

2018-2019

Villa Maria College Student Handbook



Villa Maria College is a Felician Franciscan Sponsored Ministry

The provisions of this Handbook are not to be regarded as a contract between the College and the student. The College reserves the right to make necessary changes in the information contained in this handbook at any time, which supersedes all previous handbooks.

2018-2019 Villa Maria College Student Handbook

Welcome

On behalf of Villa Maria College, I am pleased to introduce the 2018-2019 Student Handbook. This handbook is a valuable resource, which contains information about the College, and its policy and procedures for students. These policies and procedures guide our actions as a college community toward fulfilling our mission and living out the College's core values.

At Villa Maria College we believe education is about more than just earning a degree. Beyond our desire for students to develop intellectually, we are concerned with the overall physical, emotional and spiritual growth of the individual. The College offers a full complement of support services to help students succeed personally and professionally, from our Career Services Center and Campus Ministry to the Academic Support Center and our Counseling Center.

In order to be a successful student at Villa Maria College it is essential that you seize the opportunities that are presented to you for intellectual and personal growth. This is applicable to all areas of academic and college life, including the classroom, your co-op or internship, student organizations, activities, opportunities for spiritual growth, service to others, and more. As faculty and staff of Villa Maria, we will support you in these endeavors and challenge you to be transformed by your educational experience.

Please note that all students are responsible for reading and knowing the policies and regulations in this handbook. This handbook will be a helpful guide throughout your time at Villa Maria College. We encourage you to consult it regularly and use it wisely.

Dr. Agnes Zak-Moskal
Dean of Student Affairs



2018-2019 Villa Maria College Student Handbook

1. **Villa Maria College Student Handbook Introduction**

- a. This Student Handbook contains helpful information. It also contains policy statements and procedures which every Villa Maria College student is expected to follow. Each student is responsible for knowing and observing the contents of both this handbook, as well as the Villa Maria College Catalog.
- b. In recognition of the necessity to provide an environment conducive to free inquiry and free expression in an academic institution, for fair and just relationships with students, and in the spirit of the “Joint Statement on Rights and Freedom of Students,” Villa Maria College has developed the Student Rights, Student Responsibilities and the Student Code of Conduct contained in this handbook.
- c. Villa Maria College expects the members of the College community to demonstrate respect for themselves and others at all times. This respect includes a responsibility to show sensitivity to difference and act justly in interactions with one another. All members of the community are entitled to and responsible for maintaining an environment of civility that is free from disparagement, intimidation, harassment, and violence of any kind. Villa Maria College expects the members of the College community to respect college property, the private property of other members of the College community, and the property of the larger neighborhood and city in which we live.
- d. Provisions of this Handbook are not to be regarded as a contract between the College and the student. The College reserves the right to make necessary changes in the information contained in this handbook, which supersedes all previous handbooks.
- e. **Villa Maria College Mission Statement**
 - i. Villa Maria College, founded by the Felician Sisters, provides students a rigorous and enriching educational experience. Offering academic programs with a broad core curriculum, the College transforms and empowers students to realize their intellectual, creative, professional, and spiritual potential. Inspired by a welcoming Catholic tradition and a dynamic Franciscan spirit, Villa Maria College offers individual attention and fosters compassion, justice, peace, respect for human dignity and a commitment to service.
- f. **Villa Maria College Core Values**
 - i. Respect for Human Dignity—our reverence for and commitment to promoting and protecting the dignity of persons.
 - ii. Compassion—an empathetic consciousness of others expressed in caring service.
 - iii. Transformation—the process that encourages an open mind and heart leading to continuous improvement of the person and ministry.

- iv. Solidarity with the Poor—ensuring the needs of the poor and vulnerable are met through advocacy and action.
 - v. Justice and Peace—forging right relationship: re-creating a sustainable environment, promoting the common good, in pursuit of justice.
- g. **Student Rights** - All students, as members of the Villa Maria College community, shall have the following rights:
- i. Freedom of expression and assembly subject to the limitations of the Student Code of Conduct and other College regulations and policies.
 - ii. Freedom to pursue educational goals.
 - iii. The right to notification by the instructor, during the first week of class and in the form of a written syllabus, of all course requirements. Such notification should include, but not be limited to, course subject matter for each class meeting, assignments and due dates, types of examinations and examination dates, instructor’s office hours, required texts and procedures for determination of final grades. All students have the right to adequate notice of substantive changes in course content.
 - iv. Freedom from unreasonable search and seizure by College officials subject to the Student Code of Conduct and other College regulations and policies. The College determines the reasonableness of searches and seizures. Generally, unreasonable searches and seizures are those that are not allowed by the Student Code of Conduct, other College regulations and policies.
 - v. The right to conduct procedures as defined in the College Conduct System.
 - vi. The right to privacy and confidentiality of student records according to the Family Educational Rights and Privacy Act (FERPA). See FERPA policy for more information.
 - vii. The right to be evaluated fairly in all academic endeavors and to challenge an academic evaluation in accordance with the Grade Appeal Process.
 - viii. The rights afforded to all students in the Sexual Assault Victims Bill of Rights found in section 15 of this Handbook, and on-line here: <https://www.villa.edu/campus-life/campus-security/titleix/> and here: <http://www.villa.edu/wp-content/uploads/2018/07/Villa-Maria-College-Sexual-Offense-Policy-and-Procedures-for-Students-and-Employees.pdf>
- h. **Student Responsibilities** - Students, as members of the College community, are responsible to act in a way that positively reflects the mission and values of Villa Maria College. In addition to these general responsibilities, students must abide by the Code of Student Conduct and other policies found throughout this handbook and in the College Catalogue.
- i. The responsibility for maintaining academic integrity and other standards of academic performance as established by College policies and regulations.

- ii. The responsibility for acting in such a manner as to insure that other students may enjoy the rights declared under the Student Rights.
- iii. The responsibility for respecting and complying with the Mission Statement of the College, as well as the Student Code of Conduct.
- iv. The responsibility for respecting and complying with all provisions of local, state and federal laws.
- v. The responsibility for acting in a manner which promotes an atmosphere of learning, free expression and respect for the rights, dignity and worth of every individual in the College community.
- vi. The responsibility for meeting financial and other obligations to the College.
- vii. The responsibility to register for a Villa Maria College e-mail account and to utilize it as the primary means of communication as a student.

2. Student Code of Conduct

a. Introduction

- i. Villa Maria College is a private, Catholic college, which holds basic traditions and Christian principles including certain expectations of ethical and moral behavior. The College therefore, reserves the right to establish and enforce regulations governing student behavior.
- ii. All students who enroll in Villa Maria College are assumed to be mature people of high moral character, who understand the need to conduct themselves in a manner that is compatible with the College's mission as an educational institution. Each student is expected to become familiar with all College policies, rules and regulations and is responsible for adhering to them.
- iii. Students must understand that the Code of Conduct may operate simultaneously with federal, state, or local law. The College will not protect any student from the enforcement of the law. College officials will assist law enforcement agencies wherever possible.
- iv. In addition to the policies listed in various sections of this handbook, the Student Code of Conduct outlines behaviors that are prohibited at the College and other policies related to student behavior. The specific items are not meant to serve as an exhaustive list, but as a general guideline for addressing student behavior. The College reserves the right to address other behaviors that occur that are considered detrimental to the learning environment and/or health and safety of the College community.

b. Student Code of Conduct Policy and Expectations

- i. Violations of this Code may be construed to include any active violation, attempted violation, solicitation of another to commit a violation, or aiding another in a violation. Disciplinary action may be instituted when an individual or group of individuals violates any of the following standards. In addition, this Code of Conduct, contains important policy, standards, and guidance for students.

- c. Academic Dishonesty
 - i. Academic Dishonesty includes but is not limited to the following: 1) the completion or attempted completion of any academic work by means other than those permitted; and 2) the alteration of a document relating to the grading process, including – changing an instructor’s grade book, or changing answers on a test after the time to complete the test is over.
 - ii. Examples of Academic Dishonesty include but are not limited to; unauthorized collaboration, copying another student’s answers, unauthorized aids on a test, fabricating assignments, using purchased or pre-made term papers, plagiarism, and destroying another student’s work.
 - iii. Plagiarism occurs when an individual presents the ideas, thoughts, or words of another as his or her own. Plagiarism includes, but is not limited to, using phrases, sentences, or ideas from a published source, including the internet, without citing that source, representing another’s unpublished work as your own, rewriting or paraphrasing the work of another without giving credit to that person by citation, submitting a paper as one’s own work that has been copied, in whole or in part, from another’s work.
 - iv. Generally, the faculty decides upon sanctions for acts of Academic Dishonesty. Thus, Academic Dishonesty may carry specific penalties carried out by the faculty outside of the Conduct Procedure. Those penalties include but are not limited to: failure on the specific assignment, failure of the course, and/or a letter detailing the offense that is kept in the Office of Academic Affairs. Note that although deference is given to the faculty to handle matters of Academic Dishonesty, such action does not preclude disciplinary action under the College Conduct Procedures.
- d. Affirmative Consent
 - i. 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.
 - 1. 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.
 - 2. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
 - 3. Consent may be initially given but withdrawn at any time.

4. 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.
 5. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
 6. When consent is withdrawn or can no longer be given, sexual activity must stop.
- e. Alcohol and Drugs
- i. Alcohol and drugs are prohibited on the College's property. On occasion, at the College's discretion, alcohol may be served on campus in accordance with College policy and state law. Students are expected to comply with all federal, state, and local laws pertaining to alcohol and drugs as well as the comprehensive additional information on Alcohol and Drug policy found in this handbook. Potential violations of law and College policy include but are not limited to:
 1. Possession, consumption, or transportation by automobile of alcohol by a person under 21 years of age.
 2. Use, Possession or Distribution of a controlled substance (illegal drugs), or drug paraphernalia.
 3. Possession or display of alcohol paraphernalia. Examples include but are not limited to: empty alcohol containers, shot glasses, alcoholic signage, and alcoholic games/toys.
 4. Sale or distribution of Alcohol on campus, except by vendors who possess the appropriate licenses and have received permissions from the Student Affairs Office.
 5. Presentation of any written or oral evidence of age that is false, fraudulent, or not a person's own for the purpose of ordering, purchasing, or attempting to procure alcohol by a person under 21 years of age.
 6. Any person bringing guests to campus is responsible for making College policies known, and any violations by the guests will be attributed to the host student.
 7. Granting access to or serving alcohol to those under 21 years of age or who are intoxicated.
 8. Possession of alcohol outside approved or registered areas.
 9. Being in the presence of alcohol outside approved or registered areas.

10. Destruction of College property at approved off-campus functions, resulting from the use of alcohol.
 11. Inappropriate behavior, noise, or conduct that infringes on the rights of others and is the result of the use of alcohol.
 12. Public intoxication, including but not limited to, the Villa Maria College campus.
 13. Any other violation of the Alcohol and Drug Policy in this handbook.
- f. Policy for Alcohol and Drug Use Amnesty for Students
- i. The health and safety of every student at Villa Maria College is of utmost importance. Villa Maria College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that a sexual offense occurs, including but not limited to domestic violence, dating violence, stalking, or sexual assault, may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Villa Maria College strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith that disclose any incident of domestic violence, dating violence, stalking or sexual assault to Villa Maria officials or law enforcement will not be subject to Villa's officials or law enforcement will not be subject to the Villa Maria 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.
- g. Assault
- i. Any intentional touching or attempt or threat of such touching, that either places another person in fear of imminent bodily harm, or causes or could have caused physical injury to another person.
 1. Examples may include: pushing, fighting, threatening to fight, or intimidation via social media.
 - ii. Any conduct, or attempted conduct, that results in harm to another's property including College property.
- h. Campus Sexual Assault Bill of Rights
- i. All students have the right to: The right to have any and all disclosures of domestic violence, dating violence, stalking, and sexual assault against them treated with seriousness and receive, from the institution, courteous, fair, and respectful health care and counseling services, where available;
 - ii. The right to have sexual assaults committed against them investigated and adjudicated by the duly constituted criminal and civil authorities of the governmental entity in which the crimes occurred, if the victim so chooses, including make a report to local law enforcement and/or

- the state police; and the right to the full and prompt cooperation and assistance of College staff in notifying the proper authorities. The foregoing shall be in addition to any campus conduct proceedings;
- iii. The right to be free from any kind of pressure from College staff that victims: a. not report crimes committed against them to civil and criminal authorities or to campus safety and other College staff; or b. report crimes as lesser offenses than the victims perceive them to be;
 - iv. The right to be free from any kind of suggestion that sexual assault victims not report, or underreport, crimes because: victims are somehow 'responsible' for the commission of crimes against them; victims were negligent or assumed the risk of being assaulted; or by reporting crimes they would incur unwanted personal publicity;
 - v. The right to participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard and in so doing, to describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
 - vi. The same right to legal assistance, or ability to have others present, including an advisor of their choice, in any campus disciplinary proceeding that the institution permits to the accused; and the right to be notified of the outcome of such proceeding;
 - vii. The right to counseling services from any mental health services previously established by the institution, or by other victim-service entities, or by victims themselves;
 - viii. After campus sexual assaults have been reported, the victims of such crimes shall have the right to require that appropriate College staff take the necessary steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with alleged assailants, including immediate transfer of classes, no contact orders, and other remedies if requested by the victims;
 - ix. Access to at least one level of appeal of a determination;
 - x. The right to report any inappropriate action, or lack thereof, in the handling of a reported sexual assault on the part of the College as a Title IX complaint;
 - xi. Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
 - xii. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or conduct process of Villa Maria College.
- i. Credit Card Marketing Policy
 - i. The advertising, marketing, or merchandising of credit cards to students on the campus of Villa Maria College is strictly prohibited.
 - j. Discrimination

- i. Any conduct that discriminates on the basis of age, race, religion, creed, color, national or ethnic origin, gender, disability, sex, sexual orientation, domestic violence victim status, marital status, veteran status, military status, predisposed genetic carrier status and any other characteristics or protected status recognized by applicable federal, state or local law.
 - ii. Non-Discrimination Statement:
 - 1. Villa Maria College does not discriminate on the basis of age, race, religion, creed, color, national or ethnic origin, gender, disability, sex, sexual orientation, domestic violence victim status, marital status, veteran status, military status, predisposed genetic carrier status and any other characteristics or protected status recognized by applicable federal, state or local law. This policy applies to admissions, all terms and conditions of employment, and any other aspect regarding the conduct of College programs and activities.
- k. Disorderly, Lewd, Harassing, or Indecent Conduct
 - i. Conduct or attempted conduct that either obstructs, disrupts, or interferes with the personal or group rights of others or with any activities of the College, including but not limited to, access to facilities and performance of normal College operation.
 - ii. Any severe, persistent, or pervasive activity or communication that is deemed intimidating, hostile, coercive, offensive or that limits a person's ability to participate in or benefit from the regular activity and environment of the College.
 - 1. This includes, but is not limited to bullying and cyber-bullying.
 - iii. Disrespect for a College official by using egregious or antagonistic language or behavior.
 - iv. Any behavior that jeopardizes the integrity of the College or any of its members.
 - v. Endangering the Safety of the College Community.
 - 1. Any conduct that endangers the safety of the College community, including but not limited to, tampering with safety or fire warning devices, setting a fire on College property, improper use of cooking equipment, and reckless operation of a motor vehicle.
 - vi. Vandalism: willful or malicious destruction or defacement of public or private property.
 - 1. Examples include: Intentional or unintentional misuse of college property that causes damage or additional work for the maintenance department.
- l. Failure to Comply
 - i. Failure to comply with the directions or requests of a College official or law enforcement officer in the performance of his or her official

- duties. This offense shall be construed to include any student's willful refusal to appear at a hearing of the College Conduct System.
- m. Failure to Honor Financial Obligations to the College
 - i. Failure to meet or honor the student's financial obligations to the College will result in the College withholding grades, transcripts, degrees, certificates, or diplomas until all debts are paid; however, further disciplinary action can be taken.
 - n. Failure to Provide ID
 - i. All students are required to carry their Villa Maria College ID at all times and to produce the ID upon request of a College official or law enforcement officer.
 - o. Fraud or Forgery
 - i. Fraud or Forgery includes all of the following actions or attempted actions:
 1. Any unauthorized tampering, falsification, alteration, misuse, or forgery of College documents.
 2. Representing oneself as another in writing or in person.
 3. Knowingly supplying false or misleading information to the College.
 4. Unauthorized possession of an ID.
 - p. Gambling
 - i. Gambling is prohibited unless it is approved by College administration.
 - q. Hazing
 - i. All acts of hazing, both on and off campus, by an organization or any of its members or alumni, are strictly forbidden. Villa Maria defines hazing as any action taken or situation created, intentionally, or recklessly, to produce mental, physical, or emotional discomfort, pain, embarrassment, harassment, or ridicule. Hazing is forbidden both on and off College property. Any student engaged in hazing may be subject to disciplinary action by the College, regardless of any claimed consent or assumption of the risk by the victim. Additionally, hazing is illegal under New York State law and any person engaged in hazing may face civil and criminal consequences, including possible jail time. See New York State law § 120.16 and 17. A helpful resource is www.StopHazing.org.
 - r. Hate Crime/Bias Crime
 - i. Villa Maria College prohibits student conduct violations, including criminal activity, which is motivated by bias or hate. This policy is in partial fulfillment of the requirements of the Hate Crimes Act of 2000, Art. 485 and Art.129-A of the New York State Laws of 2003, the following policy is in effect for Villa Maria College.
 - ii. Available Services for Victims of Hate Crime/Bias Crime
 1. Villa Maria College recognizes the need to make available confidential counseling and other support services to the

victims of bias-related crime and incidents. Victims may speak to the Director of Counseling, the Director of Campus Ministry, or to anyone on the staff the victim trusts. Referrals will be made when necessary.

2. Measures to reduce the likelihood of bias-related crimes or incidents include the sponsoring of a program once each semester. The orientation programs also address this topic. Students are reminded about security measures at Orientation and also through a program offered each semester.

s. Motor Vehicles

- i. Operators of motor vehicles are expected to follow the laws that govern the use of motor vehicles while on campus and should exercise caution and good judgment when doing so. Violations of law relating to the use of motor vehicles may be monitored and enforced by any campus administrator, most commonly by members of the Security staff. Violations to this policy may be forwarded to Cheektowaga Police for enforcement or may be referred through the Student Conduct procedure.

t. Sexual Offenses

- i. These prohibited behaviors are repeated in the Sexual Offense Policies and Procedures for Student and Employees found in section 15 of this Handbook, and on-line here: <https://www.villa.edu/campus-life/campus-security/titleix/> and here: <http://www.villa.edu/wp-content/uploads/2018/07/Villa-Maria-College-Sexual-Offense-Policy-and-Procedures-for-Students-and-Employees.pdf>
- ii. Sex Discrimination: behaviors and actions that deny or limit a person's ability to benefit from, and/or fully participate in the educational programs or activities or employment opportunities because of a person's sex.
 1. Examples of sex discrimination under Title IX include, but are not limited to, sexual harassment, failure to provide equal opportunity in education programs and co-curricular programs including athletics, discrimination based on pregnancy, and employment discrimination.
- iii. Sexual Harassment is unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment or the educational relationship; (2) submission to or rejection of such conduct is used as a basis for employment or education decisions affecting the individual; or (3) such conduct has the effect of unreasonably interfering with a student's or employee's work performance or creating an intimidating, hostile, or offensive working, educational, or living environment. While sexual harassment

encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

1. Promising, directly or indirectly, a student or employee a reward, if the student or employee complies with a sexually oriented request.
 2. Threatening, directly or indirectly, retaliation against a student or an employee, if the student or employee refuses to comply with a sexually oriented request.
 3. Denying, directly or indirectly, a student or employee an employment or education related opportunity, if the student or employee refuses to comply with a sexually oriented request. Engaging in sexually suggestive conversation or physical contact or touching another student or employee.
 4. Displaying pornographic or sexually oriented materials.
 5. Engaging in indecent exposure.
 6. Making sexual or romantic advances toward a student or employee and persisting despite the student or employee's rejection of the advances.
 7. Physical conduct such as assault, touching, or blocking normal movement.
 8. Retaliation for making harassment reports or threatening to report harassment.
 9. Sexual harassment can involve males or females being harassed by members of either sex. Although sexual harassment sometimes involves a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority also can be found responsible for engaging in prohibited harassment.
 10. Sexual harassment can be physical and/or psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one of the incidents considered separately would not rise to the level of harassment.
- iv. **Sexual Misconduct:** Sexual Misconduct is a broad term encompassing any sexual offense that violates Villa Maria College's Code of Conduct and/or Sexual Offense Policy and Procedure. In general, any non-consensual physical contact of a sexual nature may constitute Sexual Misconduct. Sexual Misconduct may vary in its severity and consists of a range of behaviors or attempted behaviors that may be grounds for student conduct action under College policy.
- v. **Sexual Assault:** Sexual assault can be defined as any type of sexual contact or behavior that occurs by force or without consent of the recipient of the unwanted sexual activity. Falling under the definition of sexual assault is sexual activity such as forced sexual intercourse, sodomy, child molestation, incest, fondling, and attempted rape. It

includes sexual acts against people who are unable to consent either due to age or lack of capacity.

- vi. Non Consensual Sexual Contact: Non-Consensual Sexual Contact is any intentional sexual touching, however slight with any object or body part, by a man or a woman upon a man or a woman, without consent.
- vii. Non-Consensual Sexual Intercourse/Non-forcible sex offenses: Non-Consensual Sexual Intercourse is: any sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a man or woman upon a man or a woman, without consent. This includes non-forcible sex offenses, which is defined as unlawful, non-forcible sexual intercourse.
- viii. Forced Sexual Intercourse/Forcible Sex offenses: Unwilling or non-consensual sexual penetration (anal, vaginal or oral) with any object or body part that is committed either by force, threat, intimidation, or through exploitation of another's mental or physical condition of which the assailant was aware or should have been aware. This definition includes: any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.
 - 1. Sexual Activity includes: Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice. Intercourse however slight, meaning vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact).
- ix. Sexual Exploitation: Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.
 - 1. Examples of sexual exploitation include, but are not limited to: prostituting another student; non-consensual video or audio-taping of sexual activity; going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex); engaging in Voyeurism; knowingly transmitting an STD or HIV to another.
- x. Domestic Violence: Any felony or misdemeanor crime committed by a current or former spouse of the victim; a person the victim has a child with; an individual who lives or has lived with the victim as a spouse, or a person similarly situated to a spouse; and any other person committing

an act against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

- xi. Dating Violence: Violence committed by a person who is or has been in a relationship — of a social, romantic or intimate nature — with a victim. The existence of such a relationship is to be determined by the length and type of relationship and the frequency of interaction.
- xii. Stalking: Engaging in conduct directed at an individual that would cause any reasonable person to fear for her safety or that of others, or that inflicts emotional distress.
- xiii. Incapacitation: Incapacitation occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Such things that can influence choice include: force, coercion, intimidation, threat of harm, intoxicants. This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of a so-called "date-rape" drug. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student for the purpose of inducing incapacity is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/>
- u. Smoking
 - i. Smoking is prohibited on College property. Cigarettes cannot be sold, advertised or given as samples on campus. Further information can be found in the Tobacco Free Policy in this handbook.
- v. Solicitation
 - i. Solicitation on campus is prohibited unless the Vice President for Finance and Administration gives their consent in writing.
- w. Theft or Possession of Stolen Goods
 - i. Theft and possession of stolen goods are strictly prohibited. Theft includes, but is not limited to, the taking of furniture or objects from college lounges and common areas; the borrowing of personal or college items without permission; the use of another's items for re-sale or distribution.
- x. Unauthorized Entry
 - i. Unauthorized entry includes:
 1. Breaking and entering into any building or room on campus
 2. Unauthorized use of a College key or access device.
- y. Unauthorized Use of Campus Property, Name, Logo
 - i. The Villa Maria College name, college seal, and logo are not to be used for any purpose without the consent of the Administration. Unauthorized use of all College property is strictly prohibited.
- z. Use or Possession of Dangerous Objects

- i. Use, possession, or storage of dangerous weapons, chemicals, explosive devices or materials, including, but not limited to, firearms, air guns, knives, ammunition, slingshots, metal knuckles, bows and arrows, firecrackers, and bombs of any kind are prohibited.
 - aa. Violation of College Policy
 - i. Any conduct that violates College Policy established by a specific area or department, including but not limited to Academic policies, classroom policies, computers/computer labs, financial aid, the library, Collegiate Village, parking lots, or recreation facilities.
 - bb. Violation of Law
 - i. Any conduct that could be construed as a violation of any state, federal or local law can be cause for disciplinary action. Students are required to notify the Dean of Student Affairs of any arrest or conviction of crime other than minor motor vehicle infractions where no one was hurt. Notice should be given within five (5) days of the occurrence.

3. **Villa Maria College Student Conduct System**

- a. Jurisdiction - Jurisdiction is the right and authority to hear and resolve controversies, and dispense disciplinary action. The College Conduct System's jurisdiction includes all violations of the Student Code of Conduct by a Villa Maria College student, organization, or group, committed on campus or off campus if:
 - i. The victim is a student of Villa Maria College or a Villa Maria College affiliated individual or group, including the College itself.
 - ii. The alleged violator has used his or her status as a student, organization, or group of Villa Maria College to facilitate the commission of the offense.
 - iii. The violation is committed at a Villa Maria College sponsored or sanctioned event.
 - iv. The event raises serious questions as to the fitness of the student, organization, or group, to continue its relationship with Villa Maria College, due to concerns for the safety of the College community.
- b. Conduct Authority
 - i. The Dean of Student Affairs shall have original jurisdiction in all controversies.
 - ii. The Dean of Student Affairs shall have the authority to investigate possible violations of the Student Code of Conduct before and after charges are made.
 - iii. The Dean of Student Affairs shall have the responsibility of determining the composition and authority of Conduct and Appellate Bodies. Conduct disputes may be resolved through administrative hearing, typically facilitated by 1 to 3 College administrators, or through the use of a conduct board/panel. The Dean of Student Affairs has the ability to determine the type and formation of such function.

- iv. The Dean of Student Affairs is charged with development of policies for the administration of the conduct program and procedural rules for the conduct of hearings that are not inconsistent with provisions of the Student Code of Conduct. Questions of interpretation of this College Conduct System's procedures are to be resolved by the sound judgment of the Dean of Student Affairs.
 - v. A Conduct Body may be designated to resolve certain disputes within the student community. All parties must agree to resolution and agree to be bound by the decision with no right of appeal.
- c. Charges and Hearings
- i. Any member of the College community may bring charges against any student for alleged violations of Student Code of Conduct. A charge shall be prepared in writing and directed to the Dean of Student Affairs or designee who is responsible for the administration of the College Conduct System. Charges should be submitted within six months of the incident.
 - ii. The Dean of Student Affairs or Designee may investigate the charges to determine if the charges have merit, or appoint a qualified investigator to do so.
 - iii. The Dean of Student Affairs or Designee may attempt to dispose of the charges by mutual consent of the parties involved on a basis acceptable to the Dean of Student Affairs or Designee. Such disposition shall be final and there shall be no subsequent proceedings. If the charges cannot be disposed by mutual consent, the Dean of Student Affairs or Designee may later serve in the same matter as a member of the Conduct Board.
 - iv. All charges shall be presented to the accused student(s) in written form. A date and time shall be set for an initial hearing within a reasonable time after the student has been notified, generally not less than two and not more than fifteen calendar days. Notice will be given to the student via College e-mail and in a written letter mailed to their address on file, or delivered to them in class. Failure of the student to collect his or her mail from an e-mail inbox does not render the notice ineffective. Maximum time limits for scheduling of hearings may be extended at the discretion of the Dean of Student Affairs or Designee for the convenience of those involved.
 - v. An accused student may request an initial meeting with the Dean of Student Affairs to clarify the charges against him or her and learn about the College Conduct System.
 - vi. If College officials determine that the actions of a student(s) are a threat to the health and safety to any member or members of the campus community, the College may immediately suspend the student from classes and campus activities, and remove the student from campus pending a Conduct Hearing on an interim basis.

1. During an interim suspension, a student may continue course work through independent study unless otherwise determined by the Dean of Student Affairs or the Vice President for Academic Affairs.
- vii. Students under criminal investigation or who have pending legal charges may be suspended until the resolution of the criminal investigation or legal action.
 1. During an interim suspension, a student may continue course work through independent study unless otherwise determined by the Dean of Student Affairs or the Vice President for Academic Affairs.
- viii. Violations of the Student Code of Conduct will be handled through the College's Conduct System. If a controversy cannot be disposed of by mutual consent, a hearing will be conducted.
- d. Conduct Hearing Procedures - Conduct Hearings shall be conducted according to the following guidelines:
 - i. The Dean of Student Affairs will appoint a Hearing Officer or a Conduct Board to conduct hearings and determine sanctions.
 - ii. Conduct Hearings shall be conducted in private and may be recorded, which will become part of the student record.
 - iii. The complainant, accused student(s) or respondents, and their advisors, if any, shall be allowed to attend the entire portion of the hearing at which information is received (excluding deliberations). Admission of any other person to the hearing shall be at the discretion of the Conduct Board and/or the Dean of Student Affairs.
 - iv. At no time is a parent, guardian, or relative, permitted to be present for a Conduct Hearing. Legal counsel may be permitted at the discretion of the Dean of Student Affairs, but cannot exercise a speaking role in the hearing.
 - v. In hearings involving more than one accused student, the Dean of Student Affairs and/or Hearing Officer, at his or her discretion, may permit the hearings concerning each student to be conducted either separately or jointly.
 - vi. The complainant and the respondent student have the right to be assisted by an advisor. The advisor must be a member of the College community and may not function as an attorney at the hearing. The complainant and/or the accused student is responsible for presenting his or her own information and, therefore, advisors are not permitted to speak or to participate directly in any hearing. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the hearing because delays will not normally be allowed due to scheduling conflicts of the advisor.
 - vii. The complainant, the respondent student, and/or Hearing Officer/Conduct Board shall have the privilege of presenting witnesses.

The Hearing Officer/Conduct Board shall have the right to question all witnesses.

- viii. Pertinent records and written statements may be accepted for consideration at the discretion of the Hearing Officer/Conduct Board.
 - ix. All procedural questions are subject to final decision by the Dean of Student Affairs, the Hearing Officer and/or members of the Conduct Board. The Hearing Officer/Conduct Board may choose to suspend the hearing to consider such questions. The Dean of Student Affairs or Designee shall have the final say as to procedural matters.
 - x. All decisions in the Student Conduct process shall be made on the basis of the preponderance of the evidence, whether it is more likely than not that the accused student violated the Student Code.
 - xi. Formal legal rules of process, procedure, and/or technical rules of evidence, such as those applied in criminal or civil court, are not used in the Student Conduct System.
 - xii. Nothing in these paragraphs shall be interpreted to include the right to legal counsel. There shall be no cross examination of witnesses except by the Hearing Officer/Conduct Board if necessary.
 - xiii. There shall be a single record, such as written notes or a digital recording, of all hearings before a Conduct Board. Deliberations shall not be recorded. The record shall be the property of Villa Maria College, governed by the rules of FERPA.
 - xiv. If after receiving notice as described above, the respondent student does not appear for a Conduct Hearing, the hearing will be held in that student's absence. The information in support of the charges shall be presented and considered even if the accused student is not present.
 - xv. The Hearing Officer/Conduct Board may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, accused student, and/or witness during the hearing by providing alternative means of testimony, where the Dean of Student Affairs deems appropriate.
 - xvi. Proceedings under the Student Code are not criminal or civil proceedings and shall not be construed as such.
- e. Conduct Hearing Procedures Involving Sexual Offense Charges
- i. Cases Involving Initial or Ongoing Compliance Officer Investigations
 1. Upon receipt of a request for charges or complaint for which an investigation under Villa Maria's Sexual Offense Policies & Procedures For Students and Employees, available at found on-line here: <https://www.villa.edu/campus-life/campus-security/titleix/> and here: <http://www.villa.edu/wp-content/uploads/2018/07/Villa-Maria-College-Sexual-Offense-Policy-and-Procedures-for-Students-and-Employees.pdf>
 2. has not already been initiated, the Title IX Coordinator will designate a Compliance Officer or other trained investigator who

does not have a conflict of interest to promptly conduct a fair, complete, thorough, and impartial investigation that provides a meaningful opportunity to be heard, pursuant to Villa Maria's Sexual Offense Policies & Procedures for Students and Employees.

3. Upon receipt of a request for charges or complaint for which an investigation under the Sexual Offense Policies & Procedures For Students and Employees has already been initiated, the Title IX Coordinator will inform the Compliance Officer or other investigator who is conducting the investigation that the disciplinary charge or complaint is pending, and instruct the Compliance Officer or other trained investigator to investigate the charge or complaint as part of his or her investigation pursuant to Villa Maria's Sexual Offense Policies & Procedures For Students and Employees, and to make a preponderance of the evidence determination regarding the charges.
4. Following an investigation by a Compliance Officer, the Compliance Officer or other trained investigator will prepare written findings of fact and recommendations, with respect to whether it is more likely than not that the incident of sexual assault, relationship violence, or stalking occurred, appropriate disciplinary actions, if any, and/or other appropriate remedial measures. The parties will be informed, in writing, of the result of the investigation, any recommended sanctions, the rationale for the result and any recommended sanctions, the findings of fact, whether the disciplinary process will continue, information regarding sanctions that may be imposed as a result of the continuation of the disciplinary process, and any potential rights to appeal at that time. Delivery of this outcome will not be delayed to either party, and should occur as nearly simultaneously as possible, without unnecessarily bringing those in conflict into close proximity to each other.
 - a. If the Compliance Officer or other trained investigator determines that it is more likely than not that the student violated Villa Maria's Sexual Offense Policies & Procedures for Students and Employees, or any other provision of the Code of Conduct, the Compliance Officer will make a recommendation regarding any appropriate sanctions, and the Title IX Coordinator will refer the conduct charges to a Student Conduct Board for a hearing.
 - b. If the Compliance Officer or other trained investigator determines that the student did not violate Villa Maria's Sexual Offense Policies & Procedures for Students and Employees, or any other provision of the Code of Conduct, the Compliance Officer will not refer the conduct charges

to a Student Conduct Board for a hearing, and the charges will be dismissed. Upon receipt of the Compliance Officer's written determination, the co-complainant shall have the right to appeal the Compliance Officer's decision to an Appellate Board within two (2) business days of the decision, pursuant to the procedures set forth below.

ii. Cases Involving Completed Compliance Officer Investigations

1. If a request for charges or complaint is received after a Compliance Officer has completed an investigation into the incident under the Sexual Offense Policies & Procedures for Students and Employees by a Compliance Officer and issued a written determination to the parties, the Title IX Coordinator will determine whether to bring charges in the Student Conduct System, based on the Compliance Officer's determination. If the Compliance Officer determines it is more likely than not that the student committed a Sexual Offense, the Dean of Student Affairs will refer the charges to a Student Conduct Hearing. If the Compliance Officer determines that the student did not commit a Sexual Offense, the Dean of Student Affairs will not refer the charges to a Student Conduct Hearing, will dismiss the charges, and will inform the complainant of his or her right to appeal the Compliance Officer's decision to an Appellate Board within two (2) business days of the decision, pursuant to the procedures set below.

iii. The Campus Sexual Assault Bill of Rights (outlined above) can be found in this Handbook, and in the Sexual Offense Policies and Procedures for Students and Employees found on-line here:

<https://www.villa.edu/campus-life/campus-security/titleix/> and here:

<http://www.villa.edu/wp-content/uploads/2018/07/Villa-Maria-College-Sexual-Offense-Policy-and-Procedures-for-Students-and-Employees.pdf>

f. Appeal Process

- i. After the hearing process is concluded, a student may appeal the decision or sanctions imposed by a Hearing Officer/Conduct Board. All appeals must be in writing and submitted to the Dean of Student Affairs within two (2) calendar days of the conduct hearing. This written appeal is the sole basis for the review. The written statement should be as complete as possible and set forth the basis for changing the determination of the Conduct Hearing as described below. Except as provided below, an appeal shall be limited to a review of the record of the Conduct Hearing and supporting documents.
- ii. Basis for Changing the Determination of the Conduct Hearing. The determination of the Conduct Hearing can be changed by the preponderance of the evidence if the student can demonstrate that:

1. The Conduct Hearing was conducted unfairly in light of the charges and evidence presented, or not according to the prescribed procedures giving the respondent student a reasonable opportunity to prepare and to present his/her defense,
 2. The decision reached regarding the respondent student was not based on the evidence, i.e., the facts in the case were insufficient to establish a violation of the Student Code of Conduct, or
 3. The sanction(s) imposed were inappropriate compared to the violation.
 4. New facts should be considered. In order to consider new facts, those facts must be sufficient to alter a decision, not known to the student appealing at the time of the original hearing. An Appellate Body shall determine the propriety and admissibility of any new facts. If the new facts are admissible, the Appellate Body shall consider those facts and change the determination of the Conduct Hearing, as it deems appropriate.
- iii. Review by an Appellate Body is final and may result in more severe sanction(s) for the accused student(s).
 - iv. The Appellate Body may consist of any of following College Officials: The Dean of Student Affairs, the Director of Student Life, the Director of Student Success, the Director of Human Resources, the Vice President for Enrollment Management, the Vice President for Academic Affairs or designee, the Vice President for Finance, or the Vice President for Development. The Appellate Body may not be the Hearing Officer or member of the Conduct Board in the original hearing.
 - v. The Appellate Body shall not consist of the President of the College.
 - vi. Following an Appellate Body decision, no other College official shall review the case.
- g. Parental Notification
- i. The parents of a student may be notified in the case of a health or safety emergency according to the exceptions in FERPA policy.
- h. Disciplinary Actions
- i. Record of Disciplinary Actions Taken
 1. Other than Dismissal and Revocation of a degree, or issues that require transcript notation, disciplinary actions shall not be made part of the student's permanent academic record but shall become a part of the student's confidential record.
 - ii. Types of Disciplinary Actions
 1. The following Disciplinary Actions may be imposed upon any student, organization, or group found in violation of the Student Code of Conduct:
 - a. Warning – a notice in writing that states that the student, organization, or group has violated the Code.

- b. Disciplinary Probation – a written reprimand for a violation of the Code. Probation is for a designated period of time and includes the probability of more severe disciplinary actions if the student group or organization is found in violation of the Code during the probationary period. Students, organizations or groups on probation may not be allowed to participate in College activities.
 - c. Loss of Privileges – denial of specified privileges for a designated period of time.
 - d. Fines – an assessment of a proportionate monetary penalty.
 - e. Restitution – compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - f. Notification of Others – In the event that individuals or college offices need to know of a student’s sanctions, the Dean of Student Affairs or designee may do so.
 - g. Discretionary sanctions – behavior expectations, work assignments, essays, service to the College or other related discretionary sanctions.
 - h. Academic Hold – a hold being placed on student’s records, grades, transcripts, or registration until certain conditions are met.
 - i. Suspension – separation from the College for a definite period of time. Conditions for readmission may be specified as part of the Disciplinary Actions. Suspension may be probated to begin at a determined point in the future.
 - j. Dismissal – permanent and complete separation of the student from the College.
 - k. Revocation of admission and/or degree – admission to the College or a degree awarded from the College may be revoked for fraud, misrepresentation, or other violations of the Code in obtaining a degree, or for other serious violations committed by a student prior to graduation.
 - l. Withholding degree – the College may withhold awarding a degree otherwise earned until completion of the process set forth in the Student Code of Conduct, including the completion of Disciplinary Actions imposed.
- iii. More than one of the above types of sanctions may be imposed for any single violation.
 - iv. Sexual Offenses – The Sexual Offense Policies and Procedures for Students and Employees outlines additional policy and procedures that may intersect with the Student Conduct System. Please refer to this

policy for additional details found on-line here:

<https://www.villa.edu/campus-life/campus-security/titleix/> and here:

<http://www.villa.edu/wp-content/uploads/2018/07/Villa-Maria-College-Sexual-Offense-Policy-and-Procedures-for-Students-and-Employees.pdf>

4. Academic Policies

- a. Introduction
 - i. The following academic policies are intended to guide students in their academic endeavors at Villa Maria College. Additional academic policies and procedures can be found in the College Catalogue.
- b. Academic Dishonesty
 - i. Integrity and credibility are the foundation for all academic work. Academic dishonesty is thus a grievous offense to the educational process and the mission of Villa Maria College. All members of the Villa Maria College community are expected to behave with integrity and credibility.
 - ii. The Academic Dishonesty Policy may be found in the Student Code of Conduct. Violations of that policy may be cause for sanctions by Academic Affairs according to the College Catalogue and/or the College Conduct System.
- c. Building Security
 - i. Building security is everyone's responsibility. Students should carry their keys, close doors, report suspicious persons, and not give access to unescorted guests. Propping outside doors is a security risk to all students, and is not permitted.
 - ii. Bicycles
 - 1. Bicycles are not permitted inside campus property. There are no storage facilities available for bikes in campus buildings. Therefore, bikes must be stored outside.
- d. Classroom Expression
 - i. Discussion and expression of all views relevant to the subject matter are permitted in the classroom and subject to the responsibility of the faculty member to maintain order and to adhere to class time limitations.
 - ii. Students are responsible for learning the content of any course in which they are enrolled.
 - iii. Students are responsible for all stated course requirements, as found in the syllabus of that course.
 - iv. Academic evaluation of student performance shall be neither prejudicial nor capricious.
 - v. Information about student views, beliefs and political associations acquired in confidence by faculty members in the course of their teaching, advising and counseling should remain confidential.
- e. Campus Expression

- i. Discussion and expression of all views are permitted within the College subject to requirements for the maintenance of order.
 - ii. Support of any cause by orderly means that does not disrupt the operation of the College is permitted.
 - iii. Public statements and demonstrations by individual members of the College community or organizations shall be clearly identified as representative only of those individuals or organizations and not of the College.
 - iv. Students, groups and organizations may invite persons on campus subject to the requirements for use of College facilities and permission from the Dean of Student Affairs. An honest effort shall be made to provide College facilities for speakers and/or programs invited to the campus by a recognized campus organization.
 - v. Sponsorship of guest speakers and/or programs does not necessarily imply approval or endorsement of the views expressed either by the sponsoring organization(s) or the College.
- f. Campus Publications
- i. The College recognizes that student publications can be a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration of the campus. They can be a means of bringing student concerns to the attention of the College community and of formulating student opinion. All student publications shall be published in accordance with guidelines established by the policies and procedures set forth by the governing documents of each particular publication. These guidelines shall adapt generally accepted journalistic standards to the College setting.
 - ii. Student publications shall be generally free of censorship, and their editors and managers shall be free to develop their own editorial policies and news coverage.
 - iii. This sense of free expression shall recognize the religious character of the College and shall be sensitive to that character.
 - iv. This editorial freedom entails a corollary obligation to honor those generally accepted journalistic standards as interpreted by the College, including but not limited to, the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, techniques of harassment and innuendo, and to follow all applicable regulations of the Federal Communications Commission. Editorial policy is to be consistent with the provisions of the Student Code of Conduct.
 - v. Editors and managers of student publications shall not be arbitrarily suspended or removed from office because of student, faculty, administrative, alumni or public disapproval of editorial policy or content. Editors and managers shall be subject to sanctions only for proper and stated causes in violation of conduct in their role as editors or managers, and when the conduct in question pertains to publications as defined in

this Code. Such sanctions shall normally be imposed only as a part of established College Conduct System for students; provided, however, that nothing herein shall be construed to limit the authority of the College in dealing with wrong-doing or breaches of accepted journalistic ethics or standards by any student editor, reporter or publications manager or staff person.

- vi. All student communications shall explicitly state on the editorial page that the opinions expressed are not necessarily those of the College community.
 - vii. A College student, recognized group, or organization may only distribute printed material on campus with prior approval of that individual's group or organization's governing body providing such distribution does not disrupt the operation of the College and conforms to Mission of the College and regulations.
 - viii. Posting or distribution of printed materials in or on College buildings shall be in accordance with the Mission of the College and the College's Posting Policy.
- g. Cell Phone /Electronic Device Use During Class
- i. Students are allowed to have cell phones on campus. However, students may not use cell phones, digital music players, and other electronic devices during class unless designated by the faculty member. Faculty members may confiscate electronic devices or cell phones in the event of a violation of this policy, or require the student to leave for the remainder of class.
- h. Computer Policies
- i. All currently registered part-time and full-time students are eligible to obtain a network and e-mail account. User accounts will be activated only after the student signs the "Student Account Agreement" form. These forms are provided to students at registration, orientation, and are available in the Library, in the Open Computer Labs, and from Computer Services. Signing this form indicates that the student agrees to adhere to the Student Acceptable User Policy and the College's Using Software Guide which are posted and are available in the Open Computer Labs and the Library. The following policies will be strictly enforced:
 - 1. All users of computers must have a valid Villa ID and be able to present this on request.
 - 2. No foods or liquids are allowed in the computer classrooms or laboratories.
 - 3. No children are allowed in any of the computer facilities. Room access is restricted to persons actively registered for the semester, current employees, or alumni meeting fee requirements.
 - 4. Misuses of equipment or the computer facilities; intentional damage to equipment, facilities, or software; the alteration of

other user accounts; intentional alteration of the hard drive; accessing inappropriate web sites, soliciting, or using the web for non-academic purposes will result in denial of lab privileges and possible disciplinary dismissal from Villa Maria College.

5. Loud talking and boisterous behavior are not allowed in the computer classrooms or laboratories out of respect to other users.
 6. No cell phones are allowed in the computer classrooms or laboratories.
- ii. Prohibited Use of IT Resources:
1. It is a violation of this policy to: Intentionally and without authorization, access, modify, damage, destroy, copy, disclose, or take possession of all or part of any computer, computer system, network, software, data file, program, or database. This includes, but is not limited to:
 - a. Gaining access by willfully exceeding the limits of authorization.
 - b. Attempting to gain unauthorized access through fraudulent means.
 - c. Gaining access by using another person's name, password, access codes, or personal identification.
 - d. Attempting to gain unauthorized access by circumventing system security, uncovering security loopholes, or guessing passwords/ access codes.
 - e. Give or publish a password, identifying code, personal identification number or other confidential information about a computer, computer system, network or email account, or database.
 - f. Install any software on computer systems in the computer labs, unless authorized by a member of the lab staff or a faculty member.
 - g. Transfer copyrighted materials to or from any system, or via the College network, without the express consent of the owner of the copyrighted material. (See section entitled "File Sharing and Copyright Infringement.")
 - h. Provide outside access to College-developed or commercially obtained network resources.
 - i. Use any College IT resource for commercial, political, or illegal purposes, or for harassment of any kind.
 - j. Display obscene, lewd, or otherwise offensive images or text.
 - k. Intentionally or negligently use computing resources in such a manner as to cause congestion and performance degradation of the network.

- I. Use College printers for work or pleasure outside the scope of employment or enrollment at the College.
- iii. Provisions for Private Computers Connected to the College network:
 1. The following apply to anyone connecting a private computer to the College network via the College Housing network, wireless LAN connection, dial-up network connection, or a regular network connection in an office.
 2. The owner of the computer is responsible for the behavior of all users on the computer and all network traffic to and from the computer, whether or not the owner knowingly generates the traffic.
 3. A private computer connected to the network may not be used to provide network access for anyone who is not authorized to use the College IT resources. The private computer may not be used as a router or bridge between the College network and external networks, such as those of an Internet Service Provider.
 4. Should the ITS staff have any reason to believe that a private computer connected to the College network is using resources inappropriately, network traffic to and from that computer will be monitored. If justified, the system will be disconnected from the network, and action taken with the appropriate authorities.
 5. Any residential student, with an authorized network account, may use the in-room connection for scholarly purposes, for official College business, and for personal use, so long as the usage does not violate any law or this policy, or result in commercial gain or profit.
 6. Users are responsible for the security and integrity of their systems. In cases where a computer is hacked into, it is recommended that the system be either shut down or removed from the campus network as soon as possible to localize any potential damage and to stop the attack from spreading. If you suspect electronic intrusion or hacking of your system and would like assistance, contact IT immediately.
 7. The following types of servers should never be connected to the College network: DNS, DHCP, and WINS, or any other server that manages network addresses.
 - iv. Copyright Laws
 1. File Sharing and Copyright Infringement
 - a. Villa Maria College is committed to following copyright law. Villa Maria College's network allows for quick and easy downloading of Internet files for your scholarly work. Each Villa Maria student must exercise responsible behavior when using the computer network on campus. Unauthorized downloading of music and video files is a

violation of copyright law. Protect yourself as a student and the College as a community from the possibility of lawsuits. Students who are found to be downloading files illegally through the Villa Maria Network will be brought up on conduct charges.

- b. Federal copyright law applies to all forms of information, including electronic communications. Members of the College community should be aware that copyright infringement includes the unauthorized copying, displaying, or distributing of copyrighted material.
- v. Villa Maria College complies with all provisions of the Digital Millennium Copyright Act. Any use of the Villa Maria College IT resources to transfer copyrighted material including but not limited to, software, text, images, audio, and video is strictly prohibited. Therefore, the use of file sharing programs such as KaZaa, Morpheus, iMesh, Limewire, etc. is in most cases, a violation of College policy and federal law. Electronic Communication Policy
- vi. Villa Maria College will use electronic communication methods to conduct official college business. Communicating to faculty, staff and students electronically will ensure that all information is delivered in a timely manner.
 1. All faculty, staff and students are given the appropriate access to their email account and the website to obtain these communications. Faculty, staff and students are expected to check and manage their email account on a regular basis in order to stay current with college-related communications. The College also retains the right to send correspondence via traditional methods.
- vii. Peer-to-Peer sharing degrades network performance, opens up the network to viruses, and could result in a legal liability as a result of the unauthorized use of copyrighted material. P2P applications should not be used on campus computers or computers connected to the College network. Misuse could result in disciplinary action, loss of computing privileges, and criminal and/or civil penalties.
- viii. Users are responsible for all activities to and from their network accounts. Users must take every precaution to protect logins and passwords. Under no circumstances should a user allow someone else to share a network or email account. Users are required to change any generic passwords given for initial access.
- ix. Users should not assume or expect any right of privacy with respect to the College's IT resources. Although the College does not seek to monitor the communication of its employees or students, system administrators and/or College officials may access or examine files, user history, site content, or accounts that are suspected of unauthorized use or misuse,

that have been corrupted or damaged, that may threaten the integrity of the College's IT resources, or that are in violation of College policy. In addition, files, email, access logs, and any other electronic records may be subject to search under court order.

x. Internet Use and Social Networking

1. Villa Maria College does not seek to monitor the IT uses of its students and employees, including the content of social networking sites (i.e. Facebook). As a matter of policy, Villa Maria College does not actively monitor the content of social networking sites. However, content found on the internet (Facebook, Twitter, Blogs, etc.) that violates college policy, including the Code of Student Conduct, will be subject to disciplinary action.

xi. Email

1. All students are provided a "@villa.edu" email account. This account is accessible through the Villa.edu site or by clicking on "e-mail" on the villa.edu website. Your logon username and password are used to access your email. This is the official mail address of all Villa students and is used for emergency notifications, class information, and general correspondence.
 - a. The use of electronic mail is a privilege not a right. Email is for College communication, research, or campus business. Transmitting certain types of communications is expressly forbidden.
 - i. Forbidden communications include: messages containing chain letters, spam, pyramid schemes, urban legends, alarming hoaxes, vulgar, obscene or sexually explicit language or images, threatening, offensive, derogatory, defamatory, harassing, or discriminatory communications of any kind. As with the other College IT resources, the use of email for commercial or political purposes is prohibited.
2. Under the Electronic Communications Privacy Act, tampering with email, interfering with the delivery of email, and using email for criminal purposes may be felony offenses, requiring the disclosure of messages to law enforcement or other third parties without notification to the student.
3. Email messages should be transmitted only to those individuals who have a need to receive them. Distribution lists should be constructed and used carefully. Inappropriate mass mailing is forbidden.

4. All users of the College email system are subject to the access and disclosure of email messages by authorized College personnel.
5. Students who withdraw from Villa Maria College or who are dismissed will have their User ID and e-mail account deactivated at the time of withdrawal.

xii. File Storage

1. All data storage is the student's responsibility. The College provides a mechanism for data storage through a student's Microsoft Office 365 account – One Drive. Students should always save their data in more than one location using flash drives, external storage devices, or other cloud storage. The College is not responsible for loss of any student data nor is the College responsible for loss of data due to any equipment failures. Saving files on the computer desktop or to the computer's storage drive is discouraged since others can access these files and computers are purged upon logging out. Computer Services is not responsible for loss of files saved on computer desktops or on the storage drive.
2. Stored files of unregistered students will be removed when a semester begins and students are authorized. Logon accounts for unregistered students are removed on a semester basis. Portal access does not expire and students can view portal information for the semesters registered at Villa.

xiii. Lab Hours

1. Computer facilities are when the building is open A lab assistant or monitor may be available daily and Saturdays when possible. For assistance with computer questions or problems, contact helpdesk@villa.edu. For aid with assignments, check with your instructor or the Student Success Center. Report all equipment malfunctions to Computer Services.

xiv. Laptop Use

1. Any student who attaches a laptop computer to the VMC network must take measures to insure that the computer is protected against compromise by an internal or external attack. Reasonable measures include the installation and maintenance of virus detection and eradication software, care in opening e-mail message attachments, vigilance when visiting web sites and adhering to published system configuration and management standards.

xv. Printing

1. All computer users are encouraged to use PRINT PREVIEW before sending any document to the printer for final copy. At the beginning of each semester students are provided a \$10.00 printing allowance. Charges per sheet are made as follows: black

and white \$.02 and each color copy \$.50. Additional printing capacity for the semester can be purchased in \$1.00 increments in the Business Office. Accounts will be reset in Computer Services upon presentation of a Business Office receipt. Remaining allowances cannot be carried over to the next semester. Printers located within specific program rooms have printing costs covered by course fees, and do not provide a print allowance or incur a print charge.

xvi. Wireless Internet Access (WiFi)

1. Wireless access points are available throughout the entire campus. Open, unsecured network access to the Internet is provided via VILLA_NET. Information sent over this wireless network connection is not encrypted and might be visible and accessible to others.

xvii. Class Attendance

1. Regular attendance in classes is expected of all students; however, some College sponsored co-curricular and extra-curricular events may occasionally be scheduled during class hours. It is College policy that students who are participants in a College sponsored event are excused from a class for the specific event. Exceptions to this policy: students fulfilling clinical and student teaching requirements.
2. Participants in College sponsored co-curricular and extra-curricular events:
 - a. Are not excused for practice.
 - b. Are expected to make-up all work they miss.
 - c. Are not penalized by the instructor for their excused absence.
 - d. Are expected to communicate with each faculty member before the date of the excused absence.
 - e. Must meet individual faculty requirements to complete work due for each missed class.
3. College personnel who are responsible for the College sponsored co-curricular and extra-curricular events will inform faculty of the schedules at the beginning of each semester.
4. When weather is a factor in College sponsored events, the event may result in cancellation and require rescheduling.
5. It is the student's responsibility to inform the faculty of any change in the original schedule.

i. Disabilities

- i. According to Section 504 of the Rehabilitation Act of 1973, if students with disabilities are qualified to attend colleges or universities that receive federal funds, they must be accepted regardless of disability. Each institution of higher education is required to develop specific

guidelines to provide reasonable accommodations for persons with physical, psychological or learning disabilities in accordance with Section 504. It is the responsibility of the student to seek any necessary accommodations for their disability. It is highly recommended that the students seek services within the first week of classes.

- ii. Students with documented disabilities who enroll at Villa Maria College have many services available to make attaining a college education possible. They may choose to utilize reasonable accommodations for free.
 - iii. All College personnel who play a role in accommodating the student must receive formal notification of the nature of both the disability and their role in providing reasonable accommodation.
 - iv. Eligibility for Services: A qualified college student with a disability may request academic or other support services from the Director of Student Success. Once the student is admitted to the College, the following should be followed to receive academic accommodations:
 - 1. The student is responsible for identifying himself/herself as a person with a documented disability. Therefore, the student is required to make an “intake” appointment with the Director Student Success. This should be done within the first two weeks of the semester.
 - 2. The student will meet with the Director of Student Success, provide the required documentation and discuss possible reasonable academic accommodations.
 - 3. Once the student has provided appropriate documentation to the Director of Student Success for each class every semester. A faculty member is not required to provide academic accommodations until he or she has received the accommodation letter from the student.
 - v. Students who may need assistance with physical disabilities may contact The Director of Student Success for assistance.
 - vi. Pregnancy: If a student becomes pregnant and experiences medical conditions that limit her ability to perform any activities of her required course work, or require any accommodations for course work, including clinical internship experiences, she should notify the Director of Student Success immediately. Medical documentation of any limitations or requested accommodations may be requested.
 - vii. The College has a policy and procedure for resolving grievances related to disability accommodation. This information can be found on-line on the “Disabilities Services” webpage. Further assistance can also be obtained from the Compliance Officer, the VP for Enrollment Management. They can be reached at 716.961.1838.
- j. Dress Code

- i. Villa Maria College places emphasis on cleanliness, neatness, appropriate attire, respectable appearance and appropriate personal hygiene. Presentable attire is expected in the classroom, academic functions, and College functions. Faculty members, as well as College staff members, can make the determination of what is appropriate in these settings and discuss with students. Faculty members teaching courses requiring a specialized form of dress may designate other dress for their classes and/or for special class projects. Appropriate and presentable attire is part of the College's on-going efforts to educate for personal responsibility and promotion of civility. Sunbathing on campus property is generally not permitted.
- k. Food and Beverages in Class
 - i. Policies regarding eating and drinking any beverages in the classrooms and any consequence(s) for not adhering to them will be established and enforced by the faculty member responsible for each class. At all times, conscious efforts should be made by all to maintain a clean environment, which displays a respect for the rights of others and the conditions of College facilities.
- l. Insurance
 - i. The College does not cover personal property that may be lost or damaged from any cause, including but not limited to fire and flooding.
- m. Accusations of Plagiarism or Other Forms of Academic Dishonesty
 - i. Plagiarism is offering work of another as one's own. Plagiarism is a serious offense and may include, but is not limited to, the following:
 1. Complete or partial copying directly from a written publication or unpublished source in any form of media without proper acknowledgment to the author. Making minor changes in wording or syntax—without acknowledgment to the author—is not sufficient to avoid plagiarism charges.
 2. Paraphrasing the work of another without proper author acknowledgment.
 3. Submitting as one's own original work (however freely given or purchased), the original exam, research paper, manuscript, report, computer file, Internet information, or other assignment that has been prepared by another individual.
 - ii. The usual penalty for academic dishonesty is failure on the assignment for the first offense. All incidents of plagiarism are reported to the Vice President for Academic and Student Affairs, and a letter citing the incident is included in the student's official file. Should a second incident of plagiarism occur during the student's pursuit of a degree, s/he will earn an "F" in that course, and a letter regarding the incident will be entered into the student's official file. Upon graduation, all relevant letters in the student's file will be destroyed. Should a third incident of

plagiarism occur, the student will be dismissed from the College; her/his readmission is unlikely.

- iii. In all cases of alleged academic dishonesty (such as plagiarism, cheating, claiming work not done by the student, or lying) where a faculty member observes or discovers the dishonesty, the faculty member may choose to confront the student and handle the matter between the faculty member and the student, or the faculty member may choose to refer the incident to the appropriate department/division chairperson. If the appropriate department/division chairperson is the instructor in question, the concern should be directed to the Vice President for Academic and Student Affairs. If the faculty member chooses to confront the situation alone with the student and the matter is satisfactorily resolved, the faculty member and the student should submit a joint statement of the details to the Vice President for Academic and Student Affairs, which will be included in the student's file. If the situation is not satisfactorily resolved between the faculty member and the student, the matter may then be referred or appealed to the appropriate department/division chairperson.

- 1. In either case, the appropriate department/division chairperson may choose to 1) resolve the matter through a meeting with both the student and the faculty member, or 2) refer the matter to the Vice President for Academic and Student Affairs. The findings, in either case, are final.

- iv. If alleged academic dishonesty is reported to a faculty member by a third party, then the faculty member will meet with the appropriate department/division chairperson to determine whether the evidence warrants an investigation, and how the investigation will be handled. It may also be decided that the faculty member will either confront the student or, assuming enough evidence is present to warrant action, turn the matter over to the appropriate department/division chairperson to either resolve or organize a hearing.

n. Leave of Absence and Withdrawal Policies

i. Introduction

- 1. Students who desire to leave Villa Maria College for a period of time, with the intention of returning, should go through the Leave of Absence process. Students who wish to leave and do not intend to finish their studies at Villa Maria College must officially notify the college by going through the Withdrawal Process found in the College Catalogue.
 - 2. Students planning to withdraw from Villa Maria College are requested to contact the Registrar at 961-1806. Following an interview with the Registrar, the student completes a withdrawal form.

3. The college reserves the right to place a student on an involuntary withdrawal for non-disciplinary reasons when it concludes that a leave is in the best interest of the student due to personal or health related conditions that apparently have not or cannot be resolved in an immediate fashion, or if it deems such a leave necessary due to a threat to the student's or others students' health or safety. The student may register again upon satisfaction of such terms as the college determines are appropriate to the situation in accordance with this policy. The College will not assume the cost of any evaluations or treatment requested of students.
- ii. Medical Leave of Absence
 1. A Medical Leave of Absence is given for an entire semester.
 2. Any student (full or part-time) in good standing who must temporarily leave the College for medical or psychological reasons may request a Medical Leave of Absence.
 3. A student who desires a Medical Leave of Absence must submit a letter of request to the Dean of Student Affairs. The Dean will then in turn set the parameters necessary to grant the request for the Leave of Absence. If the student meets the parameters set forth, the Dean will approve the Leave of Absence in writing to the student.
 4. A health care provider's statement, on official letterhead, is required prior to the consideration of the leave and again at the conclusion of the leave.
 5. For students who have federal financial aid: a leave of absence should not exceed 180 days in any 12-month period of time. Instructions concerning financial aid (institutional and Federal) will be given to the student at the beginning of the leave.
 6. Returning to Villa Maria College
 - a. A student who desires to return to Villa Maria College after an official Leave of Absence may do so by indicating such a desire to the Dean of Student Affairs in writing.
 - b. If the student has met the criteria of a Leave of Absence the Dean can reinstate the student and allow registering for the next semester.
 - c. If the student has not met the criteria for the return from the Leave of Absence the Dean can deny reenrollment.
 7. Appeals
 - a. If denied the Medical Leave of Absence, a student may appeal in writing the Dean of Student Affairs. Appeals will be heard by the Dean of Student Affairs and the VP for Academic Affairs
- iii. Disciplinary Leave of Absence

1. Standards for Withdrawal
 - a. A student may be subject to Disciplinary Leave of Absence from the College, if the College has determined that the student:
 - I. Engages, or threatens to engage, in behavior which poses a danger of causing physical harm to self or others, and/or
 - II. Engages, or threatens to engage, in behavior which would cause significant property damage, which directly and substantially impedes the lawful activities of other members of the College, and/or
 - III. Commits a violation of the College's Code of Student Conduct and lacks the capacity to comprehend and participate in the conduct process, and/or
 - IV. Commits a violation of the College's Code of Student Conduct and did not understand the nature or wrongfulness of the conduct at the time of the offense.
 - b. Referral for Evaluation
 - I. The Dean of Student Affairs, or designee, may refer a student to an off-campus health care provider (if medical related) or to the Director of the Counseling Center (if mental health related) for evaluation, if there is reasonable belief that the student meets the previously noted criteria for involuntary withdrawal.
 - II. The Dean shall set the conditions for evaluation and re-entry to the College (such as time frame and reporting requirements). A student who fails to meet the conditions for evaluation may be withdrawn on an interim basis or be subject to a student conduct hearing, if applicable, without the requested evaluation.
 - c. A student who is involuntarily withdrawn during the student conduct process shall remain in such a state until a Hearing can be held. The Hearing shall be held within a reasonable amount of time.
2. In certain instances, the College may offer a student who faces disciplinary action, or who is subject to a disciplinary leave of absence or involuntary withdrawal, or other circumstances, which the college deems appropriate an option to voluntarily withdraw

from the College. In such situations, students will follow the normal Withdrawal procedure.

3. Procedure

a. This policy may be enacted by the Dean of Student Affairs, or designee when:

- I. Any member of the College community who reasonably believes that a student may meet one of the involuntary withdrawal standards above contacts the Dean of Student Affairs with his/her concerns about the student.

4. Appeal Process

a. A student may appeal the Disciplinary Leave of Absence in writing to the Dean of Student Affairs within seven (7) days.

5. Returning to Villa Maria College

- a. A student who desires to return to Villa Maria College after a Disciplinary Leave of Absence may do so by indicating such a desire to the Dean of Student Affairs in writing.
- b. The Dean of Student Affairs will determine the criteria for returning to Villa Maria College. If the student has met the criteria for returning the Dean can reinstate the student or allow him or her to register for the next semester.
- c. If the student has not met the criteria for the return from the Leave of Absence, the Dean of Student Affairs can deny re-enrollment.

6. Refunds

a. Refunds, if applicable, may be considered in accordance with applicable College policies and procedures found in the College catalogue.

7. Deviations from Established Procedures by Villa Maria College

a. Reasonable deviations from these procedures will not invalidate a decision or proceeding unless significant prejudice to the student may result.

iv. Voluntary Withdrawal

1. Students may withdraw from Villa Maria College at any time for any reason. However, a student may drop a course and add another only during the “drop/add” period (typically the first week of classes. A student may drop a course after the first week of classes and up until the 10th week of classes with the designation of “W” with permission of the office of the Registrar. Different guidelines may exist for students in the on-line program, please consult those applicable policies for more information.

Students who wish to withdraw from Villa Maria College must meet with the Registrar to initiate the withdrawal process.

- a. Any student who drops below full-time status may face eligibility issues for financial aid and participation in some college activities.
- b. Students who withdraw from the College are subject to the refund policy established in the “refund” section of this catalogue and all other applicable financial policy.
- c. Students who voluntarily withdraw must follow the admission and re-admission standards in place at the time of re-enrollment.

v. Involuntary Withdrawal Policy

1. Introduction

- a. Villa Maria College is committed to protecting its community members from risk of physical harm and preserving the integrity of its learning environment. Separation of a student from the College and its facilities may be necessary if there is sufficient evidence that the student is engaging in, or is likely to engage in, behavior that either poses a danger or disrupts the learning environment of others. This policy sets forth the expectations in making determinations regarding a student’s involuntary withdrawal and conditions for return.
- b. This policy and related procedures do not take the place of any disciplinary actions that are in response to a violation of the Code of Conduct.

2. Determination

- a. Any withdrawal determinations should be based on an assessment of current, available documentation, including medical if needed, or any information provided about the student, and/or observable conduct that affects the health, safety, or welfare of the campus community. Any assessments of risks should be individualized and conducted in a team environment. In the absence of an emergency or direct threat, voluntary withdrawal or restrictions shall be encouraged prior to any determination of involuntary withdrawal. Any imposed conditions, including reenrollment conditions (if any), should be reasonable and individualized for a particular student’s situation. Any conduct code or other policies relevant to a withdrawal shall be applied equally to all similarly-situated students, i.e., without regard to known or perceived medical or mental health conditions and

without regard to any protected class status under applicable local, state or federal law, or regulation.

3. Procedural / Timing Principles
 - a. Students shall be provided notice of any withdrawal determinations and shall be afforded the opportunity to appeal such determinations.
 - b. Withdrawal determinations should proceed as quickly as possible to allow a student experiencing difficulties to receive the support he or she needs.
4. Involuntary Withdrawal
 - a. This policy is meant to be invoked in cases where students experience needs that exceed the College's services or resources. In such circumstances, the student will be advised to consider a voluntary withdrawal. If the student declines to voluntarily withdraw from the College, the College may involuntarily withdraw the student in situations where: (1) the student is unable or unwilling to carry out substantial self-care obligations; (2) the student has health needs requiring a level of care that exceeds what the College can appropriately provide; (3) the student presents a substantial risk of seriously affecting the health or well-being of any student or other member of the College community; (4) safety is seriously threatened by the student; (5) the student consumes an inordinate amount of College staff time and/or resources, or his/her situation cannot be resolved by the College in a reasonable amount of time or with reasonable effort; or (6) the student creates any other conditions disruptive to the College community.
 - b. In these rare cases the CARE Team, coordinated by the Dean of Students, will oversee the assessment of the student. An individualized assessment of the student will be conducted and tailored reenrollment conditions will be established (if any reenrollment is contemplated and appropriate), consistent with the overarching principles in Section A of this policy. The CARE Team will make a determination regarding withdrawal. The Dean of Students will provide written notice to the student of the decision. A student may appeal these decisions in writing to the Dean of Student Affairs.
5. Re-enrollment following an involuntary withdrawal
 - a. Students wishing to reenroll following an involuntary withdrawal must satisfy the reenrollment conditions, if any, established at the time of the withdrawal. If medical

documentation was established as a condition for reenrollment, the College will give significant weight to the opinion of the student's treatment providers regarding the student's readiness to return to the academic environment at the College, with or without accommodations. In extraordinary circumstances, the College may require the student to undergo an additional individualized assessment to make a determination regarding the student's readiness for return. The College may also impose ongoing conditions on the student as part of his or her return, based on the particular student's individual situation.

- b. If the College denies a student's request to reenroll, the College may include recommendations that will enhance the student's ability to successfully reenroll in the future. However, certain situations of involuntary withdrawal may not be appropriate for reenrollment under any conditions.
- c. A student may appeal any decision concerning reenrollment to the Dean of Student Affairs within seven (7) days.

6. Deviations from established procedures

- a. Reasonable deviations from this procedure will not invalidate a decision or proceeding unless significant prejudice to a student occurs.

o. Military Leave of Absence

- i. Villa Maria College supports students who are members of the United States armed forces and reserve units. An undergraduate or graduate student who is a member of the U.S. military, National Guard or other armed forces reserve unit who is called or ordered to active duty elsewhere may be granted a Leave of Absence from the College for the period of active duty and up to one year after returning from active duty.

p. Withdrawal from College Procedure

- i. Any student wishing to withdraw from the College needs to see the Registrar to begin the proper procedure. Financial aid and/or academic transcripts will be held if proper withdrawal paperwork has not been completed and balances have not been paid.
- ii. Students needing to withdraw from a class or from the College must note that failure to attend the first class or subsequent class meetings does not constitute official withdrawal. To be official, notification of withdrawal must be made in writing. Any tuition refund is based on the date the office receives the official written notice of withdrawal. A student may withdraw without penalty prior to the first meeting of the course. Please refer to the College's refund policies provided on-line and in the Catalogue.

5. General Student Policies

a. Emergency Situations

- i. The College reserves the right to immediately remove a person(s) from campus if College officials determine that the actions of any person(s) are a threat to a member or members of the campus community.
 1. In the event that such person(s) involved are students, the College may temporarily suspend its normal procedure to ensure the safety of the campus community.
 - a. In such circumstances, once the emergency situation has been mitigated, normal policy for removal of students from campus will resume.
 2. In the event the person(s) involved are non-students, the College may remove the person(s) and issue a criminal no trespass warring according to New York State law.
 3. In responding to Emergency Situations, “The College” is defined as any College employee acting in his or her official capacity. This includes, but is not limited to, the President, Vice Presidents, Deans, Directors, etc.

b. Financial Aid

- i. The Financial Aid Office at Villa Maria College believes that all qualified students should have an opportunity to attend Villa Maria College. The financial aid program is designed to help bridge the gap between the College’s cost and the student’s ability to pay. Villa Maria College participates in all federal and state financial aid programs in addition to offering its own institutional awards. Information about financial aid can be found on the Financial Aid website of www.Villa.edu and the College Catalogue.

1. The specific website is:
<https://www.villa.edu/admission/financial-aid/>

c. Financial Obligations

- i. Financial arrangements for tuition and fees must be made with the Business Office by the date stipulated at the time of billing. There is a financial penalty for failure to meet this deadline.
- ii. If a student has any outstanding debts at the end of a semester, a transcript and grades will not be released until these debts are paid. A student is not permitted to register for a new semester if he/she owes any debts from the previous semester. In addition, degrees, certificates or diplomas will not be conferred until all obligations are fulfilled, and disciplinary action may be taken.

d. Fire Safety/Fire Alarms/ Fire Safety Equipment

- i. Fire safety is everyone’s responsibility. All fire alarms should be considered true indications of danger and the building must be evacuated as safely and quickly as possible.

- ii. For specific fire procedures see the Emergency Procedures of the College
- iii. While staff will attempt to alert students to leave buildings, it is incumbent upon each person to take personal responsibility to exit buildings when there is a fire alarm sounding. Staff will indicate when people may safely return inside.
- iv. Additionally, fire drills are conducted in each building each semester. Failing to evacuate the building during an alarm may result in disciplinary action.
- v. Causing a building to go into alarm falsely can carry grave consequences. Students may panic or may ignore the alarm believing it to be false. This may in turn cause students to become injured, overcome by smoke, or to lose their lives. Therefore, the College takes the actions of tampering with fire alarms, smoke detectors, sprinklers, and fire extinguishers very seriously.
- vi. The following will be considered as sufficient cause for immediate disciplinary action and may result in dismissal from the College or criminal prosecution:
 - 1. Intentionally or carelessly setting a fire of any nature.
 - 2. Pulling a fire alarm.
 - 3. Tampering with smoke detectors or sprinkler systems resulting in triggering the alarm system.
 - 4. Misuse of fire extinguishers.
 - 5. Setting off firecrackers or similar incendiary devices.
 - 6. Tampering with the protective hood on fire alarm pull stations.
 - 7. Using candles.
 - 8. Removing batteries or tampering with a room smoke detector.
 - 9. Vandalizing exit signs.
- vii. All students and College personnel must evacuate the building where and when the fire alarm has sounded. Faculty members in classrooms and administrators in all buildings are to enforce the following regulations when the fire alarm sounds:
 - 1. Close all doors and windows.
 - 2. Evacuate all areas.
 - 3. Identify any disabled person needing assistance; arrange for necessary aid in evacuation.
 - 4. Follow directional signs to fire exits; use stairs, do not use elevators.
 - 5. Move away from the building and down the sidewalk or to a designated safety area.
- viii. Fire drills are mandatory and held during each semester.
- ix. All people occupying the building(s) must evacuate immediately at the sound of the fire alarm.

- x. Unauthorized use of fire extinguishers, intentionally pulling a fire alarm or tampering with any other designated fire safety equipment is subject to disciplinary action and/or possible criminal action.
- e. Guests of Students
 - i. Guests are permitted on College property for public events, such as a gallery show, or official College business (Admissions tour, etc.). Students who wish to bring a guest on campus after office hours M-F and anytime on Saturday or Sunday must register their guest with the security officer on duty by showing them a valid picture ID. Guests of students must register each day they visit campus, and students may not have more than 2 guests with them at a time. Guests of enrolled students are welcome to attend public events at the College without registering. Students are responsible for the behavior of their guests at all times, and are responsible for informing their guest of the expectation to comply with the Code of Student Conduct. Students who are working with guests on academic or service related projects must obtain the proper prior approval from their faculty member or administrator who will inform the Business Office of the activity.
- f. Health
 - i. The Director of Health Services maintains student medical records and information. Villa Maria College follows FERPA regulations regarding confidentiality of health records and release of information.
 - ii. All students are required to complete a Confidential Student Health Form, including immunization status mandated by New York State Public Health Law 2165. (See immunization policy below.)
 - iii. Immunization Policy
 - 1. Effective August 1, 1990, New York State Public Health Law 2165 requires all students born on or after January 1, 1957, attending degree granting institutions, must demonstrate proof of immunity to measles (two doses), mumps, and rubella, or two MMRs, or proof of immunity with a blood test in order to attend classes. As of July 2003, students are required to sign a meningitis response form. For transfer of immunization records, each student is entitled to one copy without charge. A fee of two dollars must be paid for each additional transaction.
 - iv. Medical Emergency Policy
 - 1. A medical emergency is an injury or illness that is acute and poses an immediate risk to a person's life or long-term health.
 - a. Press "Speed 1" on corridor phones or dial 911 from other phones. Notify Security by pressing "Speed 2" on corridor phones or dial 870-7176. Security can assist emergency personnel to appropriate location.
 - v. AIDS Policy
 - 1. Villa Maria College will not discriminate against students who have AIDS, ARC, or a positive HTLV-III Antibody test. The College also recommends that students inform appropriate health

resources, but realizes this is the responsibility of the individual. This information will be held in the strictest confidence and inquiries received for information will be denied. In appropriate settings, Villa Maria College promotes preventative measures such as the use of personal protective equipment. Additionally, education will be ongoing to assist in the prevention of this disease.

g. Housing

- i. Villa Maria College does not have College owned housing for students. Students are, however, offered apartment-style housing at Collegiate Village (CV) located about 1.5 miles from the campus. Villa Maria College (VMC) students who live at CV are expected to abide by the policies and procedures of the Collegiate Village Resident Handbook. Conduct issues that occur at CV may be subject to additional action by the College's Code of Student Conduct.
- ii. For more details on housing, including information on apartment options and rates, visit the website at www.collegiatevillagewny.com.

h. Identification Cards

- i. All students must have an identification card issued by the College. Faculty and other employees are also welcome to come to the front desk of Felician Hall for an ID. The card is necessary to use in the Dining Hall to purchase tax free meals and the meal plan. Students are issued ID cards at Orientation and during the first week of classes in the Student Center during extended hours. Later in the semester, please call 961-1877 to ensure that someone is available to take photos for the ID cards.
- ii. The card permits students to participate in all College and student-sponsored activities, to use computers in open labs, and to withdraw materials from the Villa Maria College Library. It is necessary to present an ID card to the Business Office personnel when transacting financial affairs, in the Villa Maria College Bookstore when making purchases on a book loan, and in the Student Center when using facilities. The card also serves as proof of campus status and must be presented when requested by College personnel and/or security guard.
- iii. ID cards are issued in the Student Center during scheduled office hours. Lost ID cards will be replaced for a \$10 charge, which covers the cost of materials and handling.

i. Parking/ Moving Violations

- i. Villa Maria College is not responsible for injury to any person or damage to any vehicle. Drivers assume the responsibility of reporting incidents to the police and to the Business Office. The following regulations are in effect during the fall, spring, and summer sessions:
 1. All cars are registered in the Student Center.
 2. The parking sticker is displayed on the driver's side rear window.
 3. The campus speed limit is 15 mph.

4. Cars are parked between yellow lines.
- ii. No Parking Areas
 1. Breezeway on either side of the Main Building. The breezeway is not to be used for waiting purposes or parking, this is a walkway between buildings;
 2. Fire lanes—space nearest the buildings (unlined);
 3. Any unlined areas or areas marked with diagonal lines; and
 4. Parking spaced labeled for visitors.
- iii. Parking stickers are to be obtained in Felician Hall front desk. A parking sticker is valid for the duration of time a student is enrolled at Villa Maria College. A parking sticker must be obtained for each car used on campus.
- iv. All offenders of parking regulations are subject to a student conduct violation and/or parking ticket issued by Campus Security. Fines are to be paid in the Business Office within five school days after receiving a parking violation ticket. Grades will be withheld until all fines are paid. Cars illegally parked in the handicapped area are subject to being towed away at the owner's expense.
- j. Villa Maria College Communication Media Policy
 - i. Villa Maria College may use images (photography and video) of students in its communications and marketing media. Students who do not consent to being in these materials must opt-out by e-mailing: communication@Villa.edu.
- k. Snow Days & Emergency Closings
 - i. The college has an emergency notification system to alert people to closings, snow days, and other important information. To sign up visit: <https://www.villa.edu/emergency-message-registration/>
 - ii. ANNOUNCEMENTS OF EMERGENCY AND/OR SNOW CLOSINGS ARE MADE ON THE FOLLOWING RADIO STATION: WBEN-930 AM; AND ON THE FOLLOWING TELEVISION CHANNELS: WGRZ-CHANNEL 2, WIVB-CHANNEL 4, WKBW-CHANNEL 7. IF YOU DO NOT HEAR A CLOSING ON THE RADIO AND TELEVISION CHANNELS, IT MEANS SCHOOL IS IN SESSION.
 - iii. Villa Maria College will not cancel classes except when there are severe weather conditions in Cheektowaga and/or Buffalo. The College recognizes, however, that many students commute from a wide geographical area and the road conditions may vary greatly. Common sense and good judgment should guide students as to whether they can safely get to their classes. Students are strongly advised to inform faculty members of absence due to weather during the day or during the evening/weekend hours, respectively.
- l. Student Records – FERPA
 - i. The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. Students obtain these rights upon attendance at Villa Maria College. Attendance at Villa

Maria College begins with either the first day of class or the date the student moves into student housing, whichever is earlier.

- ii. The student's rights include the right to inspect and review the student's education records within 45 days of the day the College receives a request for access.
- iii. A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the College official to whom the request was submitted does not maintain the records, that official shall advise the student of the correct official to whom the request should be addressed.
- iv. The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Please note that this is not a grade appeal mechanism. The policy regarding grade appeals is located in the Student Handbook under Academic Policies.
- v. A student who wishes to ask the College to amend a record should write the College official responsible for the record, clearly identify the part of the record that the student wants changed, and specify why it should be changed.
- vi. 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.
- vii. The right to provide written consent before the College discloses personally identifiable information from the student's education records, except to the full extent that FERPA authorizes disclosure without consent.
- viii. Under one such exception, the College discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted as its agent to provide a service instead of using College employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

- ix. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the College.
- x. Upon request, the College also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.
- xi. 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, D.C. 20202-5901
 - 1. The right to withhold directory information. The College has designated the following as directory information: student name, address (including e-mail address and parents' address), telephone number, date and place of birth, photograph, major field of study, class year and enrollment status, dates of attendance, degrees and awards received, the most recent previous educational institution attended, participation in officially recognized activities and sports, and weights and heights of members of athletic teams. Students may refuse to allow the College to designate the above information about them as directory information by notifying the registrar in writing within two weeks after the first day of class for the fall semester. Students must submit an annual written notification of refusal to allow the designation of directory information.
- m. Student Right-to-know and Campus Security Act
 - i. Any individual who is considering enrolling at Villa Maria College may secure a copy of the College's graduation rate compiled in accordance with the Student Right-to-Know and Campus Security Act by contacting the College's Admissions Office. Any enrolled student may obtain this information by contacting the Registrar's Office. The Institutional Research Office is the depository for this information.

6. Alcohol and Drug Policy

- a. In keeping with its institutional mission, Villa Maria College seeks to provide a student-centered environment that recognizes the dignity and potential of all and addresses a student's intellectual, vocational, and spiritual needs. In so doing, Villa Maria College strives to maintain a campus community that fosters truth, charity, and unity.
- b. To insure a safe, healthy, and vibrant learning and working environment, Villa Maria College holds each person responsible for his/her conduct at all times including behaviors which occur while under the influence of alcohol and/or other drugs.

- c. Villa Maria College reaffirms its commitment to achieving a drug-free campus and to the maintenance of an environment free from abusive use of alcohol. Villa Maria College seeks to fulfill this commitment by providing the following: education, enforcement of the alcohol and drug policy, and information to those who voluntarily seek assistance.
- d. Alcohol and Drug Statement - Villa Maria College is dedicated to the creation of a Christian environment, which fosters the intellectual, spiritual, emotional and physical development of its students and employees. This development is the essence of personal wellness.
 - i. The College community takes its responsibility seriously, and through education, counseling and modeling, assists students and employees in making responsible, ethical and informed behavioral choices.
 - ii. In accordance with the 1989 Drug Free Schools and Communities Act, the College reaffirms standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on the College property or as part of any of its activities. Villa Maria College will comply with state law and local ordinances regarding the purchase and consumption of alcoholic beverages.
 - iii. The Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101–226; Final Regulations published on August 16, 1990) requires the College to certify to the United States Department of Education that it has adopted and implemented a program to prevent the illicit use of drugs and the abuse of alcohol by its students and employees.
 - iv. The Higher Education Act Amendments of 1986 require those institutions receiving federal financial student aid to certify that they have drug prevention programs accessible to institutional officers, employees and students. This program must include the annual distribution of the following to each student and employee:
 - 1. Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use or distribution of drugs and alcohol by students and employees on the institution’s property or as part of the institution’s activities;
 - 2. A description of the applicable legal sanctions under local, state and federal law for unlawful possession, use or distribution of illicit drugs and alcohol;
 - 3. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
 - 4. A description of any drug and alcohol counseling, treatment or rehabilitation programs that are available to students and employees; and
 - 5. A clear statement that the institution will impose sanctions on students and employees (consistent with local, state and federal law) and a description of these sanctions, up to and including

expulsion or termination of employment and referral for prosecution for violations of the standards of conduct.

- v. The law further requires that the College conduct a biennial review of its program to (a) determine its effectiveness and implement changes as they are needed; and (b) ensure that the sanctions developed are consistently enforced. The following document is Villa Maria College's response to Section 22 of the law, entitled "Drug-Free Schools and Campuses" and the Higher Education Act Amendments of 1986 which require those institutions receiving federal financial student aid to certify that they have drug prevention programs accessible to institutional officers, employees and students.
- e. To insure compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free School and Communities Act of 1989, the following policy is currently in effect for Villa Maria College.
- f. Standards of Conduct
 - i. No illicit drugs may be bought, possessed, used, distributed, or consumed on campus, at Collegiate Village, or off campus as part of College sponsored activities at any time. Use, sale, possession, or purchase of narcotics or other drugs without a physician's prescription is in violation of the law and of the standards of Villa Maria College.
 - ii. No alcoholic beverages may be bought, possessed, used, distributed, or consumed on campus, or off campus as part of College sponsored activities unless it is approved and authorized in advance by the President of the College.
- g. Legal Sanctions - Legal Sanctions Regarding Alcohol: Under New York State law it is illegal:
 - i. To provide alcohol to persons under the age of 21 or to persons who are visibly intoxicated. Providing alcohol to persons under the age of 21 is a Class A misdemeanor which is punishable by imprisonment for up to one year, a fine of not more than \$1,000 and/or 3 years' probation;
 - ii. To misrepresent the age of a person under the age of 21 for the purpose of inducing a sale of alcohol. Those found guilty of violating this law shall be punished by a fine of not more than \$200, or by imprisonment for not more than five days, or by both fine and imprisonment;
 - iii. For a person under the age of 21 to possess alcohol with the intent to consume it. Those found guilty of violating this law shall be punished by a fine of not more than \$50 and/or required to complete an alcohol awareness program and/or required to provide up to 30 hours of community service;
 - iv. For any person under the age of 21 to present or offer any written evidence of age which is false, fraudulent or not actually his own, for the purpose of purchasing or attempting to purchase alcohol. Those found guilty of violating this law shall be punished by a fine of not more than \$100, and/or required to complete an alcohol awareness program and/or

required to provide up to 30 hours of community service. Additionally, if it is found that a New York State driver's license was the written evidence of age used for the purpose of the purchase or attempted purchase, the person's license to drive a motor vehicle may be suspended for 90 days. Lastly, alteration of the required forms of identification (driver's license, passport or armed forces ID card) may constitute "possession of a forged instrument... with intent to defraud," which is a Class D felony under New York State penal law.

- h. Legal Consequences of Operating a Vehicle While Under the Influence of Alcohol or Drugs:
 - i. Operating a Motor Vehicle After Consuming Alcohol While Under Age 21.
 - ii. Any person under age 21 who operates a motor vehicle after having consumed alcohol, as determined by a blood-alcohol content of at least .02%, may be referred to the Department of Motor Vehicles for license suspension or revocation, and a \$125 charge. V&T Law § 1192-a.
 - iii. Driving While Ability Impaired (DWAI) (more than .05% but less than .08% Blood Alcohol Content (B.A.C.) First violation (Traffic Infraction): Mandatory \$300-\$500 fine; and/or imprisonment up to 15 days; mandatory 90-day license revocation. Subsequent violations increase the fine, possible imprisonment and length of revocation.
 - iv. Driving While Intoxicated (DWI) (.08% B.A.C. or higher or while impaired by the use of a drug) 1st Violation (Misdemeanor): Mandatory \$500-\$1,000 fine and/or 1-year imprisonment; Mandatory 6-month minimum license revocation. Two violations within 10 years can result in jail for up to 4 years and a 1-year revocation of your license to drive. If there is personal injury, a possible lifetime revocation can result.
 - v. If you are under the age of 21 and charged with DWAI, or DWI, and you are convicted of such charges, your license will be revoked for a minimum of one year. If you drive while your license is suspended or revoked, or if you refuse a chemical test, you face a mandatory jail term of 7-180 days and a mandatory fine of \$500-\$1,000.
 - vi. Villa Maria College will not shield any student from local, state, and federal legal sanction for unlawful possession, use, or distribution of illicit drugs and alcohol. The state penal code is very specific (Section 220.0 through Section 220.65 <http://ypdcrime.com/penal.law/article220.htm>) in the controlled substances area and most violations are felonies.
- i. Health Risks
 - i. The Villa Maria College Community has a serious concern relating to the use of any drugs including alcohol. Alcohol and illegal drug substances can have the following single or multiple effects (long or short term):
 1. Death through cardiac and/or respiratory arrest;
 2. Genetic damage;
 3. Hallucinations;

4. Visual problems;
 5. Coordination problems/increase in accidents;
 6. Breathing and circulatory problems;
 7. Decreased inhibitions and emotional control leading to possible spouse, child, or parent abuse;
 8. Drowsiness;
 9. Mood altering and emotional changing experiences (swings);
 10. Depression of and/or increasing the effects of prescription drugs already being taken;
 11. Hyperactivity/depression;
 12. Multiple mental health and nervous system disorders;
 13. Neglect of good nutrition and personal hygiene;
 14. Decrease in reaction time;
 15. Cancer;
 16. Increased incidence of suicide.
- j. Available Services and Programs
- i. Villa Maria College recognizes the need to make available confidential counseling (i.e., subject to the standards of privacy established in the medical and religious professions) to students who are struggling with alcohol/drug related problems. Information about treatment facilities can be obtained from the [Director of Health and Disability Services](#). The College offers education program regarding alcohol and drug abuse.
- k. In compliance with Section 952 of the Higher Education amendments (H.R. 6) parents and guardians of students will be notified of violations of college policies or rules in addition to local, state, and federal laws governing the use or possession of alcohol or a controlled substance, if the student is under 21 years of age and if the college determines that the student has committed a violation with respect to such use or possession. Notice shall be made by the Dean of Student Affairs in such cases.
- l. Any student employee of the College convicted of any criminal drug statute violation which has occurred in or on the workplace premises is required to notify the supervisor, preferably in writing, within five (5) calendar days following such a conviction. Any person receiving such notification shall immediately provide, in writing, notice to his/her Vice President. The Vice President will notify the Dean of Student Affairs, the Director of Financial Aid, and the Director of Grants so that notification can be sent to the appropriate federal contracting agency.
- m. Advertising
- i. Advertisements for events may not mention the availability of alcohol in a prominent way or create the impression that drinking is the sole purpose of an event. If mention of alcohol is made, equal attention must be given to the availability of non-alcoholic beverages.

7. Crime Prevention Policy

- a. To fulfill federal requirements of Title II of the Clery Act and also Article 129-A&B of the NY Education Law, the following policy is currently in effect for Villa Maria College. Since Villa Maria College believes in values and justice, no crime will be tolerated on the campus. Security plans, emergency plans, and crime reporting are organized to contribute to a safer environment, and to provide the mechanism for obtaining outside help from local police agencies and emergency facilities. The policy of Villa Maria College requires the reporting and investigation of crimes, including but not limited to Violent Felony Offenses as defined in NY Penal Law 70.02. The policy also requires that an investigation will be made in the event that a student who resides at a facility owned or operated by the College is reported to be missing. Investigations will be coordinated between the College and local police authorities.
 - i. Emergency phones are located on corridors. Instructions are posted adjacent to the phone.
- b. Reporting Crimes
 - i. Villa Maria College requires that all crimes, missing person situations, and emergencies be reported immediately.
 - ii. All students, faculty, staff, and visitors are asked to report any unusual or suspicious incidents to the Business Office, the police, or to security.
 - 1. Police, Fire Department, Rescue—press “Speed 1” on corridor phones or dial 911
 - 2. Security Guard—press “Speed 2” on corridor phones or dial 870-7176
 - 3. Business Office—dial 1841
 - a. To insure proper documentation, please complete a crime report in the Business Office.
 - iii. If you prefer to contact someone confidentially, you may call
 - 1. Counseling—1821 or 961-1821
 - 2. Campus Ministry—1813 or 961-1813
 - 3. Information received confidentially will be used for statistical purposes. If it is determined that the circumstances of the crime pose a danger to other members of the College community, then general information about the incident may be released. However, the victim’s identity will be protected.

8. Emergency Procedures

- a. Emergencies and disasters are unpredictable and often strike without warning. It is essential that all Villa faculty, staff, students, and visitors respond quickly and appropriately to emergency situations in order to reduce the risk of injury and property damage. Emergency Procedures can be found in the Business Office
- b. Emergency Phone Numbers
 - i. Villa Maria Security 716.870.7176, 716.848.9640
 - ii. Police/Fire/Ambulance Emergency 9-911

- iii. The 9-1-1 emergency system can be accessed from office and hallway phone by dialing 9 prior to 9-1-1. If you do call 9-1-1 for an emergency, please also call Villa Security immediately afterward. This will allow officers to meet, coordinate with, and direct emergency officials for the incident. If you cannot reach Villa Security for some reason, call 9-1-1.
- c. General Emergency Procedures
 - i. When you become aware of an emergency situation where life or property is threatened, contact Villa Security immediately at 716.870.7176, 716.848.9640. It is imperative that everyone follows the directives of emergency response personnel. This includes Villa Security, local Police and Fire/EMS personnel. Know the location of safety equipment in your work area and how to use it. Familiarize yourself with emergency evacuation routes for your building.

9. Missing Student Policy

- a. It is the policy of Villa Maria College that any faculty or staff member of the College who receives information that a student of the College is missing from his or her normal and ordinary place of residence, whose whereabouts cannot be determined, and whose absence does not appear to be voluntary shall promptly report this information to the Dean of Student Affairs. The source of the report to include name, phone, and address of the reporting party along with a summary of the circumstances shall be made a part of any such report, to the extent possible. For purposes of speed, the initial report may be verbal to be followed by a written statement of circumstances forwarded in due course.
- b. The Dean of Student Affairs shall make inquiry to confirm as much information as possible and shall make a report to the Police Department in either Cheektowaga, New York, or in Buffalo, New York, as appropriate. Reporting:
 - i. Anyone with knowledge that a student is missing for 24 hours or more must report this information to Campus Security, the Business Office, or the Dean of Student Affairs.
 - ii. Individuals who wish to report that a student has been missing for 24 hours may contact any of the following office
 - 1. Office of Student Affairs – Dean of Student Affairs
 - a. Telephone: 716.961.1861
 - b. Location: Student Success Center.
- c. Confidential Contact
 - i. Each student has the option to register a confidential contact person to be notified in the case that the student is determined to be missing. Only authorized campus officials and law enforcement officers in furtherance of a missing person investigation have access to this information.

- ii. To complete a Confidential Contact Information form, please visit the Business Office. The Business Office will maintain confidential Contact Information forms.
- iii. The College will contact the parent or guardian of any students who are less than 18 years of age and not emancipated, who are reported missing.
- d. Law Enforcement
 - i. In all instances where a student has been reported missing for more than 24 hours, law enforcement will be notified.
 - ii. Villa Maria College may initiate any part of an investigation or procedures in less than 24 hours if circumstances warrant a faster implementation.

10. Student Activities and Organization Policy

- e. Introduction
 - i. Part of the Student Services, the Student Life Office strives to meet the various needs of the campus community. In addition to social programs, they offer cultural events, holiday programs, and service projects in order to enhance the holistic development of the students. The office works closely with the Student Government in planning various campus events. The office is responsible for the authorization and coordination of student-sponsored extracurricular programming held on campus.
- f. Clubs and Organizations
 - i. The purpose of clubs and organizations at Villa Maria College is to promote student involvement and leadership, build community, have fun, and further interests in Villa Maria and the outside community. Students have the ability to create and develop new clubs and organizations if there is not one on campus that suits their interests.
- g. Student Participation in College Governance
 - i. Villa Maria College recognizes that students are entitled to participate in the formulation of rules, regulations and policies directly affecting Student Life. Participation shall be provided through the Student Government and through student participation on College committees and councils.
 - ii. The Student Government shall have primary responsibility for recognizing student organizations, enforcing Student Government rules, regulations and legislative actions, and budgeting and administering College funds allocated to it.
- h. Fundraising
 - i. The Student Life Office and the Development Office must approve all fundraising done by student clubs or organizations. Fundraising forms can be picked up from the Campus Activities Office.
- i. Legal Compliance
 - i. All organizations and groups shall be in compliance with all applicable federal, state and local laws.

- j. Organizational Funds
 - i. All organizations and groups which receive College funding or which use the College name in the solicitation of funds or the generation of revenue must keep such funds on deposit with the College and make use of the normal College disbursement process in the expenditure of these funds.
 - ii. All clubs and organizations may not use any funds to purchase alcohol without prior written approval from the Director of Student Life and Dean of Student Affairs.
 - iii. All clubs and organizations funding and expense must follow the policies set forth by the College and are subject to change at any time without notice.
- k. Posting Materials
 - i. The Student Life Office will be responsible for approving all posters and fliers on campus from all student clubs and organizations and off-campus individuals or organizations.
 - ii. Student organizations and campus departments may utilize the bulletin boards on campus. Off-campus individuals or organizations, Villa students, and student organizations may only post fliers if they are approved first by the Student Life Office. There is no guarantee that a flier will be approved.
 - iii. Fliers must contain contact information for the organization/department and suitable content for the campus community. Any fliers depicting inappropriate material will not be approved; i.e. explicit content, alcohol advertisement, etc.
 - iv. Fliers may not be posted on any of the glass doors on campus, unless they contain emergency information. Fliers must only be posted on the designated bulletin boards. Only one flier will be posted for each bulletin board.
 - v. Other campus offices may post relevant materials to their departments without approval or stamping. Academic offices are responsible for their own postings. However, posters will only stay in place for two weeks and still must adhere to the policy regarding suitable content, location, etc.
 - vi. All campus offices are responsible for ensuring that up-to-date fliers only are posted on campus. Fliers will be removed after 14 days, and must be removed 24 hours after the event.
 - vii. Chalking of the sidewalks is only permitted after receiving approval from the Student Life Office. Students must define what will be written, and they must seek approval at least three days prior to the chalking.
 - viii. Violators to the posting policy will be held accountable with guidelines outlined in the Student and Staff Handbooks. Off-campus individuals who violate this policy will be banned from posting fliers in the future.
- l. Risk Management
 - i. Certain activities in which students choose to participate may involve certain personal physical risks. Students should use caution and common

- sense when participating in any activities, and recognize that the College is not always able to provide for, and can never ensure, student safety.
- ii. In activities or events sponsored by clubs or organizations where the physical risk of students is of concern, the Director of Student Life will develop a risk management plan with the club or organization officers.
- m. Social Activity Regulations
- i. For any event outside of normal classroom activity involving the use of College facilities, applications for space may be obtained from the Student Life Office and the Facilities Rental Office.
 - ii. College facilities may be scheduled and used by registered organizations for regular business meetings, for social programs and for programs open to the public according to the policies outlined in this section.
 - iii. Reasonable conditions may be imposed to regulate the timeliness of requests, to determine the appropriateness of the space assigned, to regulate time and use, and to ensure proper maintenance and order.
 - iv. Allocation of space shall be based on priority of requests and the demonstrated needs of the organization.
 - v. Reasonable charges may be imposed to cover any costs for the use of facilities. Physical abuse of assigned facilities or disregard for specific regulations pertaining to a given facility may result in reasonable limitations on future allocations of space to offending parties as well as restitution for damages.
 - vi. The organization requesting space must inform the College of the names of outside speakers and the general purpose of any meeting open to persons other than members.
 - vii. No speaker sponsored by a registered organization shall be denied appearance on campus for arbitrary or capricious reasons. Reasons for denial include, but are not limited to, probability of disruption of campus activities, endangerment of the College's tax-exempt status, and/or reasonable expectation of danger to life or property.
 - viii. The sponsoring organization and its officers are responsible for:
 - 1. Informing the advisor(s) in advance of all functions sponsored by the organization. All organizational activities must receive the prior approval of the advisor.
 - 2. The behavior of persons attending the function including but not limited to Student Code violations, and any illegal acts either engaged in or knowingly permitted by the organization.
 - 3. Any damage to utilized facilities.
 - 4. Activities of the organization and for its compliance with the Mission of the College and regulations.
 - ix. The sponsoring organization(s) and/or group(s) may require presentation of valid ID cards for admission to an event held on the campus. Functions may be closed to persons other than members of the sponsoring

organization(s) and/or group(s) and to their invited or accompanied guests.

- x. Functions held in College facilities may end no later than the established closing hours of the facility concerned unless permission is given by the Director of Student Life or designee.
- n. Commercial enterprises of any kind (solicitation, sales, distribution, etc.) by students or organizations are permitted on campus or in College buildings only with permission of the Director of Student Life. Commercial enterprises other than solicitation, sales or distribution by students must have the approval of the Vice President for Finance and the Dean of Student Affairs. No credit card application solicitation is permitted on campus. No outside solicitation of any kind is permitted in the Residence Halls.
- o. Sound trucks or outdoor amplifying systems are not allowed on campus for any purpose without the approval of the Director of Student Life.
- p. Use of the College Name/Logo
 - i. No organization shall use the College's name without written authorization of the College. College approval or disapproval of any political or social issue shall not be stated or implied by an organization.
 - ii. The official letterhead stationery, logo or seal of the College shall not be used in any publication, correspondence, or other printed material prepared or distributed by the organization or its officers without prior submission of the material to, and written permission from the Director of Campus Activities.
 - iii. All merchandise with the Villa Maria College logo or name, including t-shirt or other imprinted merchandise, must be approved through the Communication Office.

11. Information about College Services and Personnel

- q. Security
 - i. The main building is open Monday through Thursday 7:30 a.m. to 11 p.m. and Friday 7 a.m. to 7 p.m. Doors are locked at 6 p.m. Access to the building is available through the cafeteria entrances only. The music and library buildings are open 7 a.m. to 6 p.m. Monday through Friday. On Saturday, the main building is open 9 a.m. to 5 p.m. Sun-day hours and changes in building hours are posted as needed. Felician Hall is open 8 a.m. to 5 p.m. Monday through Friday. The Student Center is open 8 a.m. Monday through Friday. Closing times depend on events and/or availability of personnel.
 - ii. The grounds are well lighted and maintained to contribute to safety and security. Police cruise through the grounds several times each day. During evening hours, people are advised to leave the building in groups or to request service from security. Security checks are made regularly. In case of an emergency, security calls the police.

- iii. Once a semester, the College will offer a program designed to inform students about campus security procedures and practices, about the need to be responsible for one’s own safety and that of others, and about the prevention of crimes.
 - r. Student Success Center (SSC)
 - i. The Student Success Center (ASC) supports students at every stage of their college careers. Trained, experienced tutors provide academic assistance in a wide range of subjects, tailoring each session to the individual student’s needs. Students visit the SSC to receive tutoring in any subject, to improve writing, and/or to receive guidance in areas like study strategies, test taking, and time management. Students can make an appointment with a tutor by calling the SSC Secretary at (716) 961-1861. Or, simply drop in—the SSC is located on the ground floor level of the Library building. There is no fee for services.
 - ii. The Student Success Center is open Monday through Thursday from 9 a.m. to 6 p.m. and on Friday from 9 a.m. to 4 p.m.
 - s. Library
 - i. The Villa Maria College Library holds a carefully selected collection of books, periodicals, and other educational resources supportive of the instructional program of the College. It also provides non-print materials and technological equipment to add another supportive dimension for faculty and student needs. Wireless Internet access is available throughout the Library.
 - 1. Main Floor Foyer—service desk, Reserve Materials collection, Casual and Graphic Novel collections, two multifunction printer/scanner/copier machines, as well as computers with full Microsoft Office and Adobe Creative software suites;
 - 2. North Room—silent study space, circulating books (A-N), Oversize collection, Musical Score collection and Pamphlet File, as well as computers with full Microsoft Office and Adobe Creative software suites;
 - 3. South Room—Periodicals, circulating books (P-Z), and Audiobook, Professional Development, and Thesis collections. Library Computer Lab with computers with full Microsoft Office, Adobe Creative, and collaborative Solstice screen sharing software suites;
 - 4. Media Resources Room/Librarian Office—Audiovisual Materials and Equipment collections, reference question assistance.
 - 5. The main floor of the library is handicap accessible.
 - ii. Librarian/Staff Hours
 - 1. Mondays – Thursdays: 7:30 a.m. – 5p.m.
 - 2. Fridays: 7:30 a.m. – 4p.m.
 - iii. Library Building Hours
 - 1. Matches predetermined Main Building Hours

- iv. Borrowers - All users should have a current Villa Maria College student ID card to check out materials from the Library. After staff hours, students are welcome to use the After Hours Checkout box to check books out.
- v. Fines - Overdue books, DVDs, CDs: \$0.10 per day. Reserve Materials (2-Hour): \$0.50 per hour. All other Reserve Materials: \$0.50 per day. Interlibrary Loan materials: \$1.00 per day. Losses and damages will be billed at full replacement value plus a \$20.00 processing fee. All outstanding fines, losses, and damages are reported to the Registrar's Office. Grades and transcripts are withheld until library obligations are met.
- t. Services for Students with Disabilities
 - i. Assistance is available for students who have documented disabilities. The College recognizes the academic potential of all students and strives to provide reasonable accommodations to assist those with disabilities to be successful in their studies.
 - ii. Before accommodations are granted, students with documented disabilities are required to self-identify. To self-identify, a student should notify the Coordinator for Students with Disabilities. Upon notification, the procedure for obtaining accommodations will be explained to the student. As a final step in the process, the student should discuss with each instructor how the accommodations can be granted.
 - iii. College-wide support services are provided to assist students in raising their levels of competencies, selecting appropriate and manageable course loads, and exploring career opportunities that will capitalize on their strengths and talents.
 - iv. Optimum benefit from the College's support services can be gained by early identification, advisement, and enrollment.
- u. Honors
 - i. Phi Theta Kappa
 - 1. Phi Theta Kappa, the International Honor Society for two-year colleges, provides leadership, fellowship, scholarship, and service opportunities for full-time and part-time students. Eligibility for membership in the local chapter, Tau Lambda, is determined by a number of factors: completion of at least 12 credit hours of coursework at Villa Maria College leading to an Associate degree, an overall GPA of at least 3.5, and a recommendation reflecting engagement in service and leadership. An induction ceremony takes place each semester.
 - ii. Who's Who
 - 1. Members of the College Community nominate qualifying prospective graduates in baccalaureate and associate programs who distinguish themselves in genuine qualities of character, academic pursuits, and co-curricular endeavors for inclusion in Who's Who Among Students in American Colleges and

Universities. Certificates are presented at the Spring Honors Convocation.

- iii. Blessed Mary Angela Student Award
 - 1. Named after the foundress of the Felician Sisters, the Blessed Mary Angela Student Award is awarded annually at Commencement to the most outstanding graduate of Villa Maria College. Recipients should embody the mission and values of Villa Maria College, demonstrated through outstanding achievement in academics, leadership and service to both the College and the local community.
- iv. Spirit Award
 - 1. The Student Life Office gives the Martin Wanamaker Spirit Award to a graduate who distinguished him or herself in promoting spirit on campus.
- v. Delta Epsilon Sigma – Delta Epsilon Sigma is the national honor society for bachelor-degree students. Students eligible for membership must be at the junior level or higher and must be in the top 20% of their class.
- v. Campus Ministry
 - i. The Campus Ministry office ministers to all students, faculty, and staff members of the Villa Maria College Community. Inspired by its Catholic, Franciscan Felician roots and traditions, various opportunities are offered to help people deepen their awareness of the presence of God in themselves, in each other, and in the world around them. This awareness can be strengthened through Eucharist, interfaith prayer, private prayer and meditation, retreat experiences, spiritual direction, and pastoral and vocational counseling. It is hoped that this deepened awareness of God's presence will result in various works of mercy and charity.
 - ii. As part of the Villa Maria Complex Peace Site, Campus Ministry promotes an appreciation and respect for the dignity and integrity of all persons by suggesting venues for expanding knowledge and changing behaviors and attitudes regarding violence and injustice.
 - iii. Knowledge of local and global peace and justice issues is promoted through Pax Christi, the Diocesan Peace and Justice Commission, and the Western New York Peace Center. These issues are shared with the College Community through emails and signs posted outside the Campus Ministry Office.
 - iv. Campus Ministry oversees the operation of the Sister Mary Josette Food Pantry. The Pantry, affiliated with the Food Bank of Western New York, is located in the College and serves the needs of the less fortunate both on and off campus.
- w. Career Services
 - i. The Career Services and Internship Office provides services to students and alumni. Services include:
 - 1. Providing career advisement;

2. Assisting with job search strategies including resume and cover letter preparation as well as interview techniques;
 3. Furnishing information regarding career fairs, volunteer work, and full and part-time employment opportunities;
 4. Supporting students and faculty in professional practices career-related course activities;
- ii. For further information regarding services and career-related activities, students and alumni are requested to make an appointment with the Director of Career Services and Internships.
- x. Counseling Center
- i. Situations often arise in life that requires some type of change, either in one's behavior or one's personal environment. Counseling helps students work through those changes in a productive manner. It provides the opportunity for students to assess personal problems, clarify thoughts and feelings, learn how to cope with and overcome stressors, and improve decision-making. While some students may engage in the counseling process to address concerns and overcome obstacles, others may want to gather information that will prevent potential problems from occurring. Overall, the counseling process helps students meet personal, educational, and professional goals. Counseling is confidential and free of charge.
 - ii. Personal Counseling
 1. Students are invited to utilize counseling services for a variety of reasons. Some may include issues that arise in personal relationships, in adjustment to life changes, or dealing with loss. Some students may need help with how to stay motivated, overcome procrastination, manage stress or deal with feelings of depression/anxiety. Numerous factors can impede one's ability to reach academic goals and meeting with a counselor can help reduce stress, gain insight, and resolve personal issues.
 - iii. Personal Growth and Development
 1. It is essential that students develop self-management and interpersonal skills. While some students may desire counseling to deal with a particular problem, others may want to improve communication skills, learn how to balance the role of student with their personal life and avoid potential problems before they occur. Workshops, presentations, and individual sessions are made available to address topics such as:
 - a. Coping with College and Life Demands;
 - b. Handling Unexpected Events;
 - c. Stress Management;
 - d. Handling Relationship Breakups;
 - e. How to Resolve Conflict;
 - f. Improving Communication Skills;

- g. Managing Multiple Roles;
 - h. Wellness; and
 - i. Understanding Personality Types.
 - iv. Parents/Single Parents
 - 1. Some students are also parents. While pursuing a degree and raising children require significant adjustments, various strategies can be employed to insure success. Individual sessions are available to help students learn how to handle both family and student responsibilities.
 - v. Adult Learners
 - 1. Adult Learners are students primarily over the age of 23 and returning to school after several years. In addition to the role of student, adult learners often have many other responsibilities. To meet their diverse needs, services are provided through the Counseling Center. Individual sessions are also provided to address concerns and/or questions as they arise.
 - vi. Hours
 - 1. The Counseling Center is located on the ground floor of the library building. General office hours are between 9 a.m.-5 p.m. Evening hours are also available. Students may stop in or call 961-1821 to schedule an appointment. For those students experiencing a Mental Health emergency, Erie County Crisis Services is available 24 hours at 716.834.3131.
 - y. Lockers
 - i. Lockers are available August 15 to May 31 on a first come, first served rental basis. The fee is \$5 (\$2 rental, \$3 deposit). When withdrawing from the College at any time during the semester, at the end of a semester, or when the academic year is completed, a student must return the lock to the Student Life office to obtain a form for a refund of the \$3 deposit. The actual refund is obtained in the Business Office. Locks must be turned in by May 31 or the refund is forfeited for that academic year. Lockers are cleaned during the months of June and July. The College is not responsible for items left in lockers.
 - z. Student Life Office
 - i. Students are welcome to check with the Student Life Office regarding any problems, difficulties, or questions that arise while on campus. Referrals to appropriate offices or departments are made when necessary. Student life at Villa is an integral part of the total educational experience. A diversified portfolio of student interest groups, along with major campus-wide events is available to students. Each group and activity has a unique purpose and focus. The groups are divided into the areas of government, academic/social, cultural, and wellness.
 - aa. Student Government

- i. Student Union Association (SUA)—the Constitution of the Student Union Association of Villa Maria College is undergoing revision in the 2017-2018 academic year. More information can be found by contacting the Director of Student Life.
 - ii. Student Union Board (SUB) is the voice of the students as it pertains to student life at Villa, promoting student responsibility, loyalty to the College, and cooperation among students in their relations with faculty and administration.
- bb. Academic and Social Clubs & Organizations
- i. Ambassadors are a network of Villa students who assist the College in various recruitment and service-related activities.
 - ii. Animation Club is open to all animation majors. The club affords students the opportunity to build their social, professional, and networking skills while learning and sharing animation knowledge above and beyond what is learned in the classroom. Club members will also travel to film festivals and animation studios.
 - iii. Art Club is open to art students and gives them an opportunity to discuss both historical and contemporary art issues and to travel to New York City for intensive art and cultural exploration.
 - iv. Business Club is a social and professional club open to all students who desire to participate in community-based projects while having fun and expanding hands-on knowledge of management.
 - v. Fashion Club is open to all Fashion Design and Merchandising majors. Meetings are dedicated to expanding interest in the fashion industry and discussing current happenings in the fashion world. The club also sponsors trips to fashion related businesses and/or locations.
 - vi. Graphic Design Club is open to all Graphic Design students. The club's purpose is to enhance the quality of education and life on Campus through visual communication, to provide professional development, to promote community outreach, and to have fun doing it!
 - vii. IN Club is the Interior Design club for current students and alumni. The club's purpose is to make members aware of current aspects in the design field and to assist members in preparing for employment. All members are required to be registered with the American Society of Interior Designers (ASID).
 - viii. Music Club is open to all music students. Meetings involve musical discussions and performance and critique sessions. Members have the opportunity to perform their studio pieces or original compositions and receive constructive criticism from their peers.
 - ix. Phi Theta Kappa is the International Honor Society for two-year colleges. It provides full and part-time students the chance to develop leadership and service skills.

- x. Photovisions is the photography club for current students and alumni. Speakers, field trips, and group activities promote knowledge and networking with area galleries and photographers.
 - xi. Physical Therapist Assistant/Health Related Professionals Club is a social and educational club comprised of Physical Therapist Assistant students and students interested in health science career fields. The organization sponsors program-related seminars, social activities, and speakers who share professional and career information.
 - xii. The Writers' Circle is an informal gathering of student creative writers who share their prose and poetry; offer readings of their own work, and host poets and authors at the College for readings and workshops. It is open to all students, whether or not they have taken any Creative Writing classes as well as Creative Writing and Literature majors.
 - xiii. Villa Maria College Student Alumni Association Club is committed to nurturing a relationship between students and the College based on loyalty and the pursuit of knowledge. Membership in the Club will sustain a bond between students and graduates and coordinate student and alumni support of the College.
 - xiv. Villa Volunteers is a group of Villa Maria College students, faculty, staff, alumni, and friends who are dedicated to making a difference through service to others.
- cc. Cultural Clubs & Organizations
- i. Drama Club is an organization open to all students. Its purpose is to familiarize students with all aspects of drama including lighting, music, and costumes, as well as planning and producing a play each semester.
 - ii. E.A.S.E. is an acronym for Environmental Awareness, Sustainability, and Education. In 1979, Pope John Paul II declared St. Francis of Assisi the Patron of Ecology. As a Franciscan institution espousing the values of St. Francis, the group's theme is "Care for Creation." The group will learn and share information on issues impacting the environment while addressing how individuals can respond to help "ease" up on the earth and all creation.
 - iii. Gospel Choir is open to all students, faculty, staff, and alumni. Its purposes are to give honor and glory to God through music, while providing an opportunity for students to showcase their musical abilities, and to support the College's Mission by building community.
 - iv. In Living Colour serves as a way for students of different cultures, ethnicities, and sexual orientation to come together to promote tolerance in our ever changing society.
 - v. SKALD is the annual award-winning student literary arts magazine spotlighting student literature, art, and photographic work.
- dd. Wellness

- i. The gym and fitness room are open Monday through Sunday for various hours. Visit www.VillaVikings.com to learn more. Student ID card required using facilities.
- ee. Bookstore
 - i. The Bookstore is the official source for the purchase and rental of new and used textbooks. The Bookstore also buys, sells, and rents used textbooks. School supplies, photo materials, art materials, and imprinted items are available. Students may purchase textbooks, discounted software, and computer products online and in the store itself. Students may also purchase graduation attire. Bags, briefcases, coats, jackets, and books may not be taken into the Bookstore. These items are to be left in a locker. The Bookstore accepts payment by cash, check, Visa, MasterCard, and American Express. Book loans are available through the first two months of each semester. However, the Bookstore may close individual accounts early once the student's financial aid has been processed.
 - ii. Hours – are posted on the entry to the store.
 - 1. For more information, go to www.villa.bkstr.com.
- ff. Business Office Hours
 - i. The Business Office is open from 8:30 a.m. to 4:30 p.m., Monday through Friday. During the first week of classes during the fall and spring semesters, extended hours are posted outside the Business Office.
- gg. Dining Hall & Villa Bistro
 - i. The Villa Maria College Dining Hall is utilized as an integral part of College social life. Villa Bistro service is available Monday through Friday from 8 a.m. to 2 p.m. when classes are in session and offers a variety of food. In addition, the Dining Hall is available for study and socializing whenever the college is open. Notice will be posted if this schedule is changed.

12. Tobacco-Free Policy

hh. Purpose

- i. Villa Maria College recognizes the overwhelming scientific evidence assembled by the U.S. Surgeon General, Centers for Disease Control, Environmental Protection Agency, and World Health Organization, which demonstrates that tobacco is a profound agent of deadly diseases, responsible for millions of deaths worldwide each year, both to tobacco users and non-users. Studies have indicated that exposure to second hand smoke is a significant risk for everyone. All forms of tobacco are now known to be harmful and highly addictive. Villa Maria College cares deeply about the health of the College Community and our neighbors. As an employer and an institution of higher education, the College is committed to providing a safe working and educational environment. Tobacco use is inconsistent with our traditional Felician Franciscan values and culture of wellness.

ii. Policy

i. Villa Maria College became a 100% tobacco-free campus on August 1, 2013.

1. All tobacco product use is prohibited everywhere within the perimeter of all Villa Maria property, indoors and outdoors, as well as in College-owned vehicles and in any vehicle on Villa property.
2. Tobacco product use is discouraged at all College sponsored events including off-campus events.
3. Tobacco product sales are prohibited everywhere on the College campus.
4. The College will not accept advertising, marketing, distribution, or promotion of tobacco products.
5. All grants and gifts to the College and all solicitations and proposals for such funds must have the approval of the College and must conform to the College's mission statement, culture of wellness, College policies, and applicable laws and regulations. In addition, Villa Maria College will not invest in any direct tobacco company holdings.

jj. Compliance

i. In keeping with the mission of Villa Maria College, this policy is driven by respect for others and the environment and relies on the thoughtfulness, consideration, and cooperation of tobacco users and non-users for its success. Enforcement of this policy will depend on the cooperation of all members of the Villa Maria College Community, both to comply and encourage others to do so. It is the responsibility of all members in the College Community to observe this tobacco policy.

1. Villa Maria will inform members of the College Community about the tobacco policy by widely disseminating information about the policy on a regular basis. The tobacco policy will be clearly posted in employee and student handbooks, on the campus website and as part of other publications.
2. The policy will be shared with parents, alumni, and visitors through media, campus announcements, the website, and other means. Key components of the policy will be posted on signage around campus (e.g. Tobacco use is not allowed on campus grounds.) Public announcements will address the policy at events on campus
3. Policy non-compliance will prompt an initial educational response, which will include information regarding the existence of the policy, the rationale for the policy, and the availability of cessation support services. Repeated non-compliance will be referred to the appropriate campus student conduct or employee supervisory

system for resolution. Employees and students will be treated respectfully in the consistent observance of the policy.

4. At times, the establishment of boundaries has resulted in displacing tobacco users onto the surrounding community grounds. In the event that this does happen, Villa Maria College will reach out to ameliorate the situation in support of its neighbors.

kk. Definitions

- i. For the purposes of this document, the following definitions apply:
 1. "Tobacco" is defined as all tobacco and tobacco-derived products intended for human consumption, including but not limited to cigarettes, pipes, cigars, hookah-smoked products, clove cigarettes, bidis, kreteks, electronic cigarettes, smokeless tobacco, snus, and other related tobacco products. This definition does not include any product that has been approved by the US Food and Drug Administration for sale as a tobacco use cessation product.
 2. "College" is defined as Villa Maria College.
 3. "Campus property" is defined as any property owned, leased, or operated by Villa Maria College.
 4. "Tobacco company" is defined as a company that produces and/or markets branded tobacco products, including subsidiaries, but not including parent companies which engage in business activities that are not in any way related to tobacco.
 5. "Direct tobacco company holdings" are defined as corporate stock holdings directly owned by the College, not including stock holdings that may be owned through mutual funds or indirect investments.

ll. College Commitment

- i. Villa Maria's commitment to becoming tobacco-free will foster:
 1. Preserving respect for others and the environment;
 2. Supporting the culture of wellness;
 3. Reducing the health hazards posed by exposure to second hand smoke on campus;
 4. Preparing students for an increased number of tobacco-free work places;
 5. Helping prevent desecration of the campus by tobacco litter;
 6. Eliminating designated smoking areas that can limit smoke free access particularly for people with disabilities;
 7. Discouraging students from adopting or continuing to use any form of tobacco;
 8. Curtailing the known difficulties posed by policies with designated smoking areas;
 9. Decreasing tobacco use through the use of social-norming; and

10. Recognizing that, as stated by the CDC, smokeless tobacco can lead to nicotine ad-diction and that users are more likely to become smokers.

mm. Cessation

- i. Understanding the addictive nature of tobacco use and that breaking that addiction is extremely difficult for many people, the College will make every effort to assist those employees and students who wish to stop using tobacco. The campus will promote and provide evidence-based cessation resources. Students and employees may obtain referrals and support for cessation resources through the College Health Office (716-961-2852) or New York State Smokers Quit line 1-866-NY-QUITS (1-866-697-8487).

nn. Policy Review

- i. Villa Maria College will maintain its Tobacco-Free Committee to identify and address needs and concerns related to this policy, implementation, compliance, enforcement, and cessation. The Tobacco-Free Committee will review this policy on a regular basis to ensure that it is sustained, effective, and up to date. The provisions of this policy shall be subject to future review and revision to ensure that its objectives are attained and that Villa Maria College is in compliance with federal and state law.

13. Section 504 Policy: Discrimination on the Basis of Disability

- a. Villa Maria College is committed to providing a learning, working and living environment that promotes personal integrity, civility and mutual respect in an environment free of discrimination on the basis of disability, including disability harassment. Villa Maria considers disability discrimination in all its forms to be a serious offense. This policy refers to all forms of disability discrimination, including disability harassment by employees, students, or third parties.
 - i. Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on disability in education programs and activities that receive federal financial assistance. To ensure compliance with Section 504 and other federal and state civil rights laws, the College has developed policies and procedures that prohibit disability discrimination in all of its forms. An individual with a disability is defined as “any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment. The regulation further defines a physical or mental impairment as (A) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or (B) any mental or psychological

disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.”

- b. Reporting/Complaint
 - i. To make a report or complaint of discrimination on the basis of disability, please contact the Section 504 Coordinator, Brian Emerson, Vice President for Enrollment Management, bemerson@villa.edu, 716.961.1838.
- c. Additional Information
 - i. Additional information about Villa Maria College’s services for students with disabilities can be obtained from Liz Kerr, Director of Student Success, at ekerr@villa.edu, 716.961.1866. The Student Success Center is located on the lower level of the Library Building.
- d. Alternative places to report Civil Rights Grievances
 - i. Individuals who wish to report a civil rights grievance or complaint to someone outside of Villa Maria College may contact one of the following:
 - ii. Office for Civil Rights (OCR) – Enforcement Office
U.S. Department of Education
Old Slip, 26th floor
New York, NY 10005 – 2500
Telephone: (646) 428-3900
FAX: (646) 428-3843
TDD: (877) 521-2172

14. Identifying Characteristics of Villa Maria College

- a. Ideals: *Veritas, Caritas, Unitas*
 - i. Latin inscription of the ideals of the College— truth, charity, and unity.
- b. School Colors: *Blue and White, accent: Brown*
 - i. The founders chose these colors with brown symbolizing the Franciscan Order and blue symbolizing the Blessed Virgin Mary.
- c. Patroness: The Virgin Mary under the title of Our Lady of Villa is the patroness and protector of Villa Maria College. The statue is located on the front grounds of the College.
- d. Mascot: The Viking
- e. Seal: The Seal of Villa Maria College is a graphic representation of the foundation upon which the College rests, the life-giving sources that feed it and the ideals that flow from its spirit. The Holy Spirit, the Source of Eternal Wisdom, hovers above the triangle upon which are inscribed in Latin the ideals of the College—truth, charity, and unity. Within the triangle, which symbolizes the Most Holy Trinity, is the Immaculate Heart of Mary as it is depicted in the Seal of the Congregation of the Sisters of St. Felix of Cantalice. The crossed arms of Christ and St. Francis of Assisi symbolize the Franciscan Rule of the Third Order Regular, with the Eucharistic Host placed upon the Cross depicting the Eucharistic and penitential character of the Felician Congregation. The Latin inscription encircling these symbols reads: “Seal of Villa Maria College of

Buffalo, New York” and the date of the chartering of the College—1961.



Villa Maria College Sexual Offense Policy and Procedures for Students and Employees

Please Note that a version of this policy was formerly called: Civil Rights Grievance Procedure, and Title IX Policy: Discrimination on the Basis of Sex & Sexual Misconduct. This policy is also posted on-line here: <https://www.villa.edu/campus-life/campus-security/titleix> and here: <http://www.villa.edu/wp-content/uploads/2018/07/Villa-Maria-College-Sexual-Offense-Policy-and-Procedures-for-Students-and-Employees.pdf>

1. Introduction

- a. Villa Maria College is committed to providing learning and working environment that promotes personal integrity, civility and mutual respect in an environment free of discrimination. The Villa Maria College Civil Rights Grievance Procedure, Title IX and Sexual Misconduct Policy is the method by which Villa Maria College handles the resolution of grievances related to civil rights discrimination pertaining to any member of the college community, including: students, employees, volunteers, and third-party contractors related to discrimination under Title IX and/or any form of sexual misconduct.
- b. Villa Maria College is committed to providing a learning, working and living environment that promotes personal integrity, civility and mutual respect in an environment free of discrimination on the basis of sex, which includes all forms of sexual misconduct. Sex discrimination violates an individual's fundamental rights and personal dignity. Villa Maria College considers sex discrimination in all its forms to be a serious offense. This policy refers to all forms of sex discrimination, including but not limited to: sexual harassment, sexual assault, and sexual violence by employees, students, or third parties.
- c. Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in educational programs and activities that receive federal financial assistance. To ensure compliance with Title IX and other federal and state civil rights laws, the College has developed policies and procedures that prohibit sex discrimination in all of its forms.

2. Definitions

- a. **Sex Discrimination:** behaviors and actions that deny or limit a person's ability to benefit from, and/or fully participate in the educational programs or activities or employment opportunities because of a person's sex.
 - i. Examples of sex discrimination under Title IX include, but are not limited to, sexual harassment, failure to provide equal opportunity in education programs and co-curricular programs including athletics, discrimination based on pregnancy, and employment discrimination.
- b. **Sexual Harassment** is unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment or the educational relationship; (2) submission

to or rejection of such conduct is used as a basis for employment or education decisions affecting the individual; or (3) such conduct has the effect of unreasonably interfering with a student's or employee's work performance or creating an intimidating, hostile, or offensive working, educational, or living environment. While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

- i. Promising, directly or indirectly, a student or employee a reward, if the student or employee complies with a sexually oriented request.
 - ii. Threatening, directly or indirectly, retaliation against a student or an employee, if the student or employee refuses to comply with a sexually oriented request.
 - iii. Denying, directly or indirectly, a student or employee an employment or education related opportunity, if the student or employee refuses to comply with a sexually oriented request. Engaging in sexually suggestive conversation or physical contact or touching another student or employee.
 - iv. Displaying pornographic or sexually oriented materials.
 - v. Engaging in indecent exposure.
 - vi. Making sexual or romantic advances toward a student or employee and persisting despite the student or employee's rejection of the advances.
 - vii. Physical conduct such as assault, touching, or blocking normal movement.
 - viii. Retaliation for making harassment reports or threatening to report harassment.
 - ix. Sexual harassment can involve males or females being harassed by members of either sex. Although sexual harassment sometimes involves a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority also can be found responsible for engaging in prohibited harassment.
 - x. Sexual harassment can be physical and/or psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one of the incidents considered separately would not rise to the level of harassment.
- c. **Sexual Misconduct:** Sexual Misconduct is a broad term encompassing any sexual offense that violates Villa Maria College's Code of Conduct and/or Sexual Offense Policy and Procedure. In general, any non-consensual physical contact of a sexual nature may constitute Sexual Misconduct. Sexual Misconduct may vary in its severity and consists of a range of behaviors or attempted behaviors that may be grounds for student conduct action under College policy.
- d. **Sexual Assault:** Sexual assault can be defined as any type of sexual contact or behavior that occurs by force or without consent of the recipient of the unwanted sexual activity. Falling under the definition of sexual assault is sexual activity such as forced sexual intercourse, sodomy, child molestation, incest, fondling, and attempted rape. It includes sexual acts against people who are unable to consent either due to age or lack of capacity.
- e. **Non Consensual Sexual Contact:** Non-Consensual Sexual Contact is any intentional sexual touching, however slight with any object or body part, by a man or a woman upon a man or a woman, without consent.
- f. **Non-Consensual Sexual Intercourse/Non-forcible sex offenses:** Non-Consensual Sexual Intercourse is: any sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a man or woman upon a man or a woman, without consent. This includes non-forcible sex offenses, which is defined as unlawful, non-forcible sexual intercourse.

- g. **Forced Sexual Intercourse/Forcible Sex offenses:** Unwilling or non-consensual sexual penetration (anal, vaginal or oral) with any object or body part that is committed either by force, threat, intimidation, or through exploitation of another's mental or physical condition of which the assailant was aware or should have been aware. This definition includes: any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.
 - i. Sexual Activity includes: Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice. Intercourse however slight, meaning vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact).
- h. **Sexual Exploitation:** Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.
 - i. Examples of sexual exploitation include, but are not limited to: prostituting another student; non-consensual video or audio-taping of sexual activity; going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex); engaging in Voyeurism; knowingly transmitting an STD or HIV to another.
- i. **Domestic Violence:** Any felony or misdemeanor crime committed by a current or former spouse of the victim; a person the victim has a child with; an individual who lives or has lived with the victim as a spouse, or a person similarly situated to a spouse; and any other person committing an act against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- j. **Dating Violence:** Violence committed by a person who is or has been in a relationship — of a social, romantic or intimate nature — with a victim. The existence of such a relationship is to be determined by the length and type of relationship and the frequency of interaction.
- k. **Stalking:** Engaging in conduct directed at an individual that would cause any reasonable person to fear for her safety or that of others, or that inflicts emotional distress.
- l. **Affirmative Consent**
 - i. 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.
 1. 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.
 2. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.

3. Consent may be initially given but withdrawn at any time.
 4. 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.
 5. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
 6. When consent is withdrawn or can no longer be given, sexual activity must stop.
- m. Incapacitation:** Incapacitation occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Such things that can influence choice include: force, coercion, intimidation, threat of harm, intoxicants. This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of a so-called “date-rape” drug. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student for the purpose of inducing incapacity is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/>

3. Non-Discrimination Statement:

- a. Villa Maria College does not discriminate on the basis of age, race, religion, creed, color, national or ethnic origin, gender, disability, sex, sexual orientation, domestic violence victim status, marital status, veteran status, military status, predisposed genetic carrier status and any other characteristics or protected status recognized by applicable federal, state or local law. This policy applies to admissions, all terms and conditions of employment, and any other aspect regarding the conduct of College programs and activities Villa Maria College is an Equal Opportunity Employer.

4. Policy and procedure for responding to a sexual offense

- a. **Introduction:** Villa Maria College encourages those who have experienced any form of discrimination to report the incident promptly, to seek all available assistance, and to pursue Student Conduct charges and/or criminal prosecution of the offender when desired. The College takes complaints of discrimination and sexual offenses very seriously and will work with those making a report to ensure their safety and to remedy the situation.
- b. **Seek a safe place.** Villa Maria College Title IX officers, Campus Security officers, Local police officers (typically Cheektowaga or Buffalo Police Departments), and the New York State Police can help you do this. Officers at the local police and New York State Police are specifically trained to respond to the needs of a victim of a sexual offense. They can also make you aware of support and advocacy services and advise you about reporting procedures and requirements.
- c. **Consider seeking medical assistance.** Those who seek a medical examination may obtain one for free, paid by the office of victim services (<https://ovs.ny.gov/>). The

College recommends that students seek medical examination at one of the following facilities that has a trained SANE nurse available:

- i. Buffalo General Medical Campus
 - ii. DeGraff Memorial Hospital
 - iii. Kenmore Mercy Hospital
 - iv. Mercy Ambulatory Care Center
 - v. Mercy Hospital
 - vi. Millard Fillmore Suburban Hospital
 - vii. Sisters of Charity Hospital – Main Campus
 - viii. Sisters of Charity Hospital – St. Joseph Campus
 - ix. The closest location to Villa Maria College to have an exam is Sisters of Charity Hospital – St. Joseph Campus located at 2605 Harlem Rd, Cheektowaga, NY 14225 (716) 891-2400. More information about SANE/SAFE program through Crisis Services can be found on-line: <http://crisisservices.org/rape-domestic-violence/what-is-sexual-violence/>
 - x. Consider taking a full change of clothing, including shoes, for use after a medical examination.
 - xi. When seeking medical attention, a person may choose whether or not to speak to the police at the hospital or any other time. If they do, the option to choose whether to file charges against the respondent will exist.
 - xii. Private physicians are not required to notify the police. If a survivor desires police involvement, they may request this contact. Also, with a private physician, survivors may have to ask for a rape kit to be completed. Please keep in mind: having a rape exam does not mean that survivors are mandated to press charges. This action only keeps the survivor's options open.
- d. **Preserve evidence.** In the event that sexual assault or sexual violence occurred, do everything possible to preserve evidence by making certain that the crime scene is not disturbed. (The decision to press charges does not have to be made at this time. However, following these procedures will help preserve this option for the future.) Survivors should not bathe, urinate, douche, brush teeth, or drink liquids. Clothes should not be changed but if they are bringing all the original clothing to the hospital in a paper bag. (Plastic bags damage evidence.)
- e. **Report the incident.** Villa Maria College encourages, but does not require, victims, survivors, complainants, claimants, and witness with victim status of sexual offenses (reporting individuals) to report the incident to one or more of the following resources:
- i. **Law enforcement.** You may, but are not required, to report a sexual offense to local law enforcement for the purposes of documentation or investigation. You may contact local law enforcement as follows:
 1. **Cheektowaga Police (Villa Maria College campus is in Cheektowaga, NY).** 3223 Union Road, Cheektowaga, New York 14227. Emergencies 9-1-1. Non-Emergency Phone: (716) 686-3500. <http://cpdny.org/>
 2. **Buffalo Police.** 74 Franklin Street, Buffalo, NY 14202. Emergencies 9-1-1. Non-Emergencies (716) 851-4444. <https://www.bpdny.org/>
 3. **New York State Police Campus Sexual Assault Victims Unit.** Non-emergency- toll free hotline to report Campus Sexual Violence to the New York State Police: 1-844-845-7269. Specific contact: S/Inv Thomas Gibbons, Troop A (north). Non-Emergencies 716-239-0298 Thomas.Gibbons@troopers.ny.gov.

4. Villa Maria College Campus Security staff can assist you in contacting local law enforcement at any time.
 5. If you choose to contact law enforcement, you may have the further option, but are not required to, pursue the case through the criminal justice system.
- ii. **Campus Security.** You may, but are not required to, report the sexual offense to Villa Maria College Campus Security. Campus Security personnel is not a law enforcement agency, and will communicate the report to College Administration responsible for responding to sexual offense incidents.
 - iii. **Campus Compliance Officers.** When you disclose an incident to a representative of Villa Maria College, you will be directed to one of the following individuals listed below, who will assist you. You will be presented a copy of this policy, and will be made aware of your rights and options. All who make a report will be informed that they have the right to make a report to local law enforcement, and/or NYS Police, or choose not to report; to report the incident to Villa Maria College Compliance Officers; to be protected by the institution from retaliation for reporting an incident; and to receive assistance and resources from Villa Maria College. You may, but are not required to, report the sexual offense to a **Villa Maria College Compliance Officer** identified below:
 1. Brian Emerson, Vice President for Enrollment (VPEM). Civil Rights Compliance Officer: Title IX Coordinator, Section 504 Coordinator.
 - a. Location: Villa Maria College, 240 Pine Ridge Rd. Buffalo, NY 14225. Office Location: Felician Hall, Room 119. Phone: 716.961.1838. E-mail: bemerson@villa.edu
 - b. Emergency Access to the Title IX Coordinator. You will have the right to emergency access to the Title IX Coordinator to provide emergency assistance. The Title IX Coordinator is generally available for emergency access on weekdays between the hours of 9am and 4pm. Please contact Campus Security for assistance in reaching the Title IX Coordinator if they are not available in their office, or it is after normal business hours. Campus Security will contact the Title IX Coordinator to assist you.
 2. Dr. Carrie Florea, Director of Human Resources, Civil Rights Compliance Officer: Deputy Title IX Coordinator.
 - a. Location: Villa Maria College, 240 Pine Ridge Rd., Buffalo, NY 14225. Office Location: Human Resources – First floor of the Main Building. Phone: 716. 961.2864. E-mail: cflorea@villa.edu
 3. Dr. Agnes Zak-Moskal, Dean of Student Success, Deputy Title IX Coordinator.
 - a. Location: Villa Maria College, 240 Pine Ridge Rd., Buffalo, NY 14225. Office Location: Student Success Center – Ground floor of the Library Building. Phone: 716. 961.1861. E-mail: azakmoskal@villa.edu
 - iv. **Employees who report** - Employees of the College can also make an initial report to their immediate supervisor or the Director of HR. Employees who believe they have either witnessed or been subjected to discrimination or a sexual offense may notify one of the following: The Vice President for

Enrollment Management and/or the Director of Human Resources. If for any reason the employee is unable or unwilling to report the matter to any one of the individuals listed above, he/she may report the matter to the President of the College.

f. Understanding Confidentiality

- i. Confidentiality may be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to College 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 and pastoral counselors are examples of Villa Maria employees who may offer confidentiality.
- ii. The obligation to keep information in confidence is inherent for certain Villa Maria professionals on campus, such as licensed social workers, licensed psychologists, and pastoral and professional counselors (including licensed mental health counselors). Many off-campus resources such as rape crisis centers are also confidential, and with the exception of certain child abuse and imminent threats, individuals working in such organizations have no obligation to report information back to the reporting individual's campus.
- iii. It is important to note that all other Villa Maria employees who do not fall within the categories listed above are required to report known incidents of sexual assault or other crimes, so they are NOT confidential resources. However, even Villa Maria 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.
- iv. **Privacy** – 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 applicable laws, including informing appropriate VILLA MARIA officials.
 1. Although most Villa Maria employees are not confidential resources, they can still offer “privacy.” This means that an employee may have to share information pursuant to federal or state law or college policy with certain other Villa Maria employees, but they will not share the private information beyond what is required or needed to comply with law and policy, and will otherwise limit re-disclosure as much as possible.
 2. Privacy of the records specific to the investigation is maintained in accordance with New York State law and, with respect to student records, the federal Family Educational Rights and Privacy Act of 1974 (FERPA) statute. Any public release of information to comply with the timely warning provisions of the Jeanne Clery Act (Clery Act) will not release the names of victims or information that could easily lead to a victim's identification.
- v. Be aware that certain Villa Maria officials with significant responsibility for student and employee activities may be required by law to disclose the occurrence of the event. If you make a report to an official who is required by law to disclose the occurrence of the event, but you request confidentiality, the Title IX coordinator will evaluate the confidentiality request, by weighing the

request against the College's obligation to provide a safe, non-discriminatory environment for all members of its community. If it is determined that the incident must be disclosed, your name will be kept confidential, and you will be offered privacy to the greatest extent possible. If it is determined that the incident must be kept confidential, Villa Maria will still assist with academic, housing, transportation, employment, and other reasonable and available accommodations.

1. Even Villa Maria officers 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. Your identity will remain private at all times if you wish to maintain privacy.
- vi. Villa Maria will make every effort to ensure that you are asked to describe the incident to as few representatives of Villa Maria as possible, and are not required to unnecessarily repeat a description of the incident.
 - vii. If you would like to report an incident or speak to someone about something that happened and you desire that details of the incident be kept confidential, you should speak with staff members of the Counseling Center, the Campus Minister, or off-campus resources, who will maintain confidentiality. Campus counselors are available to help you free of charge, and can be seen on an emergency basis. In addition, you may speak on and off campus with clergy and chaplains, who will also keep reports made to them confidential.
 1. The Villa Maria Counseling Center is located on the ground floor of the Library Building. The Director is OPEN, who can be reached at (716) 961-1821 or OPEN@villa.edu
 2. The Campus Ministry office is located on the first floor of the administration building near the main lobby. The Director is OPEN, who can be reached at (716) 961-1813 or OPEN@villa.edu
 3. The College recommends the following off-campus resources:
 - a. Crisis Services (716) 834-3131 <http://crisisservices.org/>
 - b. 24 Hour Erie County Domestic Violence Hotline (716) 862-HELP Shelter: 716-884-6000
 - c. 24 Hour NYS Domestic & Sexual Violence Hotline 1-800-942-6906
 - viii. **Anonymous Reporting** - Students and employees may make an anonymous report that will be sent to campus security and the Campus Compliance officers at: <https://www.villa.edu/campus-life/campus-security/anonymous-reporting/>
 - g. **Request to file Student Conduct charges** - If the accused or respondent is a student, you may request to file student conduct charges against the accused or respondent according to the Student Conduct System (Student Handbook, section 8). All students have the right to request to initiate student conduct charges against another student. Requests to file charges should be prepared in writing and directed to the Dean of Student Affairs. Written requests may be emailed to the Dean of Student Affairs at azakmoskal@viall.edu, or mailed or delivered in person to the Dean of Student Affairs at: Villa Maria College, Dean of Student Affairs, Library Ground Floor, 240 Pine Ridge Rd, Buffalo, NY 14225.

- i. Additional details regarding Student Conduct charges can be found in the Student Handbook, available at <https://www.villa.edu/campus-life/student-services/>
 - ii. You should be aware that there are significant differences between Villa Maria's Student Conduct System and the criminal justice system, 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. Villa Maria's Student Conduct System 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.
- h. Seek an Order of Protection or No Contact Order**
- i. Order of Protection**
 - 1. Victims of Sexual Offenses may have a right to obtain a court order to protect themselves from the perpetrators. Villa Maria will enforce all applicable no contact orders, restraining orders, and similar lawful orders issued by a criminal, civil, or tribunal court, to the extent required by law.
 - 2. An order of protection is issued by the court to limit the behavior of someone who harms or threatens to harm another person. It is used to address various types of safety issues, including, but not limited to situations involving domestic violence. Family Courts, criminal courts, and Supreme Courts can all issue orders of protection. An order of protection may direct the offending person not to injure, threaten or harass you, your family, or any other person(s) listed in the order.
 - 3. You may learn more about obtaining an Order of Protection in New York State here: <https://www.nycourts.gov/faq/orderofprotection.shtml>
 - 4. If you have obtained an Order of Protection, please present the information to Campus Security, a Title IX Officer, or the Dean of Student Affairs for assistance on campus.
 - ii. No Contact Order**
 - 1. You can request the College to issue a "no contact order" to protect you from the respondent or accused. When a student is accused of a Sexual Offense, Villa Maria will automatically issue a mandatory "no contact order" to protect you from the respondent or accused. This "no contact order" is a College document that does not have the legal effect of an order of protection, which is obtained through a court. Under the no contact order: (1) the accused's continued intentional contact with the reporting individual is a violation of College policy that is subject to additional conduct charges; and (2) if the accused or respondent and a reporting individual 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 reporting individual. This may include establishing a schedule of attendance for the accused

or respondent to access certain locations at the College, such as academic buildings, libraries, athletics or fitness facilities, lounges, and the dining hall.

2. To make a request to impose a “no contact order,” you can contact: Dr. Agnes Zak-Moskal, Dean of Student Affairs, at azakmoskal@villa.edu.
 - a. Responsibility to stay away falls upon the person subject to the no contact order (“covered person”), not the protected individual. A covered person may be a respondent or accused or a third party who is the subject of a no contact order. If the covered person and protected person are in the same place accidentally, it is incumbent upon the covered person to remove himself or herself in a reasonable time and manner.
3. Upon request, both the accused (or respondent) and the reporting individual are entitled to a prompt review, reasonable under the circumstances, of the need for and terms of the no contact order, including potential modification, in which they are allowed to submit evidence in support of their requests. Requests to review a no contact order should be submitted to: Dr. Agnes Zak-Moskal, Dean of Student Affairs, at azakmoskal@villa.edu. If a request for review is received from one party, the other party will be notified of the request for review. The Dean of Student Affairs will issue a determination in response to the request, and notify both parties of the determination.

i. Withdrawing a report

- i. You have the right to withdraw your report and/or to withdraw from involvement in the College’s investigation of the complaint at any time. If you choose to withdraw, however, the College may still have obligations to investigate and/or take actions under state or federal law. If the College continues an investigation or takes action after you withdraw participation, you have the right to participate as much or as little as you wish.

5. Policy for Alcohol and Drug Use Amnesty for Students

- a. The health and safety of every student at Villa Maria College is of utmost importance. Villa Maria College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that a sexual offense occurs, including but not limited to domestic violence, dating violence, stalking, or sexual assault, may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Villa Maria College strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith that disclose any incident of domestic violence, dating violence, stalking or sexual assault to Villa Maria officials or law enforcement will not be subject to Villa’s officials or law enforcement will not be subject to the Villa Maria 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.

6. Procedure Following a Report of Sexual Offense

- a. **Mandatory No Contact Order** - When the accused or respondent is a student, Villa Maria will issue a mandatory “no contact order” mandating that (1) the accused’s

continued intentional contact with the reporting individual is a violation of College policy that is subject to additional conduct charges; and (2) if the accused or respondent and a reporting individual 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 reporting individual.

- b. **Mandatory Interim Suspension** - When the accused or respondent is a student determined to present a continuing threat to the health and safety of the College community, the accused or respondent will be subject to an interim suspension pending the outcome of the Student Conduct process.
 - i. Upon request, the College will provide both the accused or respondent and the reporting individual a prompt review, reasonable under the circumstances, of the need for and terms of an interim suspension, including potential modification, in which they are allowed to submit evidence in support of their request. Requests to review an interim suspension should be submitted to: Dr. Agnes Zak-Moskal, Dean of Student Affairs, at azakmoskal@villa.edu. If a request for review is received from one party, the other party will be notified of the request for review. The Dean of Student Affairs will issue a determination in response to the request, and notify both parties of the determination.
- c. **Mandatory Interim Measures** - When the accused or respondent is not a student, but is a member of the College community and presents a continuing threat to the health and safety of the College community, the College will subject the accused or respondent to interim measures in accordance with applicable employee handbooks, and policies of Villa Maria College.
- d. **Additional Interim Measures and Accommodations** – Villa Maria will offer reasonable and available interim measures and accommodations that effect changes in academic, employment, transportation or other applicable arrangements in order to help ensure safety, prevent retaliation, and avoid an ongoing hostile environment, consistent with the College’s policies and procedures. These interim measures may include:
 - 1. support services (victim advocacy, housing assistance, academic support, counseling, health and mental health services, legal assistance);
 - 2. changing work assignments and situations (for employees);
 - 3. changing course schedules, assignments, or test schedules (for students);
 - 4. no contact orders, campus escorts, transportation assistance, or targeted interventions;
 - 5. providing increased monitoring, supervision, or security; and/or
 - 6. providing an escort.
- ii. Villa Maria is obligated to comply with a student’s reasonable request for a academic situation change following an alleged Sexual Offense.
- iii. Villa Maria will protect the confidentiality of accommodations or protective measures provided to a complainant or accuser, to the extent that doing so will not impair the College’s ability to provide the accommodations or protective measures. The complainant or accuser will be informed before the College shares any personally identifying information that the College believes is necessary to provide an accommodation or protective measure. If this occurs, the complainant or accuser will be told what information will be shared, with whom it will be shared, and why it will be shared.

- iv. Upon request, Villa Maria will provide both the accused or respondent and the reporting individual a prompt review, reasonable under the circumstances, of the need for and terms of any such interim measure and accommodation that directly affects him or her, in which he or she is allowed to submit evidence in support of his or her request. In the event that an accommodation or interim measure granted to or against one party impacts another party, both the directly impacted party and the secondarily impacted party may request a review of the terms or totality of the accommodation and/or measure by the College and may submit information as to the reasoning for requesting a change. Requests to review interim measures and accommodations should be submitted to: Dr. Agnes Zak-Moskal, Dean of Student Affairs, at azakmoskal@villa.edu. If a request for review is received from one party, the other party will be notified of the request for review. The Dean of Student Affairs will issue a determination in response to the request, and notify both parties of the determination.

7. Investigation and Response Procedures for Sexual Offense Cases

When Villa Maria becomes aware of a Sexual Offense by or against an employee or student or that has a reasonable connection to the College, it will take prompt and appropriate action.

The Title IX Coordinator will make an initial assessment regarding the validity of any information received about the incident. This initial determination will be made within five (5) business days of the College becoming aware of the suspected Sexual Offense.

If the College determines that an investigation is required, it must seek consent from reporting individuals prior to conducting an investigation. If a reporting individual does not consent to the request to initiate an investigation, the Title IX Coordinator will weigh the request against the College's obligation to provide a safe, nondiscriminatory environment for all members of its community.

Villa Maria will honor a request to decline to consent to an investigation, unless the College determines in good faith that failure to investigate does not adequately mitigate a potential risk of harm to the reporting individual or other members of the community, based on the Title IX Coordinator's consideration of factors that include, but are not limited to, the following:

- a. Whether the accused has a history of violent behavior or is a repeat offender;
- b. Whether the incident represents escalation in unlawful conduct on behalf of the accused from previously noted behavior;
- c. The increased risk that the accused will commit additional acts of violence;
- d. Whether the accused used a weapon or force;
- e. Whether the reporting individual is a minor; and
- f. Whether the institution possesses other means to obtain evidence such as security footage, and
- g. Whether available information reveals a pattern of perpetration at a given location or by a particular group.

If the Title IX Coordinator determines that the request to decline to consent to an investigation can be honored, the College will still assist with academic, transportation, employment, and other reasonable and available accommodations.

If the Title IX Coordinator determines that a request to decline to consent to an investigation cannot be honored, and an investigation is necessary, the College will notify the reporting individuals and take immediate action as necessary to protect and assist them.

When an investigation begins, and the accused is a student, the student will be informed, as promptly as possible, of (1) the specific policy, expectations, laws, and/or code of conduct provisions alleged to have been violated; (2) the date, time, location and factual allegations concerning the violation; (3) in what manner the specific policy, expectations, laws, and/or code of conduct provisions are alleged to have been violated, and (4) the sanction or sanctions that may be imposed on the respondent based upon the outcome of any conduct process.

Within two (2) business days of determining that an investigation is necessary, the Title IX Coordinator will designate a Compliance Officer or other trained investigator, who does not have a conflict of interest, to promptly conduct a fair, complete, thorough, and impartial investigation, that provides a meaningful opportunity to be heard. For most employee reports, however, the Director of Human Resources will conduct the investigation.

Each of the Compliance Officers, and any other designated investigators, receive annual training on: (1) issues related to sexual assault, relationship violence, and stalking, (2) how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability, (3) how to conduct investigations of sexual violence, (4) the effects of trauma, (5) impartiality, (6) the rights of the respondent, including the right to a presumption that the respondent is “not responsible” until a finding of responsibility is made, (7) Villa Maria’s policies and procedures, and other issues.

If the Title IX Coordinator is implicated in the report, the President will be responsible for designating a Compliance Officer or other trained investigator to conduct the investigation. If it would be inappropriate for the Title IX Coordinator or President to designate a Compliance Officer or other trained investigator to conduct the investigation, then the Chair of the Board of Trustees will make this designation.

The standard of evidence used to evaluate a report of a Sexual Offense by or against an employee or student is a “preponderance of the evidence.” Under this standard, a determination must be made on the basis of whether it is more likely than not that the accused student or employee violated the Sexual Offense Policies & Procedures for Students and Employees

In investigating the complaint, the designated Compliance Officer or other trained investigator shall:

- Meet with the appropriate individuals and review all appropriate records that bear on the case.

- Provide the accuser and the accused with copies of the Sexual Offense Policies & Procedures for Students and Employees.
- Discuss the allegations in the complaint with the accuser and accused at separate meetings, and provide the accuser and accused with equal opportunities to identify witnesses and present evidence supporting their respective positions at these meetings.
- Provide the accuser and the accused with the same opportunities for a support person or advisor of their choice throughout the process, including any meeting, conference, hearing or other procedural action. An attorney for either the accuser or the accused, however, may be present but may not have a speaking role during such meeting, conference, hearing, or other procedural action.
- Where the reporting individual or accused are students, provide the students with:
 - a. reasonable advance written or electronic notice of any meeting they are required to or are eligible to attend,
 - b. an opportunity to submit evidence during an investigation concerning a report of a Sexual Offense, and
 - c. the opportunity to exclude (1) their own prior sexual history with persons other than the other party in the conduct process and (2) their own mental health diagnosis and/or treatment from the Compliance Officer or other investigator's consideration when determining responsibility. (However, the Compliance Officer or other investigator may consider past findings of a Sexual Offense when determining the sanction to be imposed).
- Attempt, where appropriate, to resolve the complaint by exploring and suggesting possible solutions to the problem with all involved parties, provided, however, that the complainant or accuser will not be required to participate in mediation with the accused.
- If the preceding step does not resolve the problem, make a preponderance of the evidence determination in the matter of the allegation of the Sexual Offense to the accused, accuser, and the Title IX Coordinator.

The time necessary to complete an investigation will vary depending upon the facts of a particular case. In most cases, investigations will be completed within 60 days of receipt of a report.

The Compliance Officer or other trained investigator who conducted the investigation shall prepare written findings of fact and recommendations, with respect to whether it is more likely than not that the Sexual Offense occurred, appropriate Student Conduct actions, if any, and/or other appropriate remedial measures.

Once the investigation is complete, the parties will be informed, in writing, of the outcome within two (2) business days of the issuance of the determination. When the victim or accused is a student, this written notice will include the result of the investigation, any recommended Student Conduct sanctions, the rationale for the result and any recommended sanctions, the findings of fact, and a notification if conduct charges will be pursued and/or continued. Delivery of this outcome will not be delayed to either party, and should occur as nearly simultaneously as possible, without unnecessarily bringing those in conflict into close proximity to each other. Should any change in outcome occur prior to finalization, all parties will be timely informed in writing, and will be notified when the results of the resolution process become final.

If the Compliance Officer or other trained investigator concludes that the accused student or employee did not violate the Sexual Offense Policies & Procedures for Students and Employees, the College will not pursue discipline or conduct action against the student or employee. The parties will be informed of their potential rights to exercise a request for an appeal of the determination, if applicable. Pursuant to the Student Code of Conduct, available in the Student Handbook at <https://www.villa.edu/campus-life/student-services/>, if a Compliance Officer or other trained investigator determines that a student did not violate TSC's Sexual Offense Policies & Procedures for Students and Employees, the reporting individual has the right to appeal the Compliance Officer's finding of no violation to an Appellate Board within two (2) business days of the decision.

If the Compliance Officer or other trained investigator concludes that it is more likely than not that the accused student or employee violated the Sexual Offense Policies & Procedures for Students and Employees, the College will take the matter very seriously, and will pursue (or continue to pursue) internal disciplinary proceedings against the accused or respondent. The Title IX Coordinator will refer the matter to the Director of Human Resources (for employees) or the Dean of Student Affairs (for students) to determine disciplinary charges, within five (5) business days of the investigator's determination. The disciplinary proceedings will then be commenced within (15) business days of the decision to pursue disciplinary charges.

Information regarding internal disciplinary proceedings for students can be found in the Student Code of Conduct, available in the Student Handbook at <https://www.villa.edu/campus-life/student-services/>. Information regarding internal disciplinary proceedings for employees can be found in the Employee Handbook.

Internal disciplinary proceedings where a student or employee is accused of a Sexual Offense are fair and impartial, include timely notice of meetings and timely and equal access to information and evidence that will be used, and are conducted by unbiased decision makers who have no conflict of interest. The proceedings are completed within a reasonably prompt, designated timeframe. However, the timeframe may be extended for good cause upon written notice to the accuser and accused. The proceedings provide students with the opportunity to present evidence and testimony at a hearing.

Following any internal disciplinary proceeding for cases of Sexual Offense, the victim and accused will be provided with simultaneous written notice of the result of the proceeding, including any sanctions imposed, and the rationale for the result and sanctions. When the victim or accused in an internal disciplinary proceeding for a Sexual Offense is a student, the student will also receive written notice of the findings of fact. Should any change in outcome occur prior to finalization, all parties will be timely informed in writing, and will be notified when the results of the resolution process become final.

All parties will also be informed of their potential rights to exercise a request for an appeal of the disciplinary determination under the Student Conduct System, or Employee Handbook. Pursuant to the Student Conduct System, all students have a right to an appeal any final disciplinary determination by a Student Conduct Body to an Appellate Body within two (2)

business days of the decision. Unless otherwise required by law, Villa Maria will protect all information obtained about students during the course of the student conduct process from public release, until the Appeal Body makes a final determination.

Sanctions for incidents of Sexual Offense may take a variety of forms, depending upon the circumstances of a particular case. The sanctions which may be imposed on students who have been found responsible for committing any of the Sexual Offenses are the following: warning, disciplinary probation, loss of privileges, fines, restitution, sanctions, parental/guardian notification, suspension, expulsion, revocation of degree, withholding degree, prohibition of professional practice, and mandatory assessment/counseling. The disciplinary sanctions which may be imposed on employees who have been found responsible for committing any of the Sexual Offenses are the following: verbal warning, written reprimand, mandatory training session, no contact order, suspension without pay, termination, and/or termination with the issuance of a no-trespass letter.

If the investigation reveals that a Sexual Offense did occur, Villa Maria will also take appropriate remedial measures necessary to end such conduct, prevent any such future conduct, and correct any personnel or academic decisions made which are related to the prohibited conduct. Remedies may include, but are not limited to, continuing or commencing any of the above-listed “interim measures.” These remedies are separate from, and in addition to, any interim measures that may have been provided prior to the conclusion of the investigation. Such measures can be requested by a reporting individual or accuser, by contacting the Director of Human Resources (for employees) or the Dean of Student Affairs (for students).

Engaging in a Sexual Offense may also lead to civil and/or criminal action under the New York State Penal Law. Any employee who, in violation of Villa Maria’s policy, engages in a Sexual Offense, is acting outside the scope of his or her employment and may be personally liable for such actions and their consequences. In the event legal proceedings are commenced against such an employee, the College may decline to provide legal, financial, or other assistance.

In any proceeding brought against Villa Maria which seeks to vacate or modify a finding that a student engaged in Sexual Offense, the College (1) will treat the name and identifying biographical information of any student as presumptively confidential, and (2) will not include this information in the pleadings and other papers in such proceeding absent a waiver or cause shown as determined by the court; and (3) will identify student witnesses only as numbered witnesses.

8. Notation on Student Transcripts for Crimes of Violence

- a. If a student is suspended or expelled as a result of being found responsible for a Crime of Violence, Villa Maria must make a notation on the student’s transcript that the student was “suspended after a finding of responsibility for a code of conduct violation” or “expelled after a finding of responsibility for a code of conduct violation.” If a student withdraws from Villa Maria while such conduct charges related to crimes of violence are pending against the student, and declines to complete the disciplinary process, Villa Maria

must make a notation on the student's transcript that he or she "withdrew with conduct charges pending."

- b. These transcript notations can be appealed by contacting the Dean of Student Affairs, Dr. Agnes Zak-Moskal at azakmoskal@villa.edu. Transcript notations for violence-related suspensions shall not be removed prior to one year after conclusion of the suspension. Transcript notations for violence-related expulsions shall never be removed from a student's transcript. A notation for an expulsion may not be removed via an appeal to Villa Maria. If a finding of responsibility is vacated for any reason, however, the transcript notation must be removed. Further, if a court vacates a finding of responsibility for a violation of college policy, the transcript notation memorializing that finding will also be vacated.

9. Prohibition of Retaliation

- a. It is a violation of federal and state law and this policy for any employee or student to retaliate against any student or employee for exercising any rights or responsibilities under the Violence Against Women Act, the Clery Act, and/or Title IX. This includes retaliating against a student or employee who reports a Sexual Offense in good faith, or furnishes information or participates in any manner in an investigation of such a report. Retaliation includes any conduct directed at someone because he or she engaged in such protected activity, which might deter a reasonable student or employee from making or supporting such a report.
- b. Retaliation is unlawful and will not be tolerated. Villa Maria will protect students from retaliation by the College, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the College's jurisdiction. Any individual found to have engaged in retaliation will be subject to disciplinary action, up to and including, termination of employment and/or dismissal from Villa Maria.

10. Education and Training for Students and Employees

- a. Because Villa Maria College recognizes that prevention of Sexual Offenses as an important issue, the College offers educational programming to a variety of groups such as: campus personnel (Campus Safety, faculty, and staff); incoming students participating in orientation; and, members of student organizations, among others.
- b. Awareness and prevention of Sexual Offenses educational programming offered to all first-year and transfer students, during the course of their onboarding, address topics (using a method and manner determined by Villa Maria), such as:
 - i. Villa Maria prohibits sexual and interpersonal violence and will offer resources to any victims and survivors of such violence while taking administrative and conduct action regarding any accused individual within the jurisdiction of the institution;
 - ii. Relevant definitions including, but not limited to, the definitions of sexual assault, domestic violence, dating violence, stalking, confidentiality, privacy, and consent;
 - iii. Policies apply equally to all students regardless of sexual orientation, gender identity, or gender expression;
 - iv. The role of the Title IX Coordinator, campus security, and other relevant offices that address domestic violence, dating violence, stalking, and sexual assault prevention and response;
 - v. Awareness of violence, its impact on victims and survivors and their friends and family, and its long-term impact;

- vi. Bystander intervention and the importance of taking action to prevent violence when one can safely do so;
 - vii. Risk assessment and reduction including, but not limited to, steps that potential victims, perpetrators, and bystanders can take to lower the incidence of violations, which may contain information about the dangers of drug and alcohol use, including underage drinking and binge drinking, involuntary consumption of incapacitating drugs and the danger of mislabeled drugs and alcohol, the importance of communication with trusted friends and family whether on campus or off campus, and the availability of institution officials who can answer general or specific questions about risk reduction; and
 - viii. Consequences and sanctions for individuals who commit these crimes and code of conduct violations.
- c. Villa Maria requires student leaders and officers of student organizations, as well as student-athletes, to complete training on domestic violence, dating violence, stalking, or sexual assault prevention prior to the start of such activities and/or participating in intercollegiate athletic competition.
 - d. Awareness and prevention of Sexual Offenses educational programming offered to all new employees at time of hire, as well as periodically through other employee training venues.

11. Sexual Offender Registry

- a. The federal Campus Sex Crimes Prevention Act enacted in 2000 went into effect October 28, 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders required to register in a State to provide notice, as required under state law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student. The New York State sex offender registry may be accessed at www.criminaljustice.state.ny.us/nsor/index.htm.

12. Climate Surveys

- a. Beginning during the 2016 - 2017 school year, Villa Maria will conduct a biannual or annual anonymous survey of student and employees to examine (1) the prevalence and incidence of Sexual Offense, (2) the perceptions of the campus climate, (3) the general awareness and knowledge of students and employees about the provisions of the New York Enough is Enough law, and (4) student experience with and knowledge of reporting and college adjudicatory processes. Participation in such climate survey shall be voluntary but is encouraged. Villa Maria will take steps to ensure that answers to climate assessments remain anonymous and that no individual is identified. The College will publish an executive summary of the climate assessment survey results on Villa Maria website, provided that no personally identifiable information or information which can reasonably lead a reader to identify an individual is shared.

13. Annual Reporting

- a. Reports of certain crimes occurring in specific geographic locations are included in Villa Maria's annual security report (ASR), in an anonymized manner that identifies neither the specifics of the crime nor the identity of the reporting individual.

- b. Villa Maria is obligated to issue timely warnings of crimes enumerated in the Clery Act occurring within relevant geography that represent a serious or continuing threat to students and employees, except in those circumstances where issuing such a warning may compromise current law enforcement efforts or when the warning itself could potentially identify the reporting individual. A reporting individual shall not be identified in a timely warning.
- c. FERPA allows Villa Maria to share information with parents when (i.) there is a health or safety emergency, or (ii.) when the student is a dependent on either parent's prior year federal income tax return. Generally, however, Villa Maria will not share information about a report of domestic violence, dating violence, stalking, or sexual assault with parents without the permission of the reporting individual.
- d. Effective in July 2016, Villa Maria will annually report the following information about reports of domestic violence, dating violence, stalking and sexual assault to the New York State Education Department:
 - i. The number of such incidents that were reported to the Title IX Coordinator.
 - ii. The number of reporting individuals who sought Sage's judicial or conduct process.
 - iii. The number of cases processed through Sage's judicial or conduct process.
 - iv. The number of respondents who were found responsible through Sage's judicial or conduct process.
 - v. The number of respondents who were found not responsible through Sage's judicial or conduct process.
 - vi. A description of the final sanctions imposed by Sage for each incident for which a respondent was found responsible through Sage's judicial or conduct process.
 - vii. The number of cases in Sage's judicial or conduct process that were closed prior to a final determination after the respondent withdrew from Sage and declined to complete the disciplinary process.
 - viii. The number of cases in Sage's judicial or conduct process that were closed because the complaint was withdrawn by the reporting individual prior to a final determination.

14. Campus Sexual Assault Victims Bill of Rights

- a. All students have the right to: The right to have any and all disclosures of domestic violence, dating violence, stalking, and sexual assault against them treated with seriousness and receive, from the institution, courteous, fair, and respectful health care and counseling services, where available;
- b. The right to have sexual assaults committed against them investigated and adjudicated by the duly constituted criminal and civil authorities of the governmental entity in which the crimes occurred, if the victim so chooses, including make a report to local law enforcement and/or the state police; and the right to the full and prompt cooperation and assistance of College staff in notifying the proper authorities. The foregoing shall be in addition to any campus conduct proceedings;
- c. The right to be free from any kind of pressure from College staff that victims: a. not report crimes committed against them to civil and criminal authorities or to campus safety and other College staff; or b. report crimes as lesser offenses than the victims perceive them to be;
- d. The right to be free from any kind of suggestion that sexual assault victims not report, or underreport, crimes because: victims are somehow 'responsible' for the commission of

- crimes against them; victims were negligent or assumed the risk of being assaulted; or by reporting crimes they would incur unwanted personal publicity;
- e. The right to participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard and in so doing, to describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
 - f. The same right to legal assistance, or ability to have others present, including an advisor of their choice, in any campus disciplinary proceeding that the institution permits to the accused; and the right to be notified of the outcome of such proceeding;
 - g. The right to counseling services from any mental health services previously established by the institution, or by other victim-service entities, or by victims themselves;
 - h. After campus sexual assaults have been reported, the victims of such crimes shall have the right to require that appropriate College staff take the necessary steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with alleged assailants, including immediate transfer of classes, no contact orders, and other remedies if requested by the victims;
 - i. Access to at least one level of appeal of a determination;
 - j. The right to report any inappropriate action, or lack thereof, in the handling of a reported sexual assault on the part of the College as a Title IX complaint;
 - k. Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
 - l. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or conduct process of Villa Maria College.
 - i. This Bill of Rights is distributed annually to students via e-mail and is posted around campus.

Note: This policy is effective January 1st, 2014/Updated: August 2018