



ST. FRANCIS COLLEGE

THE SMALL COLLEGE OF BIG DREAMS

College Policies

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COLLEGE POLICIES

Non-Discriminatory Policy

St. Francis College does not discriminate on the basis of sex, race, color, age, gender, national or ethnic origin, or physical handicap, in the educational programs which it conducts, or in its employment policies, practices, and procedures. St. Francis College complies with all State and Federal statutes, executive orders, and regulations concerning affirmative action, non-discrimination and equal employment opportunities.

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their educational records. They are:

(1) The right to inspect and review the student's education records within 45 days of the day the college receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written request that identify the record(s) they wish 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 records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

(2) The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except that to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is 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 (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the College discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by St. Francis College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue,
SW Washington, DC 20202-4605

Policy on Sex Offenses

Federal Law requires that all colleges and universities adopt policies concerning sex offenses. The following is provided in compliance with this obligation:

(1) Education programs to promote awareness of rape, acquaintance rape, and other sex offenses: the College will include a copy of these policies, accompanied by a description of the relevant offenses, in its Student Handbook, which is distributed to all incoming students during the first week of Fall semester classes. "Sex-offense" education posters will be permanently displayed in areas regularly used by students. The Student Health Service, with the assistance of the Office of Facilities Management and Security, will hold, at least annually, a formal educational program designed specifically to increase awareness of sex offenses. Guest speakers, and appropriate members of the faculty and staff, will address these matters and video presentations will be made.

(2) Possible sanctions for rape, acquaintance rape, and other sex offenses (forcible or non forcible), following an on-campus disciplinary procedure:

Following a finding of guilt pursuant to on-campus disciplinary procedures (fully described in the Student Handbook), a student may expect to be expelled from the College.

(3) Procedures students should follow if a sex offense occurs:

a) Who should be contacted? The occurrence of an alleged sex offense may be initially reported to one of the following:

- (1) Security Officers
- (2) Director the Office of Facilities Management and Security
- (3) Dean of Students
- (4) Student Health Services
- (5) Student Counseling Center

b) All concerned are advised of the importance of preserving evidence which ultimately may be necessary to proving criminal sexual assault.

c) If there is a reasonable likelihood to suspect that forcible criminal sexual assault has occurred on the College campus, the responsible official (Dean of Students or Director of the Office of Facilities Management and Security) shall forthwith contact the local New York City Police Department precinct for appropriate assistance.

(4) All students are advised that, in the event that College disciplinary procedure is invoked to deal with an alleged occurrence of sexual assault:

a) Both the accuser and the accused are entitled the same opportunities to have others present during any disciplinary hearings.

b) Both the accuser and the accused shall be informed of the outcome of any such disciplinary proceeding.

(5) Students are also advised that they have the option of notifying proper law enforcement authorities. The College strongly encourages any student who believes him/herself to have been the victim of a sexual assault to exercise this option and will be assisted by College officials in doing so.

(6) Existing campus and community counseling and mental health services for victims of sexual assault:

Listed below are agencies with which the College has established a strong productive relationship and to which it regularly makes referrals for a multiplicity of personal problems. Each of them is staffed with professional persons competent to respond effectively to sexual assault victims:

Neighborhood Counseling Center
7701 13th Avenue (Dyker Heights) - (718) 232-1351

Community Affairs Liaison
84th Precinct, NYPD - (718) 875-6405

SAFE Horizon
New York City Victims Assistance
2 Lafayette, Manhattan (212) 577-7700
Hot Line (24 hours a day) (212) 577-7777

Heights and Hill Mental Health Center
25 Flatbush Avenue, 3rd Floor,
Brooklyn, NY 11201 (718) 875-1420
Fax 718-875-5496

Coney Island Hospital
Rape Crisis Program
2601 Ocean Parkway, Brooklyn, NY 11235
(718) 616-4209
1-800-835-7273 Fax 718-616-4216

(7) Options for, and available assistance in, changing academic arrangements precipitated by the offense if requested by the victim and if these changes are reasonably available:

Any student, who, as a consequence of having been the victim of sexual assault, wishes to change his /her academic schedule or other arrangements, should contact the Vice President for Academic Affairs/Academic Dean. After consultation with the Dean of Students, he/she will make whatever changes can reasonably be effected for the students' benefit. (In most cases, the student may expect a satisfactory response to his/her desires in this regard, subject only to the availability of an alternative arrangement which is consistent with the academic regulations of the College.)

Sexual Assault Prevention & Campus Security Act

New York State's Sexual Assault and Campus Security Act requires that all colleges and universities in the state provide information to all students, faculty and staff.

Sex offenses are dealt with at St. Francis College in the manner applicable to all cases of crimes against persons, *viz*, immediately upon notification that such a crime is alleged to have been committed, the appropriate representatives of the New York City Police Department will be summoned. In cases of sexual discrimination or harassment, the procedures outlined in the College's statement of policy and procedures pertaining to these offenses will be followed.

Availability of support services and counseling for the victims of sex offenses:

These include a number of community-based agencies, in the college's immediate environs, prompt referral to one or more of which may be made through the office of the Dean of Students, the Office of Student Health, or the Office of Campus Ministry.

Nature of the common instances of sexual offenses on campus:

(No instance of a sexual offense is known to have occurred on the St. Francis College campus in its history.)

Methods used by the institution to update students about security procedures: *Students are informed about security matters through the student newspaper, the student handbook, and through occasional letters from the Office of the Vice-President for Student Affairs/Dean of Students.*

Sexual Offenses and Penalties Under New York State Penal Law (Summary)

(A) Sexual Misconduct:

- 1) Engaging in sexual intercourse with a female student without her consent; or
- 2) Engaging in deviate sexual conduct (other than sodomy, which is treated separately under the law and considered a felony) with any person without the latter's consent.

(Class A misdemeanor - definite sentence of imprisonment up to one (1) year)

(B) Sexual Abuse:

- 1) Subjecting another person to sexual contact without the latter's consent.

(Class A misdemeanor - Class D felony depending upon the severity of offense and particular circumstances; maximum sentence of 15 years' imprisonment.)

(C) Rape

- 1) Engaging in sexual intercourse by forcible compulsion; or
- 2) Engaging in sexual intercourse with another person who is less than 17 years old; or
- 3) Engaging in sexual intercourse with another person who is incapable of giving informed consent, due to physical, emotional, or psychological disability or impairment.

(Felony, Class B - D; depending upon severity of offense; maximum sentence of 25 years' imprisonment)

Sexual Discrimination/Harassment

Sexual discrimination, in the form of sexual harassment, is defined as the use of one's authority or power to coerce another into unwanted sexual relations or to punish another for his/her refusal, or the creation by a member of the College community of an intimidating, hostile, or offensive working/ educational environment through repetitive verbal/physical conduct of a sexual nature, shall be a violation of the policy of St. Francis College. Such behavior is reprehensible in any situation; it is particularly offensive in an academic community in which students and faculty are related by strong bonds of intellectual dependence and trust.

Grievance Procedure

Whenever information is received that the policy prohibiting sexual harassment has allegedly been violated, prompt and remedial action will be taken.

Any member of the College community who believes that he/she has been sexually harassed may submit a complaint to the College's Director of Human Resources, except for matters concerning students, which should be brought to the attention of the College's Dean of Students.

Non-Discrimination and Anti-Harassment Policy

St. Francis College is committed to an environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the College expects that all relationships among persons in the workplace will be free of bias, prejudice and harassment.

Definitions of Harassment

a. Sexual harassment constitutes discrimination, is illegal under federal, state and local laws and is absolutely forbidden by St. Francis College. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of

unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal or visual conduct of a sexual nature. Sex-based harassment that is, harassment not involving sexual activity or language (e.g., male manager yells only at female employees and not males) may also constitute discrimination if it is severe or pervasive and directed at employees because of their sex.

The College considers it inappropriate for faculty, administrators, staff, or contractors to engage in romantic or sexual relationships with students, or for department heads or supervisors to engage in romantic or sexual relationships with employees under their supervision and potentially subject to their judgment concerning personnel actions. Although both parties may consider the relationship a matter of mutual consent, the imbalances of power and authority and the potential for manipulation and misunderstanding inherent in such relationships can undermine the freedom and equity of the academic work setting. All members of the St. Francis College community should be aware that initial consent to a romantic or sexual relationship does not preclude the potential for charges of sexual assault or harassment, should consent be withdrawn by one party.

b. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, gender, religion, national origin, age, disability, alienage or citizenship status, marital status, creed, genetic predisposition or carrier status, sexual orientation or any other characteristic protected by law or that of his/her relatives, friends or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities. Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

Individuals and Conduct Covered

These policies apply to all applicants, students and employees, and prohibit harassment, discrimination and retaliation whether engaged in by fellow employees, by fellow students, by a supervisor or manager or by someone not directly connected to St. Francis College (e.g., an outside vendor, consultant or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Retaliation Is Prohibited

St. Francis College prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

Reporting an Incident of Harassment, Discrimination or Retaliation

St. Francis College strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe is contrary to St. Francis College's policy should file a complaint before the conduct becomes severe or pervasive. Complaints against an administrator, staff or faculty member should be brought to the Director of Human Resources (Room 6320, X5256). Complaints against a student should be brought to the Dean of Students (Room 3307, X5305). Complaints against either the Director of Human Resources or the Dean of Students should be brought directly to the President.

IMPORTANT NOTICE TO ALL EMPLOYEES:

Employees who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this complaint procedure. An employee's failure to fulfill this obligation could affect his or her rights in pursuing legal action. Also, please note, federal, state and local discrimination laws establish specific time frames for initiating a legal proceeding pursuant to those laws.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, St. Francis College strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The College will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its employees.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued. Knowingly making false allegations of sexual harassment or providing evidence with the knowledge that it is false is also a violation of college policy and will subject a person to disciplinary action up to and including discharge or dismissal.

The Investigation

Any reported allegations of harassment, discrimination or retaliation against an employee will be investigated promptly, thoroughly and impartially by the Director of Human Resources, or a designee at his/her discretion. Any reported allegations of harassment, discrimination or retaliation against a student will be investigated promptly, thoroughly and impartially by the Dean of Students, or a designee at his/her discretion. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Responsive Action

Misconduct constituting harassment, discrimination or retaliation will be dealt with promptly and appropriately. Responsive actions, as the College believes appropriate under the circumstances, may include but are not limited to: training, referral to counseling, monitoring of the offender and/or disciplinary action such as a warning or reprimand, suspension or expulsion from the College or residence hall, demotion, reassignment, temporary suspension without pay or termination.

If an employee making a complaint does not agree with its resolution, the employee may appeal to St. Francis College's President, who at his/her discretion can decide to support the resolution by the Office of Human Resources or Dean of Students, or instead appoint another individual or committee to investigate the matter.

Individuals who have questions or concerns about these policies should talk with the Director of Human Resources.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of St. Francis College prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.

St. Francis College has designated Richard Coladarci, Room 6320, X5256, as the Title IX coordinator pursuant to 34 CFR §106.8.

Crime Awareness and Campus Security Act of 1990

St. Francis College is an urban, commuter college located in Brooklyn Heights, New York. The College is comprised of five (5) separate but interconnected buildings. There is only one entrance that is utilized for entering and leaving. The Security Information Desk is located at the entrance and is manned 24 hours a day, 7 days a week. St. Francis College is committed to providing a secure environment suitable for learning. Our present enrollment is approximately 2,400 students supported by a faculty and staff of over 250 persons. Because of the compactness of the College and the daily interaction between the students, faculty and staff, it is a close knit community. The College feels fortunate that crime although not unheard of, is minimal, and is generally limited to crimes against property (theft, e.g.) rather than crimes against persons.

A. Security Policy: Procedures and Facilities for Reporting Crimes and other Emergencies

The Security Desk is located in the main entrance lobby and is manned 24 hours a day. The security officer at this desk is available to receive emergency calls and each officer is equipped with a radio and is always in voice contact with the Office of Facilities Management and his/her fellow security officers. All incidents are logged and reported to the Office of Facilities Management, where records are maintained. Each telephone extension throughout the College is labeled with the Security Desk's extension on it in order to expedite communication from anywhere in the College to the Security Desk.

The Office of Facilities Management is charged with the responsibility of overseeing the security function at St. Francis College. This office is normally open from 8:00am to 7:00pm. All emergencies, incidents, crimes and other problems are reported by Security Officers to this office. When the Office of Facilities Management is not staffed, these reports are made to the appropriate administrator (Vice President for Financial Affairs during the day or the Assistant Academic Dean in the evenings.)

St. Francis Response:

All reported incidents are checked out immediately and, if corrective action is possible, remedied. If no corrective action is necessary or possible, the report is analyzed to ascertain if procedural changes are warranted. The reports are then kept on file in the Office of Facilities Management. In addition to responding to all incidents immediately the Security Officers will notify the Office of Facilities Management as soon as possible. In cases involving misconduct on the part of a member of the Student Body, the Dean of Students will be notified.

For crimes and emergencies still in progress the Office of Facilities Management must be notified immediately. In any instance when the Office of Facilities Management is not open and the following crimes are reported: murder, rape, robbery, aggravated assault, and burglary; the Security Officer must call 911 and cooperate fully with local police.

B. Access to Facilities:

Access to the College beyond the Main Lobby Security Desk is only available to students with proper College identification. Without St. Francis College I.D. students are required to show other forms of I.D. and their names are checked against the student roster. After clearance the student is then required to sign in. Faculty and staff follow the same procedures.

Visitors with appointments are required to sign in and list the companies that they represent, when the appointment is confirmed they are permitted into the College to proceed to their appointed destination. Those visitors without appointments must be escorted by members of the Department that they wish to visit. This sometimes requires a waiting period.

All persons are required to enter and leave by the main entrance. All other exits sound alarms if used. Deliveries are made through a special entrance which is designated "Freight Entrance". The security officer disarms the alarm at this entrance, opens the doors and monitors the entrance while it is in use. During intercessions and Saturdays when classes are not in session, everyone must sign in. Students are only allowed to be in designated areas, such as the library, computer center, cafeteria or other approved areas.

** Whenever athletic teams or other groups are using the facilities during off-hours a moderator who is either a faculty member or administrator must be present at all times.*

C. Campus Law Enforcement:

All Federal, State and Local Laws are enforced and appropriate action taken towards violations.

Authority

- 1) Security Officers at the College do not have arresting authority. They may caution persons who may be unruly. However, their main function is to "observe and report". They respond to Fire Alarms, Exit Alarms and assist in the evacuation of the buildings during drills. During off-hours when the buildings are closed they perform certain rounds with the aid of a Detex clock. All occurrences are logged giving date and time and all pertinent information. In other than routine situations they are instructed to contact the Office of Facilities Management for advice and disposition. In acute emergencies or in the absence of higher authority they are instructed to call 911 when appropriate.

The College enjoys an excellent relationship with local police authorities. Interaction between the College and the Police Precinct is regular, constructive, and is encouraged by both.

- 2) Policies that encourage accurate and prompt reporting of crimes:

- a) A statement of the College's policy concerning safety and security matters will be published in each year's student handbook, and will be incorporated into the Staff Manual.
- b) Flyers are distributed at locker rental time suggesting the use of appropriate locks and procedures for minimizing thefts.

- 3) A description of the type and frequency of programs designated to inform everyone in regard to campus security procedures, practices and crime prevention to encourage everyone to be responsible for their own security and of others'.

- a) The statement will be distributed to all new students through their required SFC 1001 course (Freshman Orientation). The syllabus of this course will be modified to reflect the College's safety and security procedures which will be discussed for part of one class period. Moreover, through this medium, all will be encouraged to be responsible for their own and others' safety, and will be instructed in basic crime prevention techniques.

- b) The same material will be annually distributed and discussed at the first faculty meeting of each academic year and included in the Faculty Manual. This will also be incorporated into the orientation provided to new staff by the Director of Human Resources.

E. Violent Felony Offenses.

In all cases where violent felony offenses* are alleged to have occurred on the St. Francis College campus, the local precinct of the New York City Police Department will be immediately

notified. In any subsequent investigation, all College personnel will cooperate fully with police authorities, and will take no action toward the disposition of such matters unless specifically directed by those authorities.

*[“Violent felony offenses” are: murder; kidnapping; manslaughter; rape; aggravated sexual abuse; sexual conduct against a child; assault; arson; robbery; criminal possession of a dangerous weapon; criminal use of a firearm; criminal sale of a firearm; aggravated assault upon a peace officer, fireman, or emergency services professional; gang assault; burglary; and intimidating a witness or witnesses.]

There is on file in the office of the Dean of Students a written agreement with the commanding officer of the local (84th) police precinct providing for their prompt investigation of violent felony crimes taking place (or alleged to have taken place) on the College campus.

F. Statistics Concerning Crime Occurrences:

A monthly listing of all incidents wherein listed crimes are reported and are maintained for:

1. Murder
2. Rape
3. Robbery
4. Aggravated Assault
5. Burglary

G. Statistics are maintained on:

1. Liquor Law Violations
2. Drug Abuse Violations
3. Weapons Possession

H. A statement of Policy regarding the possession, use and sale of alcoholic beverages and enforcement of underage drinking laws.

Compliance with New York State Education Law

In accordance with New York State Education Law, Article 129A, the Advisory Committee on Campus Security, will provide upon request all campus crime statistics as reported to the United States Department of Education, www.ope.ed.gov/security. To request this information, contact the Dean of Students, (718) 489-5214.

Drug-Free Policy

***Excerpt From the Drug-Free Schools and Communities Act Amendment of 1989
(Public Law 101-226)***

The unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees of St. Francis College is prohibited on the institution’s property and as part of any of its activities.

Allegations of any violation of this standard shall be dealt with as follows:

A. For students: The guilt or innocence of any student accused of an alcohol or drug offense will be determined (and a disciplinary sanction imposed, if appropriate) according to the Judiciary Proceedings applicable to all alleged violations of the Standards of Conduct Expected of Students.

B. For employees: In a case where an employee is accused of an alcohol or drug offense, the following procedure will be followed:

- 1) In cases involving a member of the faculty (resident or adjunct), the President of the College shall expeditiously convene the Committee on Professional Standards to consider the matter. The Committee will follow its normal hearing procedures in responding to the allegations and make recommendations to the President concerning whatever sanction(s) may be appropriate after its proceedings are completed.

- 2) In cases involving a non-faculty employee, (full or part-time) the President of the College shall expeditiously convene a Hearing Board to consider the matter. The Board shall comprise the following: the Vice President for the accused's division, the Director of Human Resources, and three additional non-faculty employees (not employed in the accused's department). In any case in which the accused is a member of the non-professional staff, at least two of the "at large" members of the Board shall be themselves members of the staff. Following its deliberations, (procedures for which are available for review in the Office of Human Resources), the Board will make recommendations to the President concerning whatever sanctions may be appropriate.

Students are advised that disciplinary sanctions will be applied following a finding of guilt and that these may include expulsion from the institution.

Employees are advised that sanctions will be applied following a finding of guilt, and that these may include termination of employment.

All members of the College community are further advised that the institution may, in addition to imposing its own penalties, refer to appropriate authorities any case involving a violation of the standard of conduct pertaining to drug and alcohol abuse, wherein a finding of guilt is rendered by the appropriate institutional adjudication body.

Drug and Alcohol Counseling

Treatment and Rehabilitation Programs Available to Employees and Students

The resources listed are agencies with which the College has developed a good working relationship. Students or employees who believe that they might profit from any of the services provided below should see the Director of the Student Health Services, who will be glad to facilitate a referral, in confidence.

(1) Daytop Village

401 State Street
Brooklyn, New York (718) 625-1388

Services:

- (a) Counseling, treatment, and rehabilitation for abusers of all drugs. (non methadone).
- (b) In and out patient treatment.
- (c) Job training.

(2) Long Island College Hospital Division of Alcohol Services

225 Duffield Street
Brooklyn, NY
Between Fulton and Willoughby
(718) 522-4800, ext. 330 Fax 718-522-4385

Services:

- (a) Counseling, treatment, and rehabilitation of alcohol abusers.
- (b) Detoxification program (5 day - inpatient).
- (c) Half-way house for recovering alcoholics.

(3) Alcoholics Anonymous

Hotline - (718) 339-4777

(4) Neighborhood Counseling Center

7701 13th Ave (Dyker Heights)
718-232-135

(5) Community Affairs Liaison

84th Precinct, NYPD
718-875-6405

(6) SAFE Horizon

2 Lafayette Street

New York, New York 212-577-7700 Hot Line (24 hours a day) 212-577-7777

Additional Resources

The National Institute on Drug Abuse Hotline, (301) 460-2600: information and referral service that distributes Department of Education publications about drug and alcohol prevention programs.

In addition, the College Health Service (2310) is very well-stocked with literature and other materials concerning illicit drugs and alcohol abuse treatment resources frequently used by students in the vicinity of the College. Students and employees are encouraged to take advantage of this valuable in-house resource (many have already done so) with the assurance that any inquiry will be treated in the strictest confidence.

Legal Sanctions Concerning Alcohol and Drugs

A. The Federal Controlled Substances Act prohibits the knowing, intentional and unauthorized manufacture, distribution or dispensing of any controlled substance or the possession of any controlled substance with intent to manufacture, distribute or dispense. Federal law also prohibits the knowing, intentional and unauthorized creation, distribution, dispensing or possession with intent to distribute or dispense a "counterfeit substance".

Simple possession carries a penalty of up to one (1) year imprisonment. Maximum penalties for narcotic violations range from twenty (20) years to life imprisonment. Certain violations range from twenty (20) years to life imprisonment. Certain violations carry mandatory minimum prison sentences of either five (5) years or ten (10) years. For example, the possession with intent to distribute one (1) kilogram or more of a substance containing a detectable amount of heroine carries a term of imprisonment of not less than ten (10) years and up to life imprisonment. The possession with intent to distribute five hundred (500) grams or more of a mixture or a substance containing a detectable amount of cocaine carries a sentence of not less than five (5) years nor more than forty (40) years.

Penalties are increased for certain specific drug crimes under federal law as follows:

- a) the distribution of narcotics to persons under twenty-one years of age;
- b) the distribution or manufacturing of narcotics near schools and colleges;
- c) the employment of juveniles under the age of eighteen years in drug-trafficking operations;
- d) the distribution of controlled substances to pregnant women.

Penalties for the violation of federal narcotic statutes vary greatly and depend upon two (2) principal factors: the type of drug involved and the quantity of the drug involved.

B. More severe penalties are imposed if a firearm is used in the commission of a drug offense.

C. If a drug offense results in death or serious bodily injury to a person who uses the drug, the penalties are increased.

D. New York State law contains an exhaustive list of controlled substances, crimes involving them and sanctions ranging from a fine of not more than \$100 to imprisonment for life. Drug offenses include loitering with the intent to use drugs, appearing in public under the influence of drugs, using or possessing drug paraphernalia, and selling or possessing controlled substances.

E. A person with no previous drug or marijuana conviction within three (3) years may be fined in New York up to \$100 for possessing less than twenty-five (25) grams (about 0.9 ounce) of marijuana for private use.

F. Conviction in New York for possessing as little as one gram of a controlled narcotic substance can result in imprisonment for up to one (1) year.

G. Possession of one gram of a narcotic drug in New York with the intent to sell it is a class B felony punishable by up to twenty-five (25) years in prison.

H. Anyone convicted of the sale of more than two (2) ounces of a controlled narcotic substance in New York can be sentenced to life imprisonment.

I. Other sanctions for drug offenses in New York include a conditional discharge which may include any amount or type of community service; probation; probation with a combination of jail and probation; intermittent imprisonment on weekends; or straight jail time.

J. Both Federal laws and New York State laws prohibit the distribution or manufacturing of controlled substances in or near schools or colleges. Federal law provides that a term of imprisonment and a fine may be double led for committing a drug offense within 1,000 feet of school property, including colleges and universities.

K. Federal law requires a basic permit to import, produce or deal at wholesale with alcoholic beverages. It also regulates labeling and advertising of alcoholic beverages.

L. Penalties for violating federal alcoholic laws include fines of up to \$500 or \$1,000 or, for labeling offenses, fines up to \$10,000.

M. Under New State law, it is a misdemeanor to permit a child the age eighteen (18) years to enter or remain in a place where illegal narcotics activity is maintained or conducted.

N. It is a misdemeanor in New York to give or sell an alcoholic beverage to a person less than twenty-one (21) years of age.

O. Intoxication (caused by either alcohol or drugs) is generally not a defense for someone charged with committing a crime in New York. Furthermore, voluntary intoxication can be considered a form of recklessness when that is an element of the crime charged. For example, a person can be found guilty of acting recklessly if he unintentionally causes the death of another person when intoxicated.

P. It is a crime to operate a motor vehicle in the State of New York while impaired by alcohol or drugs. This law applies to the operation of a motor vehicle on the public highway, a private road or in parking lots. Penalties include fines from \$250 to \$5,000 and imprisonment up to four (4) years.

Q. New York law requires relocation of the license of one convicted of driving while impaired for periods of time that vary from ninety days to one year. Under some circumstances, a convicted driver is not entitled to regain his driver's license until he reaches the age of twenty-one (21) years.

R. Plea bargaining is strictly limited in New York when the charge is Driving While Intoxicated or Impaired.

S. Federal law has established a national Driver Register to enable state motor vehicle departments to exchange information regarding alcohol violations and the driving records of individuals.

T. New York law prohibits selling or giving alcoholic beverages to someone who is under the age of twenty-one (21) years, is physically intoxicated, or is known to be a habitual drunkard. The law imposes strict liability, which means that one who violates it is wrong, regardless of how much care he exercises when he delivers the alcohol.

U. Anyone else injured as a result of illegally provided alcohol may sue the person who provided the alcohol.

V. If a police officer in New York observes a person under the age of twenty-one (21) years possessing alcohol that he intends to consume, the of twenty-one (21) years possessing alcohol that he intends to consume, the officer can seize and destroy the alcohol.

W. If any person under the age of twenty-one (21) years offers fraudulent proof of his age in New York for the purpose of purchasing an alcoholic beverage, he may be punished by a fine up to \$100 and ordered to perform community service for up to thirty (30) hours. If it was a New York State driver's license which

was used for the illegal purchase, the person under twenty-one (21) years may have his driver's license suspended for a period of ninety (90) days and thereafter may be granted only a restricted license which permits driving to school or employment.

X. It is a violation of a city ordinance to carry alcohol in an open container. The possible penalty is a \$25 fine and five (5) day's imprisonment.

Health Risks Concerning Alcohol and Drugs

A. Drugs and alcohol are toxic to the human body and can have catastrophic health consequences if abused. Some drugs are so toxic that even one use can be fatal. St. Francis College does not seek to give specific medical advice by disseminating this policy but offers the following information solely for its educational value.

B. Alcohol is the most widely used and abused drug in the United States. Alcohol consumption has acute effects on the body and causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car or operate machinery safely

C. Low to moderate doses of alcohol increase the incidence of aggressive acts, including spouse and child abuse and dangerous risk-taking behavior. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses can cause respiratory depression and death.

D. If combined with other depressants of the central nervous system, even low doses of alcohol can be fatal.

E. Alcohol-related automobile accidents are the number one cause of death among people ages 15 to 24 years. Approximately fifty (50) percent of all youthful deaths from drowning, fires, suicide and homicide are alcohol-related.

F. Repeated use of alcohol can lead to physical and psychological dependence.

G. Dependent persons who suddenly stop drinking are likely to suffer withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions.

H. Alcohol withdrawal can be life-threatening. Long term consumption of large quantities of alcohol, early when combined with poor nutrition, can lead to permanent damage of vital organs such as the brain and the liver.

I. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation.

J. Research also indicates that children of alcoholic parents are at increased risk to become alcoholics themselves.

K. Drugs interfere with the brain's ability to take in, sort and synthesize information. They distort perception, which can lead users to harm themselves or others. Drugs also affect sensation and impair memory. In addition, there are specific health risks associated with particular types of drugs.

L. Cocaine use is the fastest growing drug problem in the United States. One reason for this is the ready availability of cocaine in a cheap but potent form called crack or rock.

M. Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils and elevated blood pressure, heart rate, respiratory rate and body temperature. Occasional use can cause a stuffy or runny nose, while chronic use can ulcerate the mucus membrane of the nose.

N. Injecting cocaine with contaminated equipment can cause AIDS, hepatitis and other diseases. Preparation of free base, which involves the use of volatile solvents, can result in death or injury from fire or explosion.

O. Cocaine can produce psychological or physical dependency, a feeling that the user cannot function without the drug. In addition, tolerance develops rapidly, thus leading to higher and higher doses to produce the desired effect.

P. Crack or free base rock is a purified form of cocaine that is smoked; Crack is far more addictive than heroine or barbiturates. Repeated use of crack can lead to addiction within a few days. Once addicted, many users have turned to stealing, prostitution and drug dealing in order to support the habit.

Q. The effects of crack are felt within ten seconds. The physical effects include dilated pupils, increased pulse rate, elevated blood pressure insomnia, loss of appetite, tactile hallucinations, paranoia and seizures. Continued use can produce violent behavior and a psychotic state similar to schizophrenia.

R. Cocaine in any form, but particularly in the purified form known as crack, can cause sudden death from cardiac arrest or respiratory failure.

S. Marijuana can cause:

- 1) Elevated blood pressure, coughing, dryness of the mouth and throat, decrease in body temperature, sudden increased appetite and swollen red eyes;
- 2) A panic reaction or paranoia; Distortions of time, reality and perception, often impairing short term memory;
- 3) Possible psychological dependence;
- 4) Dysfunctional thinking, learning and recall;
- 5) Impaired ability to drive, operate machinery or do other things that require physical and intellectual coordination;
- 6) Irritation of the lungs, aggravating asthma, bronchitis or emphysema;
- 7) Listlessness, tiredness, inattention, carelessness about personal grooming, withdrawal and apathy;
- 8) Chronic lung disease and lung cancer.

T. Narcotics such as heroin, codeine and morphine can cause:

- 1) Loss of appetite;
- 2) Addiction with severe withdrawal symptoms;
- 3) Drowsiness, clouding of the mental processes, apathy, slowing of the reflexes and physical activity;
- 4) Infection, hepatitis or AIDS from contaminated needles;
- 5) Death from overdose.

U. Hallucinogens such as LSD, PCP and angel dust can cause:

- 1) Frightening hallucinations;
- 2) Worsening problems for a person who has a history of mental or emotional instability;
- 3) Distortions of reality, including the feeling that frightening effects of the drug will last forever;
- 4) Tolerance from repeated use, leading to increased dosages to bring about the same effects;
- 5) Flashbacks, days or even weeks later;
- 6) Death from suicide or accident.

V. Amphetamines, methamphetamines and other stimulants can cause;

- 1) Elevated blood pressure, dilated pupils and decreased appetite;
- 2) Sweating, headaches, blurred vision, dizziness, sleeplessness and anxiety;
- 3) Rapid or irregular heartbeat, tremors, loss of coordination and physical collapse.
- 4) Sudden increases in blood pressure that can cause stroke, very high fever or heart failure;
- 5) Restless, anxious and moody feelings;
- 6) Amphetamine psychosis that includes hallucinations, delusions and paranoia.

W. Barbiturates, Quaaludes, Valium and other tranquilizers and depressants can cause:

- 1) Many of the same effects as alcohol;
- 2) Calmness and relaxed muscles at smaller doses, but slurred speech, staggering and altered perception with larger doses;
- 3) Respiratory depression, coma and death;
- 4) Physical and psychological dependence;
- 5) Increased use as drug tolerance develops;
- 6) Withdrawal symptoms ranging from restlessness, insomnia and anxiety to convulsions and death;
- 7) Birth defects and behavioral problems in the children of users;
- 8) Physical dependence and withdrawal symptoms in babies born to mothers who have used depressants during pregnancy.

X. Inhalants such as laughing gas and whippets can cause:

- 1) Nausea, sneezing, coughing, nose bleeds, fatigue, lack of coordination and loss of appetite.
- 2) Decreased heart and respiratory rate;
- 3) Impaired judgment;
- 4) Rapid pulse, headaches and involuntary passing of urine and feces;
- 5) Hepatitis or brain damage from long term use;
- 6) Disorientation, violent behavior, unconsciousness or death;
- 7) Weight loss, fatigue, electrolyte imbalance and muscle fatigue from long term use;
- 8) Permanent damage to the nervous system.

Y. Anabolic steroids can cause:

- 1) Liver disease;
- 2) Cancer;
- 3) Growth problems;
- 4) Testicular atrophy;
- 5) Bone fusions;
- 6) Acne
- 7) Psychological problems;
- 8) Rage and uncontrollable anger;
- 9) Aids
- 10) Breast reduction;
- 11) Failure to develop secondary sex characteristics;
- 12) Sexual dysfunction, sterility and impotence;
- 13) Fetal damage;
- 14) Jaundice, purple or red sots on the body, swelling of feet or lower legs, unexplained darkening of the skin and persistent breath odor;
- 15) Heart attack;
- 16) Stroke

Consumer Complaint Procedure

It is the College's policy to insure that any complaint or grievance made by a student is promptly and vigorously investigated.

A student wishing to make a complaint or register a grievance should first attempt to resolve the problem with the head of the agency (faculty department chairman or administrative department head) where it is alleged to have occurred. If a satisfactory resolution of the matter is not forthcoming, the aggrieved student should notify the Dean of Students. After reviewing the complaint or grievance with the student, the Dean of Students shall advise the student as to the appropriate College appeal procedures, where these exist for particular matters (e.g., allegations of sexual assault harassment; professional misconduct by instructors; appeal of grades, etc.). In other matters, the Dean of Students will ask the student to submit a formal complaint to his office. This shall be a written statement of the problem, as the student sees or has experienced it, shall specify particular behavior(s) that give rise to the complaint, shall provide supporting evidence, and shall clearly and comprehensively articulate the student's desired outcome.

If the complaint/grievance involves an office in the professional domain of a division other than that of student affairs, the Dean of Students will transmit the complaint/grievance to the appropriate divisional Vice President.

The divisional Vice President will promptly investigate the complaint/grievance, consulting with others as appropriate. In rare instances, he/she may conduct a formal hearing for purposes of additional fact-finding.

If, after the completion of the Dean of Students investigation (and hearing, if there is one), she/he will render a judgment concerning the legitimacy of the complaint and will take appropriate action for its redress. Students who take exception with the decision thus rendered may appeal to the President of the College.

No student will be subject to any adverse action whatever for having filed a complaint or grievance. Students are advised of their right to file a written complaint to the New York State Education Department. Procedures for so doing follow:

Procedure for filing a complaint with the State Education Department:

A. Any person who believes he or she has been aggrieved by an institution on or after March 8, 1993 may file a written complaint with the department within three years of the alleged incidents, pursuant to this section.

B. Complaints shall be received in a form prescribed by the department.

C. In response to a written complaint, the department shall:

- 1) send to the complainant a notice acknowledging such written complaint and requesting further information if necessary;
- 2) when appropriate, advise the institution involved that a written complaint has been received and, when appropriate, the nature of the complaint; and
- 3) either; (i) conduct a complaint review to respond to the complaint pursuant to the authority in Education Law or the Regulations of the Commissioner of Education, or (ii) dispose of the complaint by referring it to an appropriate entity for resolution.

D. Upon conclusion of the department's complaint review or upon disposition of the complaint by referral to another entity for resolution, the department shall issue a written notice to the complainant and, when appropriate, to the institution involved, describing the disposition of the complaint.

E. All institutions shall adequately publicize this consumer complaint process.

F. The department shall maintain written records of all complaints for a period of six years after final disposition of the complaint.

G. The department shall determine when complaints justify a request to the U.S. Secretary of Education to commence a Title IV registration review, pursuant to the criteria established in 20 USC 1099a-3 (a) and (b) (United States Code, 1988 edition, Volume 8; Supplement IV, Volume 3 to the 1988 edition; Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402; 1989, 1993 - available at the Office of Higher and Professional Education, Cultural Education Center, Room 5B28, Albany, NY 12230.

H. Complaints subject to the requirements of section 5003 (i) (c) of the Education Law shall be handled in accordance with the requirements of that section.

Guest Policy (Revised 3/95)

In order to assure the safety and security of the learning environment, it is the policy of the College to permit access to its facilities during normal operating hours only to those engaged in official business.

Students who wish to host a guest for any part of a College business day should make arrangements in advance with the Office of Admissions (for secondary school students) or the Dean of Students' Office (for all others).

All other visitors should make prior arrangements with the office upon which they are calling; appointments are encouraged. Those without appointments must be escorted by a member of the host department.

Students are advised that the College discourages them from bringing young children to the campus and assumes no responsibility for their welfare. Children may be allowed in class only with explicit permission of the instructor.

Accommodations for Students with Documented Disabilities

The College earnestly desires to remove barriers to full engagement in the learning process and to facilitate the educational experience of all students including those with documented mobility, vision, or hearing impairments, or any other physical conditions which places limits on full participation.

The College is prepared to meet the special needs of such students, which may include, inter alia, the following:

- a) Note-takers
- b) Sign-language interpreters
- c) Large-print text readers and other reading aids
- d) Special seating arrangements
- e) Full accessibility to all educational programs and services, including relocation of a class or classes to an accessible location if necessary.
- f) Adaptive computer hard- and software.
- g) Opportunity for tape-recording lectures, discussions, and other classroom and laboratory activities.
- h) Other facilities, tool, or services which may be required to accommodate a particular physical disability.

Eligibility for Accommodations and /or Special Services

In order to be eligible to receive accommodations or support services, a student with a disability must identify themselves to the college, as far in advance of the beginning of the term for which accommodations and/or services are requested as possible. Particular services (e.g., textbooks on tape, sign language interpreters, special auditory and visual aids) require substantial advance notice. Provision of these services are directly dependent upon timely notification on the part of the student.

The student requesting accommodations and/or support services must provide appropriate documentation of his/her disability. In the great majority of cases, this will comprise lines from competent medical authority describing the nature of the condition, the limitations this condition imposes and services which will best assist the student to transcend these limitations.

The requesting student should present the required documentation and his/her request for particular accommodations and/or services to the Disabilities Counselor, in room 2302. The College reserves the right to verify the documentation provided by the student.

Responsibilities

The Disabilities Counselor is the institutional representative assigned specific responsibility for responding to the needs of students with documented disabilities, including assisting them in identifying needs and particular accommodations, liaising with external agencies which provide assistance and funding to disabled persons (e.g., V.E.S.I.D, Commission on the Blind), and accommodation to eligible students. In order for a student to be eligible for services and accommodations, he or she must identify

him or herself to the Disabilities Counselor as soon as practicable after he or she has been admitted to the college.

The student is also required to provide the Disabilities Counselor with all relevant documentation attesting to the validity of the disability, as well as a summary of requested accommodations and services.

Further, the student must fully cooperate with external agencies to which he or she may be referred for assistance and/or funding.

At the beginning of every semester (within the first week of class), the Disabilities Counselor will inform by memorandum each instructor who has a student with a documented disability in class of this fact. (Copies will be forwarded to the Assistant Dean of Freshman Studies and relevant others, as well.) Based upon the diagnostic materials presented to the Disabilities Counselor, with recommendations, the memorandum will outline what is required to meet our institutional obligations to that student.

Faculty members are strongly encouraged to meet individually with any of their students with documented disabilities, as soon as practicable after the term's beginning, to discuss the particular arrangements which will be made. (NOTE: This should be done privately and discreetly). If there is any question concerning the nature of any of the accommodations required or its practical implementation, the Dean of Students should be promptly contacted. On any matter having academic implications, the Dean of Students will actively consult with the Assistant Dean of Freshman Studies.

Protocol for Students with a Documented Disability

Eligibility for Accommodations and/or Support Services

As described in the section above, in order to be eligible for accommodations and services, the requesting student must identify his or herself to the college, the semester in which accommodations and/or services are needed. The student must provide proper documentation from an appropriately credentialed private practitioner or school psychologist which follows the guidelines below. The College does not provide this testing.

The student should present the required documentation and his/her request for accommodations and support services to the Disabilities Counselor, in Room (2302).

Disability Documentation Guidelines

Any student with an identified disability who is requesting accommodations or special services is required to provide appropriate documentation of his/her disability. The guidelines below provide information concerning the particulars that should be included in the request.

A. The testing upon which a diagnosis of a disability is based must comprise a comprehensive psycho educational evaluation. The following areas must be assessed

- 1) Ability. A standardized measure of overall intelligence is required, preferably one derived through the use of the Wechsler Adult Intelligence Scale-Revised. (The WAIS-R is however, only one component of a full documentation report; the results of this test alone are not sufficient.)
- 2) Achievement. Assessments of ability in reading, writing, and mathematics are required. Suggested instruments include:
 - a) The Woodcoch-Johnson Psycho educational Battery, Revised: Tests of Achievement, and
 - b) The Stanford Test of Academic Skills (TASK); or
 - c) A combination of tests in specific skill areas, such as the test of Written Language, the Woodcoch Reading Mastery tests - Revised, and the Standard Diagnostic Mathematics test.

- 3) Processing Skills. Other areas of information processing such as short and long-term memory, visual and auditory processing, and processing speed may also warrant evaluation as indicated by the results of one or more of the above tests.

While the areas above must be included, they are not intended to preclude assessment of other relevant areas such as psychological status or vocational skills.

B. In order that accommodations and service claims may be based on accurate information about the student's current functioning, the testing must be recent. Generally, this means that it must have occurred within three years of the beginning of the semester for which accommodations or services are being requested.

C. The testing must specifically state that a learning disability is present and make explicit the criteria upon which that diagnosis is based. Terms such as "learning problems," "differences," "weaknesses," or "deficiencies" are not the equivalent of a diagnosed learning disability, and are inadequate. In the particular case of attention deficit disorders (ADD and ADHD), the criteria enumerated in the DSM-III-R must be used.

D. The testing must be performed by a qualified evaluator. Licensed psychologists, learning disability specialists, and educational therapists are most commonly involved. The evaluator's name and title must be clearly indicated on the report.

E. The report must contain specific information concerning the student's functional limitations (e.g., how his or her learning disability is likely to affect them in typical academic situations) and the nature of recommended accommodations.

In lieu of the above, the College will accept adequate documentation of a learning disability with an Individualized Education Program (IEP) or the equivalent from a student's secondary school, provided that:

- 1) The IEP was completed or up-dated within three years of the stating date of the semester in which the student seeks accommodations;
- 2) The IEP clearly indicates a diagnosis of a learning disability.
- 3) The IEP specifies particular limitations on the student's functioning; and
- 4) The IEP enumerates specific accommodations required for the student to minimize those limitations.

Services

Depending upon the specific nature the disability and the recommendations included in the diagnostic report, a student with a disability may be eligible for one or more of the following:

- a) Extra-time for examinations and in-class assignments (Time and a half or double time)
- b) Note-takers
- c) Tape recording of lectures
- d) Oral examinations
- e) Readers
- f) Separate Distraction Free environment for examination
- g) Other individualized compensatory accommodations as may...from time to time be required.

It should be noted that the College lacks sufficient resources to provide special one-on-one academic counseling, subject-matter tutoring, study skills and time-management workshops or remedial instructions to students with a disability beyond those which are available to all students through the Office of Academic Support Services and the faculty of individual academic departments.

Responsibilities

As described above, the Disabilities Counselor is the institutional representative assigned specific responsibility for responding to the needs of students with documented disabilities, including assisting them in identifying needs and particular accommodations.

At the beginning of every semester (within the first week of class), the Disabilities Counselor will inform by memorandum each instructor who has a student with a documented disability in class of this fact. (Copies will be forwarded to the Assistant Dean of Freshman Studies and relevant others, as well.) Based upon the diagnostic materials presented to the Disabilities Counselor, with recommendations, the memorandum will outline what is required to meet our institutional obligations to that student.