and safety of every student at Westchester Community College is of utmost importance. Westchester Community College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that
violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Westchester Community College strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a Reporting Individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to Westchester Community College’s officials or law enforcement will not be subject to Westchester Community College’s code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.” (Section 6442 Education Law Article 129-B). Nothing in this section shall be construed to limit an institution’s ability to provide amnesty in additional circumstances.

3. Student Conduct Process Involving Sexual Misconduct

a. Reporting Individuals have the right to request that student conduct charges be filed against the accused.

b. Conduct proceedings are governed by the procedures set forth in Section VI as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.

c. Throughout conduct proceedings, the Respondent and the Reporting Individual will have the right to:

i. Be accompanied by an advisor of their choice who may assist and advise the parties throughout the conduct process and any related hearings or meetings. Advisors may not address the Hearing Officers during a disciplinary hearing, but may speak privately with the advisee during the proceedings.

ii. A prompt response to any complaint. The College will conduct timely reviews of all complaints of sexual misconduct. Absent extenuating circumstances, review and resolution is expected to take place within sixty (60) calendar days from receipt of the complaint. All deadlines and time requirements detailed below may be extended for good cause as determined by the Title IX Coordinator or the Vice President, or a designee of either of those individuals. Both the Respondent and the Complainant will be notified in writing of the delay, the reason for delay, and provide the date of the new deadline or event. Extensions requested by one party will not be longer than five (5) business/school days.

iii. The preliminary review of all complaints, including any necessary interviews to be conducted and any necessary interim measures to be put in place, will usually be completed within seven (7) days of receipt of the complaint.

iv. The subsequent, comprehensive review and investigation of the complaint, including interviews with all involved parties and gathering of evidence, will usually be completed within thirty (30) days of receipt of the complaint.
v. Results of the complaint, via either a formal hearing or waiver of hearing will typically be issued within sixty (60) days of receipt of the complaint.

vi. Appeals for cases of sexual misconduct will be conducted as per the procedures described in Section VIII.

vii. Have their complaint investigated and adjudicated in an impartial and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the Respondent, including the right to a presumption that the Respondent is, “not responsible” until a finding of responsibility is made and other issues related to sexual assault, domestic violence, dating violence, and stalking.

viii. An investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality, and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest.

ix. Receive advance written or electronic notice of the date, time, and location of any meeting or hearing they are required to or are eligible to attend. Accused individuals will also be told the factual allegations concerning the violation, a reference to the specific code of conduct provisions alleged to have been violated, and possible sanctions.

x. Have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.

xi. Offer evidence during an investigation and to review available relevant evidence in the case file (or otherwise held by the College), including the investigator’s findings report, consistent with institution policies and procedures.

xii. Present evidence and testimony at a hearing, where appropriate.

xiii. A range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition, if available.

xiv. The right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in college disciplinary stage that determines responsibility. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanction.

xv. Ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.
xvi. Make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.

xvii. To simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanctions, and the rationale for the decision and any sanctions.

xviii. Written or electronic notice about the sanction(s) that may be imposed on the accused/Respondent based upon the outcome of the conduct proceeding. For students found responsible for sexual assault, the available sanctions are suspension with additional requirements and expulsion/dismissal.

xix. Access to at least one level of appeal of a determination before a panel that is fair and impartial and does not include individuals with a conflict of interest (Section X.C.)

xx. Have access to a full and fair record of a student conduct hearing, which shall be preserved and maintained for at least five years.

xxi. Choose whether to disclose or discuss the outcome of a conduct hearing.

xxii. Have all information obtained during the course of the conduct or judicial process be protected from public release until the appeals panel makes a final determination unless otherwise required by law.

xxiii. Evidence to be presented by the Complainant(s) and Respondent(s) during any hearing on the charges must be submitted to the Title IX Coordinator at least two (2) business days in advance of the scheduled hearing. This evidence will be shared with the opposing party. The Hearing Officers or Title IX Coordinator may exclude evidence that has not been shared or adjourn the hearing to afford all parties the opportunity to review evidence to be presented during the hearing. The Hearing Officers and/or Title IX Coordinator will make the final decision related to the admissibility of all evidence.

4. Interim Administrative Action Process Involving Sexual Misconduct

a. When the accused or Respondent is a student, the College will issue a “No Contact Order” meaning that continuing to contact the protected individual, either directly or through a third party, is a violation of College policy subject to additional conduct charges; if the accused or Respondent and a protected person observe each other in a public place, it is the responsibility of the accused or Respondent to leave the area immediately and without directly contacting the protected person.

b. When the accused or Respondent is a student and presents a continuing threat to the health and safety of the community, the accused or Respondent may be subject to a temporary suspension pending the outcome of the student conduct process.

c. Both the accused/Respondent and the Reporting Individual shall, upon request, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any Interim Administrative Action. The accused/Respondent or Reporting Individual may make requests to modify the terms of or discontinue an interim
administrative action. Both the accused/Respondent and Reporting Individual shall be allowed to submit evidence in support of his or her request.

i. The request for review must be submitted in writing to the Associate Dean of Student Life (by email: studentlifedean@sunywcc.edu or in person: Student Center 202) within 2 business days of the imposition of Interim Administrative Actions.

ii. The College may establish an appropriate schedule for the accused/Respondent to access applicable institution buildings and property at a time when such buildings and property are not being accessed by the reporting individual.

SECTION X: Appeals

An appeal is a process to request the review of the original student conduct outcome. Resolutions reached by an Administrative Agreement are not eligible for an appeal, unless a sanction was imposed by the Student Conduct Officer. For Hearings, the Respondent has the right to submit one application for appeal. In cases of Sexual Misconduct, both the Reporting Individual and Respondent have the right to appeal and are governed by different appeal procedures per Section X.C. An appeal does not rehear a student conduct case, but rather, determines if the conclusion reached in the original case is valid based on substantiation of a procedural error, new evidence, or the severity of the sanction.

1. Grounds for Appeal

The application for an appeal may only be filed on the grounds below and must meet at least one of the three standards to be considered for appeal as determined by the Vice President of Student Access, Involvement & Success:

a. **Procedural Error**: is when the hearing was not conducted in conformity with the policies and procedures detailed in the *Student Code of Conduct*, and as a result, the outcome of the case was significantly impacted. A procedural error and its impact on the case must be clearly described in the appeal.

b. **Sanction Severity**: is when a sanction(s) was not appropriate for the violation(s) of the *Student Code of Conduct*. Evidence must show that the sanction is inappropriate based on the infraction.

c. **New Evidence**: refers to new evidence that was unavailable during the original hearing or investigation that could significantly impact the original finding or sanction. A summary of the new evidence and its potential impact must be included. This does not include information available but not disclosed at the Hearing/Administrative Conference by choice (i.e. opting not to disclose or a Respondent not attending a Hearing/Administrative Conference).

2. Appeal Procedure for Cases Not Involving Sexual Misconduct

a. An appeal must be submitted within five (5) business days of the decision of the hearing officers or a Student Conduct Officer. All appeals shall be in writing and shall be delivered to the Vice President of Student Access, Involvement & Success or designee. He/she shall determine if the appeal is timely and meets the grounds for appeal. The
original decision and sanction will stand if the appeal is not timely or does not meet the grounds for appeal and the decision will be final.

b. If the appeal is timely and meets the grounds, the appeal will be reviewed based on the preponderance of evidence standard. Except as required to explain the basis of new information, an appeal shall be limited to a review of the student conduct file. The audio recording of the hearing shall be available to the Vice President for review as necessary.

c. After reviewing an appeal that is deemed both timely and having met the necessary grounds, the Vice President of Student Access, Involvement & Success may uphold the original decision, reverse the decision, add or remove sanctions, or charge another hearing with new Hearing Officers. If the original decision is upheld, reversed or if sanctions are added or removed, this decision will be final and binding upon all parties. If a new board is convened, the process will follow the same rules as the original process.

d. Written notification will be sent to the Respondent.

3. Appeals for Sexual Misconduct

In such cases, the Reporting Individual and Respondent will receive written notification of the Hearing Officer’s decision and either party can then submit an application for appeal within five business days according to the procedures described above.

If one party submits an application for an appeal, the non-requesting party will receive notice that an appeal was submitted and may then submit either his/her own appeal or a written response to the requesting party’s appeal within five business days of the notification. If both parties appeal, the appeals will be considered concurrently.

Appeals will be reviewed by a three-member appeal panel consisting of Vice-President and Dean of Student Access, Involvement and Success and two other designated College members of the Vice President’s choice who were not involved with the original case. The appeal panel, by majority vote, may uphold the original decision, reverse the decision or charge another hearing with new Hearing Officers. If the original decision is upheld, reversed or if sanctions are added or removed, this decision will be final and binding upon all parties. If a new board is convened, the process will follow the same rules as the original process. The results of any appeal will be communicated in writing to the reporting individual/Complainant and the Respondent by Vice-President and Dean of Student Access, Involvement and Success. This letter will include the underlying decision, sanction, and rationales for decision and sanction.


Academic dishonesty is both an academic matter between a student and his/her faculty member and a violation under the Student Conduct Code. An act of academic dishonesty may and should be handled by the faculty member, the student, and, if appropriate, the faculty member’s department head and/or academic dean. Sanctions that can be assigned by a faculty member range from giving a reduced grade on the work in question to failing the student for the entire course. A sanction assigned by a faculty member is an academic sanction, not a disciplinary sanction and is independent of any disciplinary actions taken against the student by the College.
If the matter is resolved satisfactorily between the student and the faculty member, the faculty member may still report the incident to the Associate Dean of Student Life. The Associate Dean will maintain a record of the reported incident and may elect to pursue College disciplinary action against a student.

If the faculty member decides that a stronger sanction is needed instead of or in addition to any academic sanctions assigned by that faculty member, the incident may be referred to the Associate Dean of Student Life for review and possible College disciplinary action. Once the referral is made, the incident will be handled in the same manner as would any other allegation under the Student Code of Conduct.

Academic sanctions assigned by the faculty member in agreement with the student or assigned by the faculty member after the charge of academic dishonesty has been validated through the College disciplinary system cannot be grieved under the College’s Grade Grievance Procedure.

**SECTION XII: Actions Taken by the CARES Team**

The CARES Team is a cross-functional committee of faculty, staff and administrators who assess reported student behavior of concern. In order to address the safety and security of the community, CARES may recommend plans for intervention that ensures the likelihood of a positive and safe resolution for both the student and the college. CARES may require a student to complete a mandated psychological, threat and/or violence risk assessment to ensure the safety and security of the individual & community.

**SECTION XIII: Student Disciplinary Files and Student Records**

The Associate Dean of Student Life will establish a student disciplinary file whenever a case is reported for a possible violation. The file of a student found to have violated the Student Code of Conduct will be retained for five years from the date of the sanction. Student conduct records may be retained longer or permanently if the student was suspended or expelled or if there is reason to believe the case could result in future litigation. The case summary will be retained on the Maxient database indefinitely. The release of student disciplinary records will be governed by applicable federal and state laws governing the privacy of educational records.

For disciplinary complaints involving withdrawal prior to a disciplinary hearing or administrative conference, suspension, or expulsion, the student’s academic transcript shall be noted as follows:

- **Withdrawal with Conduct Charges Pending:** Student receives W grades according to established guidelines. Transcript comment reads: “Withdrew with conduct charges pending on (date).” Comment is removed if the student is readmitted.

- **Suspension:** Student receives W grade according to established guidelines. Transcript comment reads: “Suspended after a finding of responsibility for a Code of Conduct violation from (date) to (date).” Comment is removed at the end of the suspension period.

- **Expulsion:** Student receives W grades according to established guidelines. Transcript comment reads: “Expelled after a finding of responsibility for a Code of Conduct violation on (date).” Comment shall not be removed.

**NOTE:** If a finding of responsibility is vacated for any reason, any transcript notation shall be removed from a student’s record.
READMITTANCE

As per the Registrar’s Office, returning student who attended WCC less than seven years ago or graduated from WCC and want to take additional courses, are reactivated in the Registrar's Office. However, students who attended WCC seven years ago or more, must submit a new admission application and transcripts.