

# TROCAIRE COLLEGE

2021-22

STUDENT HANDBOOK  
& POLICY MANUAL





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## SECTION I: COLLEGE OVERVIEW

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### MISSION STATEMENT

Trocaire College, a private, career-oriented Catholic college, in the spirit of the Sisters of Mercy, strives to empower students toward personal enrichment, dignity and self-worth through education in a variety of professions and in the liberal arts. Recognizing the individual needs of a diverse student body, Trocaire College provides life learning and development within a community-based environment. Trocaire College prepares students for service in the universal community.

### VISION STATEMENT

Trocaire College is the College where lives are transformed. Our students will be graduates of choice in career-oriented professions.

### COLLEGE HISTORY

Trocaire College was founded in 1958 in the City of Buffalo by the [Sisters of Mercy](#) as Sancta Maria College, offering higher educational opportunities to women of the order. The College gained distinction early on in the field of nursing and Health Science education. In 1967, the college's name was officially changed to Trocaire, Gaelic for mercy, to honor the heritage of the founding sisters. Trocaire granted admission to lay female students in 1965 and male students in 1972.

The college has evolved extensively over the past 50 years as it has arrived at its current structure. It confers a number of Associate and Bachelor degrees with an emphasis on the health care professions. In 2008 the college expanded its offerings with The Russell J. Salvatore School of Hospitality and Business and an extension site in Williamsville, NY, and later in 2012, with a Massage Therapy Program.

The Trocaire College of today is a vibrant, multi-dimensional coeducational Catholic college which continues to operate in the spirit of the Sisters of Mercy. Trocaire is an active member of the [Conference for Mercy Higher Education \(CMHE\)](#).

Trocaire College changes the trajectory of the lives of its students, helping students of promise recognize their own talents and maintain their own motivation while providing them the means by which to grow intellectually and emotionally. Graduates of Trocaire are sought by Buffalo employers across the service industries for their exceptional character, skill and dedication. Alumni of Trocaire College can be counted upon to work collaboratively to excel in their professions.

### OUR MERCY HERITAGE: CATHERINE MCAULEY & THE SISTERS OF MERCY

All Sisters of Mercy worldwide, and the institutions they established, trace their roots to their founder, Catherine McAuley, an Irish-Catholic laywoman. Catherine recognized the many needs of people who were economically poor in early nineteenth century Ireland and concluded that she and women like



her could make a difference in their lives. Spending a sizable inheritance, she opened the first House of Mercy on Lower Baggot Street in Dublin, Ireland on September 24, 1827, a place to shelter and educate women and girls.

Catherine's original intention was to assemble a lay corps of Catholic social workers for the task. However, impressed by her good works and the importance of sustaining this vital work among the poor, the Catholic Archbishop of Dublin suggested that Catherine establish a religious order. Three years later on December 12, 1831, Catherine and two companions became the first Sisters of Mercy.

In the 10 years between the founding of the order and her death in 1841, she established 14 independent convents in Ireland and England dedicated to serving the most vulnerable of society – largely, women and children. In fact, all Sisters of Mercy take a vow to serve the poor as part of their commitment to the religious life. Today, the Sisters of Mercy maintain a strong presence throughout the world and are deeply involved in education, health care, pastoral ministry and social services.

## **TROCAIRE LOCATIONS**

Address and maps to all Trocaire locations: <https://trocaire.edu/about-trocaire/locations/>

## **2021-2022 ACADEMIC CALENDAR**

The Academic Calendar has all the official college dates for the school year.

<https://trocaire.edu/student-life/college-calendar/>

## **COLLEGE CATALOG & ACADEMIC POLICIES**

The College Catalog is a publication describing academic programs, student services, general regulations, requirements and procedures. The publication describes all classes offered by the institution and provides information about academic programs and policies.

This document can be found at [my.trocaire.edu/registrar](https://my.trocaire.edu/registrar)

## **SPRING 2022 COVID-19 RESPONSE AND RESOURCES**

In accordance with New York State COVID-19 guidelines, Trocaire College has implemented a number of new policies and procedures designed to ensure the health and safety of everyone who steps foot on campus, while at the same time continuing to deliver a Best in Class educational experience to students.

Guidelines continue to evolve, and the college receives updates from the state and other entities on a near-daily basis. Please visit the Trocaire College website for the most up to date information: <https://trocaire.edu/>

## SECTION II: MANUAL OVERVIEW

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***“We are proud to provide a purposeful, meaningful, and memorable Trocaire experience for all students”***

*Kathleen Saunders, Vice President of Enrollment and Student Affairs*

The Student Affairs Division works diligently to provide services, programming, and support that will enrich the students' experience at Trocaire College, and contribute to their academic success. As the division supports the student's educational journey and prepares them for occupational success, we do so within the Catholic faith and Sisters of Mercy tradition. It is our intention to provide every Trocaire student with opportunities to engage in purposeful, meaningful, and memorable experiences.

The Student Handbook and Policy Manual has been developed for students to use as a resource for important information regarding policies and procedures. This manual will be available on the Trocaire College website. The website link and a copy of the document will be sent to via your Trocaire email at the beginning of each semester.

When policies and procedures are updated or added throughout the academic year, students will receive the update through their Trocaire email accounts. This manual will also be updated at the time of any policy revisions or additions. The policies that have been developed are in place to ensure students of not only fair and equitable treatment but to provide the framework for a safe and welcoming educational setting.

If you have questions regarding any of the policies in this manual, please contact the CSAO at [CSAO@Trocaire.edu](mailto:CSAO@Trocaire.edu)

Kathleen Saunders  
Vice President of Enrollment and Student Affairs



## SECTION III: DIVISION OF STUDENT AFFAIRS

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Trocaire College asserts “Student Success” as the highest-level desired outcome of the 2020 Strategic Plan. Student success not only points to desired graduation, continuing education and career acquisition goals; it also means perfecting ways we meet students’ academic, personal and professional needs throughout their education.

***The Mission of the Student Affairs Division is to provide student services and programming from a caring, inclusive, and student-centered perspective that support and enhance holistic learning within the tradition of the Sisters of Mercy. Our goal is to empower students to strive to reach their full potential in development of the whole person while supporting their academic and occupational success.***

### ADVISEMENT & STUDENT SERVICE CENTER

#### Contact Information

Choate Campus: Room 140

Phone: (716) 827-2577

Email: [AdvisementServices@Trocaire.edu](mailto:AdvisementServices@Trocaire.edu)

Website: <https://my.trocaire.edu/advisement-services/>

#### **Academic Advisement**

All students must meet with their assigned academic advisor each semester to discuss their academic progress and develop a plan to meet their academic and career goals. Academic advisement is mandatory prior to course registration each semester. Students who are new to the college, excluding BSN, HCM, ECHO, and DMS students, are assigned to Student Service Advisors in the Advisement & Student Service Center for advisement. Students are reassigned to faculty advisors after their first or second semester at the college. Students are always able to view their assigned advisor’s name and contact information in their e-Student portal. The Advisement & Student Service Center is located in Choate Campus Room 140.

#### **Student Services**

The Advisement & Student Service Center promotes student success through a case management advising and service model that encourages student use of all campus resources. Student Service Advisors provide educational planning assistance and guide students through their college experience by delivering individualized services including academic advisement, course selection, career counseling, obtaining academic support, referrals to campus and community-based resources, monitoring academic progress, and interpreting college policies and procedures.



## **Career Services**

### Contact Information

Choate Campus: Room 140

Phone: (716) 827-2444

Email: [Careerservices@trocaire.edu](mailto:Careerservices@trocaire.edu)

Website: <https://my.trocaire.edu/career-services/>

The Career Services office provides comprehensive career preparation services for Trocaire College students and alumni. Assistance is available to students looking for a job while in school or searching for their first job after graduation. Career Services also assists students with creating resumes, cover letters, practicing job interview skills, and hosts several opportunities for students to meet directly with employers each semester. Updated job postings, on-campus employer recruitment visits, and job fair information are available in [Handshake](#) and on the Career Services webpage.

## **Career Counseling**

Career Counseling is available in the Career Services Office to students and alumni to assist with re-assessing career direction or confirming career choices. We encourage you to take full advantage of the services we provide to support your experience and your career development process. A variety of career and personality assessments are offered to assist students and alumni with determining their educational and occupational choices; preferences for particular job duties, aptitudes and achievement in various areas, and preferences for particular qualities of the work environment. To access assessments or talk with Career Services, email [CareerServices@Trocaire.edu](mailto:CareerServices@Trocaire.edu) or call (716) 827-2444.

## **Career Competency Certificate Program**

The Career Competency Certificate is a structured opportunity for students to gain career readiness knowledge and skills to better prepare themselves to enter the job market. Career readiness is the attainment and demonstration of requisite competencies that broadly prepare college graduates for a successful transition into the workplace. Students who participate in this program will work closely with the Career Services Coordinator to complete the career development modules in Moodle and will receive a certificate upon successful program completion.

## **Transfer Counseling**

Transfer counseling is available to students who are interested in continuing their education in a new program at Trocaire or transferring to another college.



## **Professional Mentorship Program**

### Contact Information

Choate Campus: Room 140

Phone: (716) 827-2444

Email: [CareerServices@trocaire.edu](mailto:CareerServices@trocaire.edu)

Website: <https://my.trocaire.edu/career-services/>

The Professional Mentorship Program enables students to be paired with working professionals in order to prepare students for their intended career. Mentoring relationships are a shared opportunity for learning and growth. Mentoring as an extracurricular development opportunity provides long-term benefits for students, connecting them with support and a networking base as they move through their collegiate experience into careers of choice. Mentee benefits include: gain life skills, career knowledge, and experience; expand professional network; benefit from inspiration and support (professional, academic, personal); potential life-long connection between mentor/mentee. Many mentors say that the rewards they gain are as substantial as those for their mentee and that mentoring has enabled them to achieve personal growth and learn more about themselves; improve their self-esteem and feel they are making a difference; gain a better understanding of other cultures and develop a greater appreciation for diversity; feel more productive and have a better attitude at their workplace.

## **MISSION, MINISTRY, & SERVICE**

### Contact Information

The Mission Office: Choate Campus

Phone: (716) 827-2451

Email: [SemberT@trocaire.edu](mailto:SemberT@trocaire.edu)

Website: <https://trocaire.edu/student-life/mission-ministry-service>

The office of Mission, Service, and Ministry exists to serve and advance the mission of the college on all levels of institutional life:

1. On the administrative level by orienting students and staff to our mission as a Catholic and Mercy institution and by helping to craft and implement policies that align with our values and support students as they aspire to careers of achievement and lives of purpose.
2. On the ministerial level by offering pastoral care to all members of the community and by designing programs that promote a holistic approach to education (mind, body, and spirit), a key Mercy value.
3. Through active engagement with the surrounding community via volunteer and community-based learning approaches (See Mercy Action Project) that enrich student learning while serving the common good.

In all of these ways we seek to honor and preserve the legacy of Catherine McAuley and the Sisters of Mercy who founded Trocaire College in 1958.



## **Campus Ministry**

### Contact Information

Choate Campus

Phone: (716) 827-2451

Email: [SemberT@trocaire.edu](mailto:SemberT@trocaire.edu)

Website: <https://trocaire.edu/student-life/mission-ministry-service>

As the Mercy College of Western New York, Trocaire strives to create a welcoming, inclusive, and communal environment where human dignity, self-discovery, and holistic growth are cultivated in ways that are transformative for our students. Campus Ministry contributes to this endeavor by offering programs and services that support student development on all levels: mind, body, and spirit. Examples include: 8 am daily Mass at the Mercy Center across the street from the Choate campus; twice-weekly communal prayer (Rm. 316); guided meditation sessions during the Lenten Season, Graduate Spotlight Dinners – a mini-retreat program, plus an off-campus Service/Retreat experience coming in Spring 2020. Additionally, each year programs sponsored by the Conference for Mercy Higher Education (CMHE) provide an opportunity for students to participate in programs at the United Nations and in Washington D.C. Programs for staff include: The Carlow Roundtable (Dublin Ireland) and the D.C. Roundtable on alternate years; also, a service program in the Caribbean entitled: Mercy: Focus on Haiti.

A multi-faith Sacred Space (Rm. 316) is open to students and staff for personal and group prayer and meditation on a daily basis. It is also available for spiritual and religious programming throughout the year. Spiritual Direction and pastoral, counseling round off services offered to our students. Additional programming extends the spirit of the Sisters of Mercy, our founders, by celebrating our Catholic and Mercy Heritage including the Sisters' Critical Concerns. By advancing the cause of mercy both on and beyond the campus we fulfill our mission. Programming includes: Mercy Heritage Week, Pledge of Non-Violence, Toward the Common Good: An Exercise in Catholic Social Teaching, speakers on key topics and panel discussions on critical social and cultural issues of our day. These are all part of the fabric of life at Trocaire – a community of caring, where Mercy lives.

Students are invited to participate in and/or initiate programming that aligns with our mission and enhances the quality of life on our campus. We welcome your participation, ideas, and involvement.

## **Global Achievement Project**

### Contact Information

Choate Campus: Room 140

Phone: (716) 827-2535

Email: [Global-Achievement-Project@Trocaire.edu](mailto:Global-Achievement-Project@Trocaire.edu)

Website: <https://trocaire.edu/student-life/mission-ministry-service>

The Global Achievement Project (GAP) offers support and services to students born outside the continental United States – refugees, immigrants, etc. On the academic front, obstacles that may



impede the success of these students are identified and programs and services put in place to address student needs. The coordinator of the project provides an array of services: 1. advises students regarding educational options, requirements, policies and procedures; 2. refers students to workshops and instructional opportunities on student success; 3. Informs students of on-campus and off-campus resources for assistance and support; and 4. assists students in clarifying values and goals. Socially, the coordinator also arranges opportunities for students to come together in a spirit of fellowship and mutual support.

### **Mercy Action Project (MAP): Roadmap to Living Trocaire's Mission**

#### Contact Information

Choate Campus

Phone: (716) 827-2451

Email: [SemberT@trocaire.edu](mailto:SemberT@trocaire.edu)

Website: <https://my.trocaire.edu/mercy-action-project-map/>

The Mercy Action Project (MAP) is a community-based learning experience designed to support student learning while meeting community needs. Students in all programs (Certificate, Associate, and Baccalaureate) must complete at least one (1) MAP learning experience prior to completing their program in order to be eligible to graduate. MAP is a tuition-free, non-credit, value-added, co-curricular program. MAP provides service opportunities that integrate the College's mission through an action-reflection approach that links academic learning, civic engagement, and personal reflection in ways that advance the mission of the college and highlight our Catholic and Mercy identity.

The Purpose of MAP is to:

- Support student learning while meeting community needs in ways that advance the mission of Trocaire College
- Promote student success by through community engagement, personal reflection, and academic growth
- Encourage a college-wide culture of service
- Foster citizenship, academic and social skills, and Mercy values
- Be mutually beneficial to the student, community partner, and recipients of service

MAP includes the following components that correlate with our mission

1. Understanding the mission: A mission workshop (1 hour online)
2. Living the mission: Service in the community (12 hours or alternative completion of projects listed on the MAP Moodle page due to any possible COVID-19 restrictions)
3. Integrating the mission: Reflection on the service experience (final reflection paper)



## **Catherine's Cupboard**

### Contact Information

Choate Campus: Room Rm. 340

Phone: (716) 827-2489

Email: [KrulyG@trocaire.edu](mailto:KrulyG@trocaire.edu)

Website: <https://my.trocaire.edu/catherines-cupboard/>

Catherine's Cupboard is a FREE food pantry on campus designed to serve Trocaire students and staff who experience food insecurity. By addressing issues of hunger and food insecurity the college seeks to aid and support the health and well-being of our students while promoting student success.

Catherine's Cupboard is located in Rm. 340 on the Choate St. campus and is open to all Trocaire students and staff. A student and/or staff ID is the ONLY requirement to access the pantry.

Catherine's Cupboard is named after Catherine McAuley, foundress of the Sisters of Mercy, who in turn founded Trocaire College in 1958. It provides microwavable and non-perishable food items to students for immediate use or to take home for their families. Toiletries and personal supplies including toothbrushes, feminine hygiene items, diapers, and shampoo are also available. All items are provided freely and discretely to any student or employee who needs them. Information and/or counseling regarding additional community and social services are also available through the pantry.

In the spirit our mission as a Catholic and Mercy institution, called to address the unmet needs of our students and society alike, Catherine's Cupboard represents one key effort by the college, among others, to address the needs of our students and staff.

## **The Sister Sally Walz RSM Student Emergency Fund**

### Contact Information

Choate Campus: Room 118

Phone: (716) 827-2412

Email: [KrulyG@trocaire.edu](mailto:KrulyG@trocaire.edu)

Website: <https://my.trocaire.edu/student-emergency-fund/>

The Student Emergency Fund supports student success, retention, and completion by helping to address unforeseen financial situations that may hinder student progress.

All current students are eligible to apply for **emergency funding** should they experience an **urgent financial need** that creates a hardship and poses a significant barrier to continuing academic pursuits or achieving academic goals. Funds are not to be used for routine expenses but are reserved for situations and circumstances of urgent need where other avenues of recourse are not available. Some examples: housing and transportation issues, medical and safety needs; replacement of belongings due to fire or other natural disasters, plus some academic costs, however, not including books or tuition reduction, etc.



Applications are reviewed on a case-by-case basis. If approved, allocation of funds, up to, but not to exceed \$250.00 will be dispersed either incrementally or in a lump sum depending on the circumstances. **Important: funds are not paid directly to students but rather to those community entities seeking payment (e.g. landlords, service providers, etc.). Thus, students are required to produce relevant documents to (statements, invoices, etc.), to verify need plus to provide contact information for cut checks.** Since funds are limited, students, typically, can apply for emergency funding one time during their tenure at Trocaire.

### **Application Process**

\* Student applies online

1. Initial review by the Director of Wellness, including a conversation (in person and/or phone) with applicant.
2. Review by Student Emergency Fund Committee (The Committee reviews student's financial aid status in addition to the information provided on the application to decide if funds will be approved).
3. Student notification of committee's decision (3-5 days from receipt of application).

**(Note) Approval and/or release of funding is contingent upon receipt of all relevant documentation (see "Important" above).**

### **Corporate Volunteer Service Days**

Each semester, the college will provide all members of the Trocaire Community (students, faculty, and staff) a formal opportunity to engage in group volunteer service with a designated organization and/or event in the Buffalo area. These officially sponsored service events are designed to accomplish the following:

- Advance the Mercy Spirit of service to those in need.
- Assist neighboring agencies and organizations in meeting the needs of their clients and fulfilling their purpose.
- Build solidarity with our neighbors in need and with each other through engagement in common service endeavors.
- Cultivate among our Trocaire students and staff a sense of civic responsibility, concern for the common good, and the cultivation of a social conscience.
- Expand Trocaire's visibility, presence, and impact in the region through service

Each semester, a working group, under the auspices of the Office of Mission, Ministry, and Service will identify, plan, coordinate, and promote a group service project offered to all members of the Trocaire Community. Proposed events will be identified one semester in advance to allow for effective planning and scheduling and promotion. All members of the Trocaire community are encouraged to participate in these mission-related events each semester!



The committee will give preference to service projects that reflect our mission, Mercy values, and the Critical Concerns of the Sisters of Mercy. Depending on their suitability, some projects may occur during the school/workday, after the school/workday, or on weekends.

#### Contact Information

Choate Campus

Phone: (716) 827-2451

Website: <https://trocaire.edu/student-life/mission-ministry-service/>

### **PALISANO LEARNING CENTER**

#### Contact Information

Choate Campus: Room 113

Phone: (716) 827-2425

Email: [palisanolearningcentermail@trocaire.edu](mailto:palisanolearningcentermail@trocaire.edu)

Website: <https://my.trocaire.edu/academics/palisano-learning-center/>

In support of the mission of Trocaire College, the Palisano Learning Center (PLC) offers the following resources **free of charge** to enrolled students:

- Peer and Professional Tutoring
- Online Tutoring
- Academic Coaching
- Group Study/Reviews
- Academic Success Skills Workshops

In addition, the PLC houses a professionally staffed **Health Science Lab** equipped with anatomy and physiology models and health science related resources for student use.

Within the Palisano Learning Center we strive to practice COVID-19 safety precautions by offering remote tutoring, study groups, and other services that you can utilize remotely to ensure your safety away from campus.

While on campus the Palisano Learning Center is open for students to utilize if you need an area to study or analyze our anatomical models. We implore that you practice social distancing by limiting the **capacity of occupants in the center to 5 people at a time**. This is to make sure our students and staff members remain as safe and healthy as possible. We also recommend that you wipe down any stations that are utilized before and after use. These stations include (printer, anatomy and physiology models, health science related resources, staplers, hole punchers, etc.) Alcohol wipes are available for use in designated areas throughout the room and can be produced upon request.

#### **Testing Accommodations**

##### Contact Information

Choate Campus: Room 111

Phone: (716) 827-2440



Email: [GunterD@trocaire.edu](mailto:GunterD@trocaire.edu)

Website: <https://my.trocaire.edu/academics/palisano-learning-center/>

The Palisano Learning Center facilitates accommodation and admissions-related testing services by appointment only. Students registered with the Office of Accessibility Services seeking to utilize approved testing accommodations must complete the Accommodation Testing Request Form via the E-Student Portal **at least 5 business days prior to the test.**

### Testing Policies

In order to enforce the highest level of academic integrity while administering exams, the PLC requires that test-takers adhere to the following guidelines:

1. Students should arrive to the PLC at least ten (10) minutes prior to the scheduled start time of your test.
2. A photo ID is required in order to sign in to take the test.
3. The following items are not allowed in the testing area:
  - electronic devices
  - bags
  - notebooks/books
  - purses
  - jackets
  - other personal belongings.

\*(Unless permitted by a course instructor)
4. All materials, including scrap paper, must be returned to the proctor upon completion of the exam.
5. In order to uphold academic standards, test-takers may not leave the testing site during the examination and will forfeit the ability to complete their test in so doing.
6. If a student will be late or unable to attend the scheduled test time, please inform the PLC as soon as possible.
7. If a proctor suspects that a test-taker is cheating, the test will be stopped and confiscated and the incident will be reported **For Current Students with Academic Accommodations.**

### Testing

Students seeking admission into the Catherine McAuley School of Nursing are required to take the A2 Test as part of the application process. Prospective Registered Nursing Program students must schedule an A2 Test.

## TRIO STUDENT SUPPORT SERVICES

### Contact Information

Choate Campus: Room 140

Phone: (716) 827- 2523

Website: <https://trocaire.edu/trio-student-support-services-program/>

Email: [TRIO@Trocaire.edu](mailto:TRIO@Trocaire.edu)



TRIO Student Support Services is a federally funded outreach and student services program designed to provide support, guidance and assistance for individuals from challenging backgrounds. TRIO is targeted to serve and help low-income, first generation college students, and individuals with documented disabilities. Services include tutoring, academic coaching, supplemental instruction, academic advising, support with financial aid and financial literacy, and support with post-graduation career and continuing education planning.

**TRiO ELIGIBILITY:**

- The student must be a U.S. citizen or legal resident
- Must be an enrolled student at Trocaire
- Demonstrate academic need
- Meet one or a combination of the following:
  - Low-income
  - First Generation college student (neither parent has earned a four-year degree)
  - Have a documented disability

Please visit our website for more information and to apply: <https://trocaire.edu/trio-student-support-services-program/>

**TROCAIRE OPPORTUNITY PROGRAM | TOP | HEOP**

Contact Information

Choate Campus: Room 114

Phone: (716) 827-2440

Email: [GunterD@trocaire.edu](mailto:GunterD@trocaire.edu)

website: <https://my.trocaire.edu/academics/palisano-learning-center/>

The primary objective of The Arthur O. Eve Higher Education Opportunity Program (HEOP), or Trocaire Opportunity Program (TOP), is to help provide a broad range of services to promising, underprivileged students a college degree. TOP is sponsored jointly by the State Education Department and Trocaire College.

The eligible TOP student receives a full-need financial aid package including TAP and PELL. Additional grants and stipends are available to all TOP students. Necessary support services are provided to the TOP student to successfully complete an Associate or Bachelor's degree.

Eligibility is based on the following criteria:

- Lower high school graduating average or GED score
- NYS resident and U.S. citizen
- First-time college student
- Interest and desire in obtaining an associate or bachelor's degree
- Economically disadvantaged
- Age is not a factor; no one is too old to be eligible



Eligible TOP students begin their college education during a five-week pre-freshman Summer Success semester. This mandatory semester consists of preparatory classes, workshops, and academic support. If you feel you are eligible for TOP, please call the TOP Office/Trocaire College at 716.827.2425 or 716.827.2562.

## STUDENT LIFE

### Contact Information

Choate Campus: Room 141

Phone: (716) 827-2487

Email: [StudentLife@Trocaire.edu](mailto:StudentLife@Trocaire.edu)

Website: <https://trocaire.edu/student-activities/>\*

The Student Life Office provides students with the opportunity for co-curricular involvement in an inclusive, student-centered environment. Whether students are seeking involvement in student government, programming, clubs/organizations, or participating in the many activities and events offered, Student Life provides access and opportunity for all students. In addition, students' professional skills are enriched through leadership and multicultural & inclusion workshops in order to ensure success after completion of their educational journey at Trocaire. Veteran students are supported through specialized programming at Trocaire. From Orientation to Commencement, Student Life is here to support student success.

### **Orientation**

New and transfer students participate in an online new student orientation program designed to introduce them to college life at Trocaire. This program acquaints students with both the academic resources of the college and the support services that will assist them in making a smooth transition to college life. This online orientation takes thirty minutes to complete while describing various facets of Trocaire. Once completed, students will feel comfortable to start their first semester. Student Life also holds a New Student Welcome, where students can meet with the Student Life team to become acquainted with the mission and purpose of the college, connect with other students, and learn about resources available to them during the semester.

### **Orientation for First-Time College Students**

Student Life hosts a mandatory, in-person orientation for all first-time college students prior to the fall semester. First-time students will connect with staff from student services at Trocaire College, tour the campus, and connect with current students to hear their experiences. The orientation promotes students success as students enter their first semester at Trocaire College and provides resources to help students attain success.

### **Student Clubs**

Various clubs and activities open to all students are managed by the Student Life Office. Each club has a separate advisor who oversees its function. Clubs help sponsor many activities each semester, provide a forum for the development of student leaderships skills, and present opportunities to form



relationships with other students. Student clubs are also fantastic ways to build professional development to ensure you stand out in the workforce. There are several clubs on campus – both academic and social, and if Trocaire doesn't have a club you're interested in, it's very easy to start one. Connect with [Student Life](#) to learn more.

### **Student Association**

The purpose of the Student Association (SA) is to represent the student body as it relates to College matters, help to oversee the student clubs, and to create and promote co-curricular programs through student activities. The Student Association is comprised of elected and appointed students involved in the planning and integration of student activities so that students have a full and balanced life outside the classroom. The Student Association also promotes a sense of group responsibility and plays the critical role of student representation for all aspects of community life. The Director of Student Engagement, from the Office of Student Life, advises this body of student leaders.

### **Leadership Development**

Trocaire College believes that all students can and should exercise leadership. Leadership does not require formal authority or position and can be practiced by anyone interested in making a difference in their family, workplace, and community. Students may participate in the free Leadership Certificate Program to grow to understand their role as a leader and participate in opportunities to further develop their leadership skills.

### **Leadership Certificate Program**

The Trocaire College Leadership Certificate Program is open to students who wish to enhance their leadership abilities and strengthen their career opportunities. Topics covered by the certificate program reflect the leadership domains created by The Council for the Advancement of Standards (CAS) and the National Association of Colleges and Employers (NACE). Workshops and opportunities will be hosted virtually for students to participate in asynchronously through its online modules, and synchronously through live video discussions. Students may register for this certificate on the [Leadership](#) webpage.

### **Inclusivity/Diversity**

We embrace all identities at Trocaire and strive to develop and educate citizen leaders. We foster intercultural engagement through heritage celebrations, dialogue, and events. The Student Life Office provides opportunities for self-awareness and reflection across differences through the Cultural Competency Certificate (C3) program. Our vision is to create a community where all people feel valued and valuable for who they are.

### **Cultural Competency Certificate (C3) Program**

The Cultural Competency Certificate (C3) is open to all students of Trocaire College who wish to participate. To attain the certificate participants attend three mandatory sessions and choose four additional sessions from a list of offered workshops and opportunities. These workshops and opportunities are led by experts in their respective topics. Students, faculty and staff may attend any of the sessions even if not participating in the certificate program. Sessions will be offered virtually for



all participants in a synchronous and asynchronous manner. Participants may register for this certificate on the [Diversity and Inclusion](#) page.

### **Student Planner**

We understand how hectic your life can be. To provide you with some help, Student Life provides free student planners the first week of every semester. This calendar is filled with information such as the academic calendar, a schedule of important holidays and events, and information about student services. Student planners will be available to all students in their Welcome Bag for the Fall semester.

## **WELLNESS CENTER**

### Contact Information

Choate Campus: Room 118

Phone: (716) 827-2579

Email: [WellnessCenter@Trocaire.edu](mailto:WellnessCenter@Trocaire.edu)

Website: <https://my.trocaire.edu/student-services/health-office/>

### **Health Records**

All students must submit required health documents and updates for entrance to the college and to maintain clinical compliance. Students will be put on an automatic health hold upon acceptance to the college and must submit their initial required documentation (MMR, **Meningococcal Vaccination Response Form**, and **Medical History Form**) or the student will not be allowed to register for classes. Documentation must be submitted electronically to [CastleBranch](#).

Find additional information and health forms on our website: <https://my.trocaire.edu/student-services/health-office/>

### **Counseling Services**

Trocaire offers counseling services free of charge for all students. The goal of Counseling Services is to provide short-term counseling to help students manage current stressors and identify more effective strategies to meet their goals. Students can contact the Counseling Office to get more information on community resources and referrals. All students are welcome in the Counseling Office.

Find additional information and resources on our website: <https://my.trocaire.edu/student-services/counseling-services/>

### **Accessibility Services**

Trocaire College provides reasonable accommodations to students with disabilities. Students who may be seeking accommodations must self-identify as a student with a disability to the Office of Accessibility Services. Students must provide documentation from a licensed provider stating their diagnosed disability, how the disability impacts their everyday life and functionality, and the provider's recommendation for the student to be successful in college. Student accommodations are determined on an individual basis. Some examples of accommodations include, but are not limited to:



testing accommodations, notetaking assistance, alternative textbooks, and assistive technology software and devices.

Find additional information and resources on our website: <https://my.trocaire.edu/student-services/disability-services/>

### **Interpersonal Violence Intervention and Prevention Program (iVIP)**

iVIP is a campus program funded by a grant from the Department of Justice (DOJ), Office on Violence Against Women (OVW). It is designed to equip the greater Trocaire community with the skills to prevent domestic violence, dating violence, stalking, sexual assault, and educate on bystander interventions through educational training and programming. Learn more by emailing [iVIPCoordinator@trocaire.edu](mailto:iVIPCoordinator@trocaire.edu) or calling 716-827-2543.

### **Wellness Committee**

The Wellness Committee consists of faculty, staff, and students with the mission of promoting health and wellness within the college community through education and initiatives that inspire and empower individuals to take responsibility for their own health. If you are interested in the Wellness Committee contact [WellnessCenter@Trocaire.edu](mailto:WellnessCenter@Trocaire.edu).

### **Wellness Programming**

The Wellness Center offers education, wellness programming, and events on various topics throughout the year. Information about our programming can be found via social media, on the online college calendar, as well as advertisements around the college. For questions regarding programming, events, contact [WellnessCenter@Trocaire.edu](mailto:WellnessCenter@Trocaire.edu)

## SECTION IV: STUDENT SERVICES

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### BEVERAGE & FOOD OPTIONS

#### Trocaire Achievement Complex (Transit Road):

- Onsite vending machines
- Adjacent retail options
  - Dunkin Donuts
  - Picasso Pizza
  - Starbucks
  - Tim Hortons

#### Main Campus:

- Trocaire Bookstore: snacks, drinks, coffee & microwavable options
- Onsite vending machines [lower level student lounge and Commons]
- Mercy Hospital Tim Hortons [lobby]: Open 24/7\*

### BOOKSTORE

The bookstore is located at the front of the building on the Choate Campus and is operated by Barnes and Noble. Hours are posted on the door. The bookstore handles textbooks, school supplies, and Trocaire clothing/merchandise. Purchases can be shipped to your home (UPS rates apply). For Transit location students, free shipping is available to your home.

You may charge to your account the textbooks and supplies that you purchase at the college bookstore. The amount you may charge is limited to the amount of financial aid you have remaining after charges for tuition and fees are deducted. Financial Aid is available for purchases in the bookstore one week prior to the start of each semester and continues through the second week of each semester. For further options please visit <http://trocaire.bncollege.com/> or contact the bookstore directly at 716-827-2437.

### FINANCIAL AID

<https://trocaire.edu/admissions-aid/financial-aid/>

The Financial Aid team in Room B10 at the Main Campus stands ready to help you realize how affordable Trocaire College can be. ALL students must complete the Free Application for Federal Students Aid (FAFSA) or the renewal application each year in order to determine eligibility for federal,



state, and Trocaire College funds. You may find the FAFSA form at <https://studentaid.gov>. Important: Use the IRS Data Retrieval Tool button when completing the FAFSA form for income tax retrieval.

The Trocaire College Code number for the FAFSA is 002812.

In addition, the Express TAP Application should be completed for full-time students applying for the New York State Tuition Assistance Program (TAP). You may also go to [www.tapweb.org](http://www.tapweb.org) after completing the FAFSA form online.

- The Trocaire College code number for the TAP application for two-year degree and certificate programs is 2144.
- The TAP code for four-year degree programs is 6144.
- If you plan on attending school part-time, you may be eligible complete an Aid for Part-Time Study Application available in the Financial Aid Office.

Students borrowing a Direct Federal Stafford loan (subsidized and/or unsubsidized) must also complete the Master Promissory Note and Entrance Counseling at <https://studentaid.gov>.

## **LOST & FOUND**

Students may check with the security desk at each location for lost items. Items will be kept for a period of 30 days after which any unclaimed items may be disposed of.

## **OFF-CAMPUS HOUSING RESOURCES**

Information about apartments, roommates, or rooms for rent is available at both campuses and online at [www.trocaire.edu/student-life/housing](http://www.trocaire.edu/student-life/housing). Included are available sites to use to find housing.

Trocaire College is not affiliated with any housing or apartment complexes and is not liable for any aspect of the rental agreements between landlords and students.

## **SHUTTLE (MAIN CAMPUS)**

Trocaire offers a “free” shuttle service, at the Choate campus location. The shuttle travels between the campus and designated parking areas. For the parking location map and schedule visit: <https://trocaire.edu/student-life/getting-around/>

## **STUDENT ACCOUNTS**

<https://my.trocaire.edu/billing/student-accounts/>

When students register, they become liable for tuition and fees. Tuition and fees are due on the last day of the add/drop period each semester. Students paying in full should make checks payable to Trocaire College and mail to the Office of Student Accounts. The College also accepts payments made by VISA, MasterCard, Discover, American Express, Apple Pay and Android Play.



Students will not receive a paper copy of their bill. An electronic copy will be emailed to their Trocaire College email.

Trocaire College offers several payment plans to assist students. Please visit <https://my.trocaire.edu/billing/payment-plan/> for full descriptions of the payment options.

Students will be assessed a \$200.00 non-compliance fee after the initial due date if: their bill is not paid in-full, they have not registered for a payment plan, or they do not have pending financial aid equal or greater than their balance.

## **PAYMENT DUE DATES FOR 2021-2022**

**Fall 2021 September 7, 2021**

**Spring 2022 February 1, 2022**

**Additional late fees may be assessed to unpaid balances, including collection costs. Please refer to the College Catalog [my.trocaire.edu/registrar](https://my.trocaire.edu/registrar) for more information.**

## **TUITION LIABILITY POLICY**

The institutional refund schedule is as follows when a student withdraws:

### **Fall/Spring**

- |                                       |                             |
|---------------------------------------|-----------------------------|
| • Through the first week of classes:  | 100% of tuition is refunded |
| • Through the second week of classes: | 80% of tuition is refunded  |
| • Through the third week of classes:  | 60% of tuition is refunded  |
| • Through the fourth week of classes: | 40% of tuition is refunded  |
| • Through the fifth week of classes:  | 20% of tuition is refunded  |
| • After the fifth week of classes:    | No refund                   |

### **Summer**

- |                                       |                             |
|---------------------------------------|-----------------------------|
| • Through the first week of classes:  | 100% of tuition is refunded |
| • Through the second week of classes: | 50% of tuition is refunded  |
| • After the second week of classes:   | No refund                   |

All fees are non-refundable; therefore you are 100% responsible for all fees should you withdraw.

The schedule for tuition refunds is based on the date of official withdrawal from the college, that is, the date on which written notification of withdrawal is received in the Registrar's Office. A student who has been granted permission to withdraw shall be liable for all fees and tuition within the limits of the Tuition Liability Policy outlined above.



## **STUDENT AID DISBURSEMENT POLICY**

Policy: Financial Aid disbursements are made after all tuition and fees are paid.

The college's goal is to disburse aid funds to students as quickly as possible. We understand the financial obligation that you incur by electing to **STUDENT AID DISBURSEMENT POLICY**

Policy: Financial Aid disbursements are made after all tuition and fees are paid.

The college's goal is to disburse aid funds to students as quickly as possible. We understand the financial obligation that you incur by electing to go to college. However, the college faces certain restrictions when it comes to the disbursement of student aid.

For the college to be able to credit a student's account with financial aid and then issue a disbursement to a student, five requirements are necessary:

1. Your student aid file must be complete, meaning the Financial Aid Office has received all the necessary paperwork and documentation to process your aid.
2. The college has received the money from the funding source.
3. You are attending all of your classes consistently and your instructors are marking you "present". Failure to attend your classes could jeopardize your financial aid eligibility.
4. You have incurred liability for tuition and fee charges and the processing date has arrived. See below for processing dates.
5. The posting of aid creates a credit balance on your account. This means that the amount of aid on your account is greater than the amount the college is charging you for tuition and fees. Approximately 2 weeks after a credit balance appears on your account, the college will issue you a refund for the amount of the credit balance. Remember, the college may not post all of your aid at the same time, and therefore you may receive more than one disbursement per semester.

## **Assessment of Late Fees**

In accordance with Title 38 US Code 3679 subsection (e), Trocaire College adopts the following additional provisions for any students using U.S. Department of Veterans Affairs (VA) Post 9/11 GI Bill® (Ch. 33) or Vocational Rehabilitation & Employment (Ch. 31) benefits, while payment to the institution is pending from the VA.

Trocaire College will not:

- Prevent the student's enrollment;
- Assess a late penalty fee to the student;
- Require the student to secure alternative or additional funding;
- Deny the student access to any resources (access to classes, libraries, or other institutional facilities) available to other students who have satisfied their tuition and fee bills to the institution.

However, to qualify for this provision, such students are required to:



- Produce the VA Certificate of Eligibility (COE) or Form 28-1905 by the First Day of the semester (per Academic Calendar);
- Submit a request to be certified;
- Provide additional information needed to properly certify the enrollment as described in other institutional policies.

## STUDENT IDENTIFICATION CARDS

Student Identification cards are processed and distributed through the Choate Campus Security Desk. This card is needed for borrowing books from the college library, access to the tunnel connecting the college to Mercy Hospital, identification at clinical/internship sites, admission to college sponsored functions and admission to inter-collegiate functions. A processing fee of ten dollars is charged for replacement cards. To obtain a replacement ID, students should first go to the Student Accounts Office to PAY A \$10 replacement fee. From there, the receipt can be taken to the Choate Security Desk to have the replacement ID printed.

## STUDENT RECORDS & REGISTRATION (REGISTRAR'S OFFICE)

The Office of the Registrar manages and protects the student academic records while providing an array of services. The team processes transfer credit evaluations, helps students register for classes, assists with add/drop, verifies graduation requirements, and confers degrees. Our office also prepares diplomas, processes transcript requests, and completes enrollment verifications.

Visit the registrar webpage at <https://my.trocaire.edu/academics/registrar/> where you will find frequently requested forms and responses to many [Common Questions](#) regarding transcripts, transfer credit, IT support, and graduation.

## TECHNOLOGY

### Student Computer Access

Students will have access to approximately 115 computers on campus. Computer labs/classrooms will have computers available when classes are not in session in those dedicated rooms (204, 205, 303), the Library computers will be available during open Library hours, and room 320 (the new computer lab) will have computers available during open building hours. Trocaire also has small computer resource rooms at our Trocaire Achievement Complex (Transit Road) location which are open when the building is open.

### IT Helpdesk

The IT Helpdesk is located on the third floor of the Choate Ave campus in room 360. Helpdesk technicians are available from 7:00am to 8:00pm to help students with their technology needs. Students can either stop by in person or call extension 4330 for assistance.



## **Copiers**

Multi-function devices (MFDs) for copying, printing, and scanning are centrally located for student use in areas designated for students. There are 2 MFDs in the Library, 1 MFD outside the 2nd floor computer labs, and 1 MFD in the Learning Center on the first floor. The devices require authentication before use by scanning your college ID badge which will have an HID sticker on the badge. HID stickers can be picked up at the Library or Information Technology Helpdesk.

## **Email**

Email or “webmail” is the official communication channel of Trocaire College. Students each are issued their own Trocaire.edu emails upon acceptance to the college. Students must use their Trocaire email when communicating with offices and members of the Trocaire community. It is the student’s responsibility to check their email regularly. Email can be accessed on [www.my.trocaire.edu](http://www.my.trocaire.edu) under the “Webmail” button on the Quick Links menu. Email passwords expire every 120 days. Students will be prompted to reset their password and receive a reminder to reset their password 30 days before it expires.

## **Moodle (Learning Management System)**

Trocaire College utilizes Moodle as its primary tool for online coursework. Moodle may be used by both onsite and online courses as a way for students to communicate with their classmates, download important files, turn in assignments, participate in online learning activities, watch video lectures, and so much more. Moodle can be accessed through the My Trocaire webpage at <https://trocaire.mrooms.net/> by inputting your Trocaire student username and password. Course webpages are available to registered students beginning 7 days prior to the start of each term.

## **Student Portal (E-Student)**

Trocaire College maintains a Student Portal to allow electronic access to college announcements and communications. Through the Portal, students have access to online registration, course work, grades, academic planning, online bill payment, schedules, calendars, and more. The Portal is accessible by going to [www.trocaire.edu](http://www.trocaire.edu), my Trocaire, Quicklinks, E-Student and then entering your student login and password.

## **TROCAIRE COLLEGE LIBRARIES**

The Trocaire College Libraries strive to provide the Trocaire community with the tools and resources needed for academic and professional success.

Our libraries at Choate (4th floor) and Penfold Commons in the Extension Center are available to serve your needs. We offer computers and printers for student use, journal article and image databases for research and presentations, DVDs, online videos, program and research guides, printed books as well as eBooks. We participate in Interlibrary Loan and AcademicSHARE, services that allow you to use and borrow materials from other college libraries.

Access to nearly all of these resources is through the library’s website at <https://library.trocaire.edu>. On-campus, users need only log on to a Trocaire computer or connect to the college’s WIFI network



using a personal smartphone, tablet, or laptop. From off-campus, users must log in with their network ID and password to access library resources.

Library users must present a valid Trocaire College ID to use library materials. Books may be checked out for twenty-eight (28) days. DVDs, magazines and print journals may be checked out for seven (7) days. Reserve and Reference materials may only be used within the library. For complete details, please see the Policies page on our website.

### Trocaire Library Hours

Rachel R. Savarino Library / Choate Avenue	Penfold Commons / Trocaire Achievement Complex
Monday- Thursday: 9:00 AM – 7:00 PM	Open during regular building hours. A librarian is present at scheduled times and by appointment.*
Friday: 9:00 AM – 4:00 PM*	
Closed: Saturday and Sunday*	

\* Visit <https://library.trocaire.edu/hours> for up-to-date information.

Librarians are also available by phone (716-827-2434) or email ([LibraryHelp@Trocaire.edu](mailto:LibraryHelp@Trocaire.edu)). Messages received after normal hours will be answered the next business day.

A librarian is available for research assistance during all hours the Choate library is open. In addition to assisting students in the library and online, we offer Library Research and Information (LRI) sessions, tutorials and workshops. These programs help students develop research and Information Literacy skills, which are crucial in today's academic environment and tomorrow's employment market.

Visit our website at <https://library.trocaire.edu> for details about these and additional services.

### VETERAN SERVICES

Thanks to the support of federal, state and Trocaire College's financial aid programs, most veterans and their dependents can attend Trocaire with little or no financial obligation. There are a variety of financial assistance programs available to reservists, veterans and their dependents all based on an individual's personal military service record. Our hard working staff will go above and beyond to help military families that have served and sacrificed for our country.

More information on veteran benefits can be found at: <https://trocaire.edu/admissions-aid/veterans/>

If you have questions or concerns about your certification, Post 9-11 GI Bill®, or tuition please contact your assigned Financial Aid Advisor, found at <https://trocaire.edu/admissions-aid/financial-aid/>.



In appreciation for the hard work and sacrifice our military Trocaire provides a Veteran Lounge on the 2<sup>nd</sup> floor. This lounge is equipped with a mini-fridge, computers, tables for studying and couches for relaxing. It is open to two (2) students at a time to ensure proper social distancing. This is a quiet place on campus that veterans can call their own. We also provide specific events for Veterans, such as resume workshops and transitioning to civilian and work-life workshops.

For more information contact the Student Life Office, located in room 141 on the Choate campus, (716) 827-2487, [StudentLife@Trocaire.edu](mailto:StudentLife@Trocaire.edu).

### **VOTER REGISTRATION FORMS**

Trocaire College encourages all students to register and vote. Voter Registration forms are available anytime from the Office of Student Life (Choate Campus Room 141). The college will mail in the registration form for all current students.

Please visit <http://www.elections.ny.gov/votingregister.html> for more information regarding registering to vote in New York State.



## SECTION V: STUDENT POLICIES

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### A. STUDENT BEHAVIOR

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#### STUDENT CODE OF CONDUCT

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Trocaire College has high regard for its students and for all members of the College Community. Trocaire expects its students to obey all applicable federal, state and local laws; to behave in ethical, professional and courteous ways and to observe the specific policies and standards which govern a student's behavior at the college.

The Code of Conduct reflects general principals of behavior accepted at the college. Any type of dishonest, abusive or destructive behavior may be subject to disciplinary actions. Any member of the College Community may file a Discipline Incident Report of an alleged violation of the Student Code of Conduct. Discipline Incident reports are available in the Vice President of Enrollment and Student Affairs office. All Trocaire students are responsible for knowing the Code of Conduct which is included in the student handbook.

*Procedures:*

The following are considered to be specific violations of the Student Code of Conduct. Violations of the Student Code of Conduct shall include but are not limited to:

1. Use of, or threatened use of abusive, threatening or dangerous behavior, including, but not limited to, fighting, physical abuse, verbal abuse, threatening statements or behavior, coercion and/or conduct which threatens or endangers the mental or physical health, safety or well-being of any person, or any aspect of the college community. This includes, but is not limited to, fighting or deliberate behavior that could instigate violence or abuse, intimidation and harassment either in person or via electronic format of phone calls, email, texting, instant messaging or through web based or social media outlets.
2. Physical or verbal harassment of another person; to include harassment based on actual or perceived race, color, creed, religion, religious practice, national origin, ethnic group, sex, gender identity, sexual orientation, political affiliation, age, marital status, military status, veteran status, disability, domestic violence victim status, genetic or any other protected class as defined by Federal, NY State, Erie County or the City of Buffalo regulations or laws.
3. Sexual Misconduct. Violations of Trocaire's Policy against Sex Discrimination (Reg. No. 124) which includes but are not limited to sexual harassment, sexual violence, dating violence, domestic violence, and stalking.
4. Computer Abuse as defined in Trocaire's Technology Acceptable Use Policy, including not intentionally accessing transmitting, copying or creating material that violates the schools code of



conduct (including but not limited to material that is offensive, obscene, harassing, insulting or otherwise abusive or discriminatory) whether in language or meaning.

5. The possession, use, manufacturing or distribution of illicit drugs and alcohol by students on campus or at a College sponsored off-campus activity is expressly prohibited. The misuse of prescription drugs and other products being used other than intended is also prohibited (See policy #604).
6. Possession or use of firearms, weapons, illegal fireworks, incendiary devices, explosives or any device known to be excessively harmful or resembles such items
7. Tampering with fire alarms and/or other fire safety equipment. Refusing to leave the building during an alarm.
8. Theft, destruction, damage or defacement of college property or the property of others.
9. Intentional disruption or obstruction of college activities including administration, classes, campus services, or organized events, and of the use of college premises. In this regard, students are responsible for their conduct as well as that of any guests or family members they bring on campus.
10. Illegal gambling.
11. Games of chance (unless sanctioned by the college).
12. Any form of tobacco use, including e-cigarettes on-campus.
13. Hazing, which is any act that endangers the mental or physical health or safety of any student, or that destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in any group or organization.
14. Unauthorized solicitation of money in the form of any type of donation or as any charge for goods or services on any College premises.
15. Bullying of another student, employee, or visitor. Bullying is defined as the aggressive and hostile acts of an individual or group of individuals which are intended to humiliate, mentally or physically injure or intimidate, and/or control another individual or group of individuals.
16. Failure to comply with a direction(s) of any College official acting in performance of his/her duty.
17. Violation of any other college policies, regulations or procedures or inciting other person(s) to do so.
18. Behavior that could harm the physical, emotional safety or well-being of any member of the campus community.

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## **DISCIPLINARY PROCEDURES REGARDING VIOLATIONS OF THE STUDENT CODE OF CONDUCT**

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Any student, college employee, or college official may file a Violation of Code of Student Conduct Report of an alleged violation, which includes time, place, and circumstances surrounding the situation. Violation of Code of Student Conduct Report must be submitted to either the Vice President of Enrollment and Student Affairs, or designee, within five (5) business days of the point at which the alleged violation could have reasonably known to occur.

*Procedures:*



1. Violation of Code of Student Conduct Report forms should be utilized to report violations of the Student Code of Conduct (please see Section V). Incident Report forms are available online at <https://my.trocaire.edu/report-a-violation-of-trocaires-code-of-student-conduct/> The report is reviewed by the Vice President of Enrollment and Student Affairs or designee, who will start the investigation and will either dismiss the case, if the report does not warrant discipline proceedings or notify the respondent(s) of the alleged violation within five (5) business days.
2. A time and place for meeting with the student(s) is determined by the Vice President of Enrollment and Student Affairs or designee, to try to resolve the charges brought against the student(s).
3. If violations involve more than one student, the disciplinary process may be conducted separately.
4. Incident reports could be shared with those student(s) in violation of the Student Code of Conduct.
5. If the student(s) in violation fails to respond or attend the above mentioned meeting, a disciplinary decision will still be rendered.
6. Within five (5) business days following the investigation, follow-up written notification will be sent to inform the student of the decision and the proposed disciplinary action. .
7. The following possible sanctions may be imposed singularly or in any combination. The Vice President of Enrollment and Student Affairs or designee is not limited to the following sanctions as they may impose other sanction(s) considered appropriate.

*Possible Sanctions:*

- a. Verbal Warning.
- b. Written Warning: Written notice to the student that his/her conduct is in violation of college regulations and that continuation of said conduct for a stated period of time may be cause for more serious disciplinary action.
- c. Restitution: Financial or other reimbursement for damages to property.
- d. Community Service: A stated number of hours of donated service.
- e. Disciplinary Probation: A stated trial period of time set in writing, during which the student is expected to demonstrate appropriate conduct as a member of the College Community.
- f. Disciplinary Suspension: A stated period of time which the student is excluded from classes (including clinicals and internships), activities, or campus.
- g. Disciplinary Dismissal: Termination of status as a student of the College.
- h. Transcription Notation (see Policy # 329, Transcription Notations and Appeals Policy).

If the student wishes to appeal the disciplinary action proposed by the Vice President of Enrollment and Student Affairs or designee, the student must submit a written request within five (5) business days of receiving written notification for review of the decision by the Judicial Appeals Board (Reg. No. 605). This letter of request is to be directed to the Chairperson of the Judicial Appeals Board in care of the Office of the President.



If the charge(s) of violation does not violate the Student Code of Conduct or the Vice President of Enrollment and Student Affairs or designee, decides the student charged is not responsible of the violation, there shall be no subsequent proceedings under the Student Code of Conduct Policy and all privileges the student is eligible for shall be reinstated. If the charge violates other College policy, the student may be charged under this policy.

Summarily suspension shall be imposed by the Vice President of Enrollment and Student Affairs or designee, if a situation indicates that there is possible danger involved pending investigation, in order to protect the campus community or a student's physical or emotional safety and well-being.

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## **STUDENT DISCIPLINE APPEALS BOARD**

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The Student Discipline Appeals Board is assembled if a student wishes to challenge disciplinary sanctions imposed due to a Student Code of Conduct violation (Policy 600 & 601) or if either the Reporting Individual or Respondent is dissatisfied with the final determinations made under the Policy Against Sexual Misconduct, Dating Violence, Domestic Violence & Stalking (Policy #124). That person may file an appeal with the Appeals Boards due to the results of either the investigation, sanctions or the interim accommodations and safety measures outlined in Policy #124.

A student who wishes to challenge the disciplinary sanctions proposed by the Vice President of Enrollment and Student Affairs or designee due to a Code of Conduct violation of Policy 600 or the Reporting Individual or Respondent dissatisfied with either the investigation, sanctions or the interim accommodations and safety measures outlined in Policy #124 may request a review by the Student Discipline Appeals Board. The grounds for the appeal will be limited to the following:

- There is new and compelling evidence that was not available at the time of the initial investigation that could significantly impact the outcome of the case.
- There were procedural irregularities that substantially affected the outcome of the case to the detriment of the Reporting Individual or the Respondent.
- The sanction is substantially disproportionate to the factual findings.

The decision of the Student Discipline Appeals Board is final.

### *Procedures:*

1. If a student wishes to challenge the disciplinary sanctions issued by the Vice President of Enrollment and Student Affairs or designee, he/she must submit a written request for review to the Student Discipline Appeals Board within five (5) business days of receiving written notification of said sanctions. This request should be directed to the Student Discipline Appeals Board in care of the Office of the President.
2. The written request must show evidence of meeting one of the aforementioned grounds of the appeal process.

3. The Vice President of Enrollment and Student Affairs or designee will inform the other party that the appeals process has been initiated.
4. The Student Discipline Appeals Board could consist of the following:
  - Faculty members appointed by the Faculty Senate.
  - Staff members appointed by the Staff Advisory Council.
  - Student members appointed by the Student Association
  - One Administrator, appointed by the President to act as chairperson, excluding the Vice President of Enrollment and Student Affairs or designee.

A quorum of the Student Discipline Appeals Board shall consist of three members, an odd total number and a majority vote will be necessary in deciding all cases.

5. The Student Discipline Appeals Board will determine if the appeal meets the grounds of the appeal process. The Chairperson will send a letter within five (5) business days of receiving the written appeal outlining if the submission met the grounds for the appeal process. This decision is final.
6. If the Student Discipline Appeals Board determines that the written appeal did meet the grounds of the appeal process, the student must be notified of the date, time, and place of the review at least five (5) business days in advance of the date. The review will be within at least (10) ten business days after the submission of the appeal.
7. Students may have a silent advocate of his/her choice present during the appeal process. The advocate may not participate directly in the hearing, but may only render advice to the student.
8. The student must submit the name of his/her silent advocate to the Chairperson of the Student Discipline Appeals Board within twenty-four (24) hours in advance of the review to be allowed into the appeal meeting.
9. If the student appealing the disciplinary sanction does not appear for the Student Discipline Appeals Meeting, then the original sanction will stand.
10. The chairperson will read the Student Discipline Appeals Board procedures at the onset of the proceedings.
11. The Student Discipline Appeals Board Chairperson will lead introductions of every person in the meeting and the purpose of his/her presence will be identified.
12. All presenters should address the Student Discipline Appeals Board only.



13. The Vice President of Enrollment and Student Affairs or designee will present his/her findings to the Student Discipline Appeals Board. The student appealing the disciplinary decision will present their case, specifically providing a foundation for contesting the sanctions imposed by the Vice President of Enrollment and Student Affairs, or designee.
14. Both the Vice President of Enrollment and Student Affairs or designee and the student appealing the disciplinary decision may bring in witnesses to speak on their behalf. The Chairperson will bring in one witness at a time to speak.
15. Following each presentation, the Student Discipline Appeals Board may ask questions of all parties, including witnesses for clarification.
16. Both sides may respond to any statements made in an orderly fashion directed by the chairperson of the Student Discipline Appeals Board.
17. The Student Discipline Appeals Board reserves the rights to call for an executive session at any time if so warranted.
18. Following the presentations and questions, the Student Discipline Judicial Board shall go into executive session to render a decision.
19. The Chairperson of the Student Discipline Judicial Appeals Board will provide the decision, in writing to the student and Vice President of Enrollment and Student Affairs, or designee within two (2) business days of the conclusion of the appeal process.
20. The decision of the Student Discipline Appeals Board is final.

No student whose case is pending review by Student Discipline the Judicial Appeals Board shall be barred from classes or campus functions, except if a situation indicates that there is a possible danger, in order to protect the campus community or a student's physical or emotional safety and well-being.

## **B. NON-DISCRIMINATION & TITLE IX**

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### **NON-DISCRIMINATION POLICY**

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Trocaire College does not discriminate in admission, employment, in the administration of its educational policies, scholarship and loan programs, and other institutionally administered programs, on the basis of an individual's actual or perceived, race, color, creed, religion, religious practice,



national origin, ethnic group, sex, gender identity, sexual orientation, political affiliation, age, marital status, military status, veteran status, disability, domestic violence victim status, genetic information or any other basis prohibited by New York state and/or federal non-discrimination laws. Retaliation against an individual because he or she made a complaint, testified or participated in any manner in an investigation or proceeding will not be tolerated and is unlawful under Civil Rights laws.

The College's policy is in accordance with federal and state laws and regulations prohibiting discrimination and harassment, including the Americans with Disabilities Act, (ADA), Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, and the New York State Human Rights Law.

Inquiries concerning the college's non-discrimination policies should be directed to:

Civil Rights Compliance Officer/Title IX Coordinator  
360 Choate Avenue, Room 321  
Buffalo, NY 14220  
716.827.2461  
[CivilRightsCompliance@trocaire.edu](mailto:CivilRightsCompliance@trocaire.edu)

For further information on notice of non-discrimination, please contact:

New York Office  
Office for Civil Rights  
U.S. Department of Education  
32 Old Slip, 26th Floor  
New York, NY 10005-2500

Telephone: 646.428.3900  
Fax: 646.428.3843; TDD: 800.877.8339  
E-mail: [OCR.NewYork@ed.gov](mailto:OCR.NewYork@ed.gov)  
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.pdf>

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## DISCRIMINATION & HARASSMENT PROCEDURES

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Trocaire College is committed to creating and maintaining a working and learning environment which is free of discrimination and intimidation. All complaints of discrimination and harassment will be thoroughly investigated to determine whether the totality of the alleged behavior and circumstances may constitute harassment, sexual harassment, discrimination, sexual violence or a form of misconduct. This procedure outlines the steps a complainant should take in order to have their complaint investigated and resolved. This prohibition against discrimination applies to all students, faculty, and staff, to other members of the College community, and to contractors, consultants, and vendors doing business or providing services to the College.



Trocaire College does not discriminate in admission, employment, in the administration of its educational policies, scholarship and loan programs, and other institutionally administered programs, on the basis of an individual's actual or perceived, race, color, creed, religion, religious practice, national origin, ethnic group, sex, gender identity, sexual orientation, political affiliation, age, marital status, military status, veteran status, disability, domestic violence victim status, genetic information or any other basis prohibited by New York state and/or federal non-discrimination laws. Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment as defined in this policy and as otherwise prohibited by state and federal statutes. Sexual harassment, including acts of sexual assault, sexual violence or sexual exploitation, is a form of sex discrimination and is prohibited by the college. Retaliation against an individual because he or she made a complaint, testified or participated in any manner in an investigation or proceeding will not be tolerated and is unlawful under Civil Rights laws.

This policy is designed to promote a safe and healthy learning and work environment and to comply with multiple laws that prohibit discrimination, including but not necessarily limited to: Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act Amendments Act, the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967, the Age Discrimination Act, Title IX of the Education Amendments Act of 1972, the Pregnancy Discrimination Act of 1978, the Uniformed Services Employment and Re-employment Act, the Veteran's Readjustment Act of 1974, the Genetic Information Nondiscrimination Act of 2008, the Campus Sexual Violence Act ("SaVE Act") provision, Section 304, and any related NYS laws or regulations.

This procedure applies to all students and employees of Trocaire College who would like to bring forward a complaint of discrimination, harassment, or sexual assault or violence regardless of where the alleged conduct occurred. Conduct that occurs off campus can be the subject of a complaint or report and will be evaluated to determine whether it violates this policy, e.g. if off-campus harassment has continuing effects that create a hostile environment on campus.

The Civil Rights Compliance Officers can be contacted at" [CivilRightsCompliance@trocaire.edu](mailto:CivilRightsCompliance@trocaire.edu)

Up-to-date Civil Rights Compliance Officers contact information can be found at:  
<https://trocaire.edu/title-ix-enough-enough-non-discrimination-resources/>

### **Mandatory Employee Reporting:**

All College employees, including faculty, staff, and administrators, except those employees who are statutorily prohibited from reporting such information, are required to share with the Civil Rights Compliance Officers any report of sexual misconduct they receive or of which they become aware. All College community members, even those who are not obligated by this policy, are strongly encouraged to report information regarding any incident of sexual misconduct to the Civil Rights Compliance Officers. The College will conduct a prompt, thorough, and impartial investigation of sexual harassment allegations regardless of whether or not a formal complaint is filed.

**Prohibition against Retaliation:**

No individual who makes a complaint alleging a violation of this policy or who participates in the investigation or resolution of such a complaint shall be subject to retaliation as a result of such activity or participation. Retaliation exists when action is taken against a complainant or participant in the complaint process that (i) adversely affects the individual's opportunity to benefit from the College's programs or activities; and (ii) is motivated in whole or in part by the individual's participation in the complaint process. Any acts of retaliation, as defined in this policy, shall be grounds for disciplinary action, up to and including dismissal for students and termination of employment for faculty, staff and administration.

**Procedures:**

1. Any student or employee of the College who wishes to file a complaint regarding discrimination or harassment shall, if possible, make such a complaint in writing using the Discrimination and Harassment Complaint Form.
2. The Discrimination and Harassment Complaint Form may be obtained by going to <https://www.trocaire.edu/about-trocaire/non-discrimination-policy> or clicking on the non-discrimination policy link on the bottom left side of every [www.trocaire.edu](http://www.trocaire.edu) webpage.
3. The Discrimination and Harassment Complaint Form is also available from the Civil Rights Compliance Officers, Student Counseling, Director of Student Life and the Chief Student Affairs Office.
4. If unable to make the complaint in writing, students should contact the Civil Rights Compliance Officers, Student Counselor, Director of Student Life or administrator. Employees may contact their department head or the Civil Rights Compliance Officers to assist with putting the complaint in writing.
5. The written complaint must be signed by the complainant, dated, and include at a minimum, the following information:
  - Date(s), time(s), place(s) of alleged incident(s)
  - Alleged perpetrators of the discrimination or harassment (names, identifiers, etc.)
  - Description of each incident, by date
  - Witnesses, if any (names and identifying information)
  - Other relevant information
  - Desired resolution – what you'd like to see change as a result of the investigation
6. The written Discrimination and Harassment Complaint Form should be forwarded to the Civil Rights Compliance Officers by yourself or the administrator or department head assisting you. If given to an administrator, s/he will forward the Complaint Form to the Civil Rights Compliance Officers.
7. Student complaints regarding another student may be handled by the Vice President of Enrollment and Student Affairs or designee, through the Student Code of Conduct Process.
8. Individuals have the right to file criminal complaints. Any pending criminal investigation or criminal proceeding may have an impact on the timing of the College's investigation, but the College will commence its own investigation as soon as practicable under the circumstances.

9. It may be possible to resolve a complaint through a voluntary conversation between the complainant and the alleged harasser which would always be facilitated by a designated college employee or Compliance Officer. If the complainant and the alleged harasser feel that a resolution has been achieved, then the conversation may remain confidential and no further action needs to be taken. If the complainant, the alleged harasser or the facilitator choose not to use the informal procedure, or feels the informal procedure is inadequate or has been unsuccessful, he or she may proceed to the formal procedure.
10. Mediation/informal resolution processes will not be used for an allegation of sexual assault.
11. To start the formal procedures, the Civil Rights Compliance Officers or his/her designee will:
  - a. Begin a fact-finding and full investigation which will be prompt, thorough and impartial to all parties. The investigation may include interviews of appropriate witnesses.
  - b. Both parties will have an equal opportunity to present relevant witnesses or submit other evidence on their behalf, speak on their own behalf, review any information that will be offered by the other party in support of the other party's position (to the greatest extent possible and consistent with the Family Educational Rights and Privacy Act ("FERPA") or other applicable law...Parties may not cross-examine one another.
  - c. Put in place temporary and reasonable remedies while the investigation takes place if merited by the allegations.
  - d. Both parties will be given periodic status updates.
12. Render a decision within sixty (60) calendar days following receipt of a complaint. The decision will be made as soon as reasonably possible. If the decision is to be delayed for good cause (e.g., key witnesses cannot be interviewed in a timely manner), the complainant, the accused and other material parties shall so be notified and an estimated date for a decision will be noted. Decisions will be made based on the preponderance of evidence standard.
13. Written determination of the final outcome and sanctions (if any) to the complainant and alleged perpetrator concurrently.
14. Both parties have seven (7) business days of receipt of the decision to appeal. If complainant or alleged perpetrator fails to notify the Civil Rights Compliance Officers of appealing the decision within the seven business days in writing, it will be assumed that the resolution is acceptable, and the Civil Rights Compliance Officer will ensure the changes / recommendations are implemented appropriately.
15. Retaliation in any form against the complainant, alleged perpetrator, witnesses or others involved is strictly forbidden and may result in disciplinary action up to and including dismissal or termination from the college.
16. Appeal Process: President-level or designee appeal
  - a. The Civil Rights Compliance Officers will forward all materials, including the letter requesting appeal of the initial decision, to the President or designee for review.
  - b. The President or his/her designee will schedule a meeting within ten (10) business days of receipt of the request for review/appeal.

- c. The participants at the scheduled meeting shall be, at a minimum, the party appealing, the Compliance Officer, and the President and/or his/her designee.
  - d. The President, or his/her designee(s), shall conduct a prompt, thorough and impartial review of the materials. S/he shall have the right to re-interview witnesses, e.g., if testimony is unclear or new evidence has been brought to light, or to interview additional witnesses if needed to ensure an equitable decision.
  - e. The President, or his/her designee, will present his/her decision within ten (10) business days after the initial appeals meeting unless additional time is needed for good cause. If additional time is needed, both parties shall so be notified and provided with an estimated date of the appeal decision.
  - f. The decision of the President or designee shall be in writing, and sent to the complainant, the accused, and the Civil Rights Compliance Officers.
  - g. The decision of the President or designee is final.
17. To the extent permitted by law, the confidentiality of all parties involved in the resolution of alleged or suspected violations of this policy will be observed, provided that it does not interfere with the College's ability to conduct an investigation and take any corrective action deemed appropriate by the College. Where the College has received a report of sexual misconduct, but the Complainant requests that his/her identity remain confidential or that the College not pursue an investigation, the College must balance this request in the context of its responsibility to provide a safe and non-discriminatory environment for all College community members. The College will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation, but its ability to investigate may be limited by the request for confidentiality. Under these circumstances, the College will weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment, any potential threats to the community safety, the respective ages and positions of the complainant and the respondent, whether there have been other harassment complaints against the respondent, and the respondent's right to receive information under applicable law. At all times, the College will seek to respect the request of the complainant, and where it cannot do so, the College will consult with the complainant and keep him/her informed about the chosen course of action.
18. The College strongly encourages students to report instances of sex-based discrimination, sexual harassment and sexual misconduct involving students. Therefore, students who report information about sex-based discrimination, sexual harassment, or sexual misconduct involving students will not be disciplined by the College for any violation of the College's drug or alcohol possession or consumption policies in which they might have engaged in connection with the reported incident
19. Any allegations suspected to be fabricated for the purpose of harassing the accused party or disrupting the College's operations are subject to these investigation and grievance procedures and could result in disciplinary action, up to and including dismissal for students and termination of employment for faculty and staff.



20. For further discrimination grievance issues, please contact:

New York Office

Office for Civil Rights

U.S. Department of Education

32 Old Slip, 26th Floor

New York, NY 10005-2500

Telephone: 646.428.3900

Fax: 646.428.3843; TDD: 800.877.8339

E-mail: [OCR.NewYork@ed.gov](mailto:OCR.NewYork@ed.gov)

<http://www2.ed.gov/about/offices/list/ocr/docs/howto.pdf>.

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## **POLICY AGAINST SEXUAL VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE, & STALKING**

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Trocaire College is fully committed to ensuring that its Campus is a place where students and employees are able to feel secure in their physical safety and their emotional well-being.

Trocaire College condemns and will not tolerate sexual violence, dating violence, domestic violence and stalking. This policy applies to all students, employees, (faculty, administration or staff member), and to other members of the Trocaire College community, including contractors, consultants, and vendors doing business or providing services to Trocaire College.

### Applicable Federal Laws

This policy supplements the general policy statement set forth in Trocaire College's Non-Discrimination policy and addresses the requirements of NYS Educational Law 129B (Enough is Enough), Title IX of the Education Amendments of 1972 ("Title IX"), the Campus Sexual Violence Act ("SaVE"), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery"), Title IV of the Civil Rights Act of 1964 ("Title IV"), Violence Against Women Act (VAWA), and the Family Educational Rights and Privacy Act of 1964 ("FERPA").

### Civil Rights Compliance Officer and Title IX Coordinator

The Civil Rights Compliance Officer ("CRC Officer")/College's Title IX Coordinator is responsible for implementing and monitoring Title IX Compliance on behalf of the College. This includes coordination of training, education, communications, and administration of the complaint and grievance procedures for the handling of suspected or alleged violations of this policy. The CRC Officer/Title IX Coordinator is also responsible for conducting the investigation of an alleged violation of the policy. The CRC Officer/ Title IX Coordinator will be available to meet with or talk to students and employees regarding issues relating to Title IX and this policy. The CRC Officer/Title IX Coordinator can be reached at 360 Choate Avenue, Buffalo, NY 14220 at (716) 827-2461 or via e-mail at [civilrightscompliance@trocaire.edu](mailto:civilrightscompliance@trocaire.edu)



### Definitions and Examples of Conduct Prohibited Under this Policy

Prohibited conduct includes all forms of sexual violence, as well as acts of dating violence, domestic violence, and stalking.

#### Accused

Person accused of a violation who has not yet entered an Institution's judicial or conduct process.

#### Affirmative Consent

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.

Here are some important points to keep in mind with respect to affirmative consent:

- 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.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, 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.
- Consent cannot be given when it is the result of coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

#### Bystander

A person who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of rules or policies of an institution.

#### Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act is a federal statute (20 U.S.C. §1092(f)) that requires colleges and universities that participate in federal financial aid programs to keep and disclose statistics about crime on or near their campuses. Compliance is monitored by the U.S. Department of Education.

#### Code of Conduct

The written policies adopted by an Institution governing student behavior, rights, and responsibilities while such student is matriculated in the Institution.



### Confidentiality

May be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to institution officials, in a manner consistent with State and Federal law, including but not limited to 20 U.S.C. § 1092(f) and 20 U.S.C. § 1681(a). Licensed mental health counselors, medical providers and pastoral counselors are examples of institution employees who may offer confidentiality.

### Dating Violence

Dating violence is defined as violence committed by a person:

- a) who has been in a social relationship of a romantic or intimate nature with the victim; and
- b) where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - the length of the relationship
  - the type of the relationship
  - the frequency of the interaction between the persons involved in the relationship

### Discrimination

Discrimination is the materially adverse treatment of an individual or group of individuals because they possess a protected characteristic. Protected characteristics include an individual's actual or perceived race, color, creed, religion, religious practice, national origin, ethnic group, sex, gender identity, sexual orientation, political affiliation, age, marital status, military status, veteran status, disability, domestic violence victim status, genetic predisposition or carrier status, or any other basis prohibited by New York State, local, and/or federal non-discrimination laws or regulations.

### Domestic Violence

Domestic violence is defined as felony or misdemeanor crimes of violence perpetrated by:

- a. a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common,
- b. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- c. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or
- d. any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

### Harassment

Harassment is a form of discrimination which involves unwelcome conduct, based on a protected characteristic, where the conduct creates an intimidating, hostile, or offensive academic environment or otherwise adversely affects academic opportunities or participation in the College's activities or benefits.



### Institution

Any college or university chartered by the regents or incorporated by special act of the legislature that maintains a campus in New York.

### 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 institutional officials.

### Reporting Individual

Shall encompass the terms victim, survivor, complainant, claimant, witness with victim status, and any other term used by an institution to reference an individual who brings forth a report of a violation.

### Respondent

A person accused of a violation who has entered an institution's judicial or conduct process.

### SaVE Act

The Campus Sexual Violence Elimination Act amends the Clery Act. It was signed into law as part of the Violence Against Women Reauthorization Act (VAWA). The SaVE Act provision, Section 304, requires colleges and universities to report domestic violence, dating violence, and stalking beyond the crime categories that the Clery Act already mandates; adopt certain student conduct procedures, such as for notifying victims of their rights; and adopt training protocols and policies to address and prevent campus sexual violence.

### Sexual Act

The term "sexual act" means:

- a) Contact between the penis and the vulva or the penis and the anus, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however slight;
- b) Contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus;
- c) The penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or
- d) The intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

### Sexual Activity

Shall have the same meaning as "sexual act" and "sexual contact."

### Sexual Assault

Sexual assault is any type of sexual contact or behavior that occurs without the explicit consent of the



recipient. Falling under the definition of sexual assault are sexual activities as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape.

#### Sexual Contact

The intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

#### Sex Discrimination

Includes all forms of sexual harassment, sexual assault, and other sexual violence by employees, students, or third parties against employees, students, or third parties. Students, employees, and third parties are prohibited from harassing other students and/or employees whether or not the harassment occurs on Trocaire campuses and whether or not the incidents occur during working hours. All acts of sex discrimination including sexual harassment, sexual assault, and other sexual violence, are prohibited by Title IX.

#### Sexual Violence

Physical acts perpetrated without consent or when a person is incapable of giving consent. A number of acts fall into the category of sexual violence including, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

#### Stalking

Engaging in a course of conduct; directed at a specific person that would, cause a reasonable person to (a) fear for his or her safety or the safety of others or (b) suffer substantial emotional damage.

Examples include, but are not limited to, repeatedly following such person(s), repeatedly committing acts that alarm, cause fear, or seriously annoy such other person(s) and that serve no legitimate purpose, and repeatedly communicating by any means, including electronic means, with such person(s) in a manner likely to intimidate, annoy, or alarm him or her.

#### Title IX

Part of the Educational Amendments of 1972, Title IX prohibits sexual discrimination in any form; to include any form of sexual harassment and gender discrimination. Federal law states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

#### Violence Against Women Act (VAWA)

VAWA is a federal law initially passed in 1994 and reauthorized three times, most recently in 2013 (Title IV, sec. 40001-40703 of the Violent Crime Control and Law Enforcement Act of 1994, H.R. 3355). VAWA's initial focus has expanded from domestic violence and sexual assault to also include dating violence and stalking. The Act provides funding for investigation and prosecution of violent crimes against women, imposes mandatory restitution by those convicted, and allows civil remedy in certain cases. The Act created the Office on Violence Against Women within the U.S. Department of



Justice. While the title of the law refers to women victims of violence, the actual text is gender-neutral, providing coverage for male victims of domestic violence as well.

### **Students' Bill of Rights**

Trocaire College is committed to providing options, support and assistance to students who report incidents of sexual misconduct, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in College-wide and campus programs, activities, and employment. All Reporting Individuals of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on or off campus:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the College;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the College courteous, fair, and respectful counseling services;
6. Be free from any suggestion that the Reporting Individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few College representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be free from retaliation by the College, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the College;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a Reporting Individual, accused, or respondent throughout any judicial or conduct proceeding including during all meetings and hearings related to such proceeding; and the right to be notified of the outcome of such proceeding; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the College.



Additionally, and in the accordance with the SaVE provision of the Violence Against Women Act (VAWA), the College will work with the Reporting Individual to ensure that he/she is able to continue their studies safely while the matter is addressed. This includes applying, at the discretion of the CRC Officer/Title IX Coordinator, or Vice President of Enrollment and Student Affairs, or designee, and as dictated by the situation and the needs of the Reporting Individual, the use of administrative location changes, if available, Orders of No Contact, and/or other steps deemed necessary.

### **Policy for Alcohol and/or Drug use Amnesty**

The health and safety of every student at Trocaire College is of utmost importance. Trocaire recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct.

Trocaire strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a Reporting Individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to college officials or law enforcement will not be subject to Trocaire's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

This language is also included in the Student Drug and Alcohol Policy #604.

### **Options for Disclosing and Filing a Report**

Trocaire College wants you to get the information and support you need regardless of whether you would like to move forward with a report of sexual violence, dating violence, domestic violence or stalking to campus officials or to police. You may want to talk with someone about something you observed or experienced, even if you are not sure that the behavior constitutes an act of sexual violence, dating violence, domestic violence or stalking. A conversation where questions can be answered is far superior to keeping something to yourself. Confidentiality varies, and this section is aimed at helping you understand how confidentiality applies to different resources that may be available to you.

#### *Confidential Resources*

Individuals who are *confidential* resources will not report crimes to law enforcement or college officials without your permission, except for extreme circumstances, such as a health and/or safety emergency.

Trocaire College:

- Counselor, 360 Choate Ave., Room 118, (716) 827-2412.

Community:

Off-campus options to openly or anonymously disclose sexual violence *confidentially* include (note that these outside options do not provide any information to the campus):



- Crisis Services: <http://crisisservices.org/>
- New York State Coalition Against Sexual Assault: <http://nyscasa.org/>
- Office for the Prevention of Domestic Violence: <http://www.opdv.ny.gov/help/index.html>
- Legal Momentum: <https://www.legalmomentum.org/>
- New York State Coalition Against Domestic Violence: <http://www.nyscadv.org/>
- Pandora's Project: <http://www.pandys.org/lgbtsurvivors.html>;
- GLBTQ Domestic Violence Project: <http://www.glbtqdv.org/>; and
- RAINN: <https://www.rainn.org/get-help>.
- Safe Horizons: <http://www.safehorizon.org/>.

#### Local Hospitals:

- Catholic Health System: <http://www.chsbuffalo.org/>
- Kaleida Health: <http://www.kaleidahealth.org/>
- Erie County Medical Center: <http://www.ecmc.edu/>

Sexual contact can transmit Sexually Transmitted Infections (STI). Testing for STIs is available. Within 96 hours of an assault, you can get a Sexual Assault Forensic Examination (commonly referred to as a rape kit) at a hospital which will include testing for STIs. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases, insurance may be billed for services. You are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information may be found here: <https://ovs.ny.gov/help-crime-victims> or by calling 1-800-247-8035.

- To best preserve evidence, victims/survivors should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed.
- These hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the campus. Reporting Individuals are encouraged to additionally contact a campus confidential or private resource so that the campus can take appropriate action in these cases.
- Even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to him or herself or others and the mandatory reporting of child abuse.

#### Non-Confidential Resources:

The following college officials can offer privacy and can provide information about remedies, accommodations, evidence preservation, and how to obtain resources. These officials will also provide the information contained in the Students' Bill of Rights, including the right to choose when and where to report, to be protected by the institution from retaliation, and to receive assistance and resources from the institution. These college officials will disclose that they are private and not



confidential resources and they may still be required by law and college policy to inform one or more college officials about the incident, including but not limited to the Title IX Coordinator. They will notify Reporting Individuals that the criminal justice process uses different standards of proof and evidence than internal procedures, and questions about the penal law or the criminal process should be directed to law enforcement or district attorney:

- CRC Officer/Title IX Coordinator; 360 Choate Ave., Room 321 (716) 827-2461
- Vice President of Enrollment and Student Affairs; 360 Choate, Ave., Room 121, (716) 827-2445;
- Security (for all locations):  
360 Choate Avenue: (716) 827-2500  
6681 Transit Road: (716) 827-4300

In addition to these disclosure/reporting options, Reporting Individuals also have the right:

- To file a criminal complaint with local law enforcement and/or state police:
  - City of Buffalo Police Department Headquarters  
(716) 851-4444, 74 Franklin Street Buffalo, NY 14202
  - Town of Lancaster Police Department  
(716) 683-2800, 525 Pavement Rd., Lancaster, NY 14086
  - State police 24-hour hotline to report sexual assault on a NY college campus:  
1-844-845-7269. <https://consentfirst.troopers.ny.gov/>
- To receive assistance from the CRC Officer/Title IX Coordinator in initiating legal proceedings in family court or civil court.
- To have emergency access to the Title IX Coordinator or other appropriate officials trained in interviewing victims of sexual assault who shall be available upon the first instance of disclosure by a Reporting Individual to provide information regarding options to proceed, and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible, and detailing that the criminal justice process utilizes different standards of proof and evidence and that any questions about whether a specific incident violated the penal law should be addressed to law enforcement or to the District Attorney. Such official shall also explain whether he or she is authorized to offer the Reporting Individual confidentiality or privacy, and shall inform the Reporting Individual of other reporting options;
- To disclose confidentially the incident to instruction representatives, who may offer confidentiality pursuant to applicable laws and can assist in obtaining services for Reporting Individuals;



- To disclose confidentially the incident and obtain services from the state or local government;
- To disclose the incident to institution representatives who can offer privacy or confidentially, as appropriate, and can assist in obtaining resources for Reporting Individuals;
- To file a report of sexual violence, domestic violence, dating violence, and/or stalking, and the right to consult the CRC Officer/Title IX Coordinator for information and assistance. Reports will be investigated in accordance with institution policy and the Reporting Individual's identity shall remain private at all times if said Reporting Individual wishes to maintain privacy.
- When the Respondent is an employee, a Reporting Individual may also report the incident to the Office of Human Resources or may request that the above referenced confidential or non-confidential employees assist in reporting to Human Resources. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the Respondent is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the Reporting Individual, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and college policy, and
- To withdraw a complaint or involvement from the institution process at any time.
- Every college shall ensure that, at a minimum, at the first instance of disclosure by a Reporting Individual to a college representative, the following information shall be presented to the Reporting Individual: "You have the right to make a report to Campus Security, local law enforcement, and/or State Police or choose not to report; to report the incident to your institution; to be protected by the institution from retaliation for reporting an incident; and to receive assistance and resources from your institution."

Plain Language Explanation of Confidentiality:

Even Trocaire 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 to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible under the law for tracking patterns and spotting systemic issues. Trocaire will limit the disclosure as much as possible, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

Requesting Confidentiality: How Trocaire Will Weigh the Request and Determining Continuing Threat:

If you disclose an incident to a Trocaire employee who is responsible for responding to or reporting sexual violence, but wish to maintain confidentiality or do not consent to the institution's request to



initiate an investigation, the CRC Officer/Title IX Coordinator must weigh your request against our obligation to provide a safe, non-discriminatory environment for all members of our community, including you. You may withdraw your complaint or involvement from the College process at any time.

We will assist you with all reasonable and available accommodations regardless of your reporting choices. We also may take proactive steps, such as training or awareness efforts, to combat sexual violence in a general way that does not identify you or the situation you disclosed.

We may seek consent from you prior to conducting an investigation. You may decline to consent to an investigation, and that determination will be honored unless Trocaire's failure to act would not adequately mitigate the risk of harm (continuing threat) to you or other members of the Trocaire community. Honoring your request may limit our ability to meaningfully investigate and pursue conduct action against an accused individual. If we determine that an investigation is required, we will notify you via writing and take immediate action as necessary to protect and assist you.

When you disclose an incident to someone who is responsible for responding to or reporting sexual misconduct, but wish that an investigation not be undertaken, Trocaire will consider many factors to determine whether there is a continuing threat to the campus community and may proceed despite that request. These factors include, but are not limited to:

- A. Whether the Respondent has a history of violent behavior or is a repeat offender;
- B. Whether the incident represents escalation, such as a situation that previously involved sustained stalking;
- C. the increased risk that the Respondent will commit additional acts of violence;
- D. Whether the Respondent used a weapon or force;
- E. Whether the Reporting Individual is a minor; and
- F. Whether we possess other means to obtain evidence such as security footage, and whether the report reveals a pattern of perpetration at a given location or by a particular group.

If the College determines that it must move forward with an investigation, the Reporting Individual or victim/survivor will be notified and the College will take immediate action as necessary to protect and assist the Reporting Individual.

*Public Awareness/Advocacy Events:*

If you disclose a situation through a public awareness event such as "Take Back the Night," candlelight vigils, protests, or other public event, the College is not obligated to begin an investigation. Trocaire may use the information you provide to inform the need for additional education and prevention efforts.

*Institutional Crime Reporting*



Reports of certain crimes occurring in certain geographic locations will be included in the College Clery Act Annual Security Report in an anonymized manner that neither identifies the specifics of the crime or the identity of the Reporting Individual or victim/survivor.

Trocaire is obligated to issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to students and employees (subject to exceptions when potentially compromising law enforcement efforts and when the warning itself could potentially identify the Reporting Individual or victim/survivor). A Reporting Individual will never be identified in a timely warning.

The Family Educational Rights and Privacy Act allows institutions to share information with parents when (1) there is a health or safety emergency, or (2) when the student is a dependent on either parents' prior year federal income tax return. Generally, Trocaire will not share information about a report of sexual misconduct, dating violence, domestic violence or stalking with parents without the permission of the Reporting Individual.

### **Response to a report**

All reports of Sexual Violence, Dating Violence, Domestic Violence or Stalking will be investigated unless the Respondent decides to withdraw the complaint (if no continuing threat exists). Allegations involving acts of sexual violence may not be resolved using an informal resolution process (i.e. mediation).

### *Protection and Accommodations:*

- A. When the Accused or Respondent is a student, to have the college issue a "No Contact Order," consistent with college policies and procedures, whereby continued intentional contact with the Reporting Individual would be a violation of college policy subject to additional conduct charges; if the Accused or Respondent and a Reporting Individual observe each other in a public place, it shall be the responsibility of the Accused or Respondent to leave the area immediately and without directly contacting the Reporting Individual..

Both the Accused or Respondent and Reporting Individual shall, upon request and consistent with institution policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of a no contact order, including potential modification, and shall be allowed to submit evidence in support of his or her request.

The college may establish an appropriate schedule for the Accused and Respondents to access applicable institution buildings and property at a time when such buildings and property are not being accessed by the Reporting Individual.



- B. To have assistance from either Security, the Vice President of Enrollment and Student Affairs or his/her designee in obtaining a court-ordered Order of Protection or, if outside of New York State, an equivalent protective or restraining order
- C. To receive a copy of the court-ordered Order of Protection or equivalent when received by the institution and have an opportunity to meet or speak with the Vice President of Enrollment and Student Affairs or his/her designee who can explain the order and answer questions about it, including information from the Order about the Respondent's responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).
- D. To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
- E. To have the College call on and assist local law enforcement in effecting an arrest for violating such a court-ordered Order of Protection.
- F. When the Accused or Respondent is a student determined to present a continuing threat to the health and safety of the community, to subject the Accused or Respondent to interim suspension pending the outcome of a judicial or conduct process consistent with Trocaire's policies. Both the Accused or Respondent and the Reporting Individual shall, upon request and consistent with Trocaire's policies and procedures be afforded a prompt review, reasonable under the circumstances, of the need for and terms of an interim suspension, including potential modification, and shall be allowed to submit evidence in support of his or her request;
- G. When the Accused is not a student but is a member of the college community and presents a continuing threat to the health and safety of the community, to subject the Accused to interim measures in accordance with applicable collective bargaining agreements, employee handbooks, and College policies and rules;
- H. To obtain reasonable and available interim measures and accommodations that effect a change in academic, employment, transportation or other applicable arraignments in order to help ensure safety, prevent retaliation, and avoid an ongoing hostile environment, consistent with Trocaire's policies and procedures. Both the Accused or Respondent and the Reporting Individual shall, upon request and consistent with Trocaire's policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need and terms of any such interim measure and accommodation that directly affects them and shall be allowed to submit evidence in support of their request.

Conduct Process:

Every student will be afforded the following rights:



- a) The right to request that student conduct charges be filed against the accused. Conduct proceedings are governed by the procedures set below as well as federal and New York State law.
- b) The right to a process in a student judicial or conduct cases, where a student is accused of sexual violence, domestic violence, dating violence, talking or sexual activity that may otherwise violate the institution's code of conduct, that includes, at a minimum:
  1. Notice to Respondent describing the date, time, location and factual allegations concerning the violation, reference to the specific code of conduct provisions alleged to have been violated and possible sanctions.
  2. Opportunity to offer evidence during an investigation, and to present evidence and testimony at a hearing, where appropriate, and have access to a full and fair record of any such hearing, which shall be preserved and maintained for at least five years from such a hearing and may include a transcript, recording or other appropriate record; and
  3. Access to at least one level of appeal of a determination before a panel, which may include one or more students that is fair and impartial and does not include individuals with a conflict of interest. In order to effectuate an appeal, a Respondent and Reporting Individual in such cases shall receive written notice of the findings of fact, the decision and the sanction, if any, as well as the rationale for the decision and sanction. In such cases, any rights provided to a Reporting Individual must be similarly provided to a Respondent and any rights provided to a Respondent must be similarly provided to a Reporting individual.
- c) Throughout proceedings involving such an accusation of sexual violence, domestic violence, dating violence, stalking, or sexual activity that may otherwise violate the institution's code of conduct, the right:
  1. For the Respondent, Accused and Reporting Individual the same opportunity to be accompanied by a non-participating advisor of their choice who may only assist and advise the parties throughout the conduct process and any related hearings or meetings.
  2. The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial, timely, and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the Respondent, including the right to a presumption that the Respondent is "not responsible" until a finding of responsibility is made pursuant to New York law and the College's policies and procedures, and other issues including but not

limited to related to sexual violence, domestic violence, dating violence, sexual assault, and stalking.

3. The right to an investigation and process that is fair, impartial and provides a meaningful opportunity to be heard, and is not conducted by individuals with a conflict of interest.
4. The right to have a conduct process run concurrently with a criminal investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
5. To review and present available evidence in the case file, or otherwise in the possession or control of the college, and relevant to the conduct case, consistent with institution policies and procedures. The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.
6. The right to exclude their own prior sexual history with persons other than the other party in the judicial or conduct process or their own mental health diagnosis and or treatment from admittance in the college disciplinary stage that determines responsibility. Past findings of domestic violence, dating violence, stalking, or sexual misconduct may be admissible in the disciplinary stage that determines sanction.
7. To receive written or electronic notice, provided in advance pursuant to college policy and reasonable under the circumstances, of any meeting they are required to or are eligible to attend, of the specific rule, rules or laws alleged to have been violated and in what manner, and the sanction or sanctions that may be imposed on the Respondent based upon the outcome of the judicial or conduct process, at which time the designated hearing or investigatory officer or panel shall provide a written statement detailing the factual findings supporting the determination and the rationale for the sanction imposed.
8. The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
9. The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including any sanctions.
10. To be informed of the sanction or sanctions that may be imposed on the respondent based upon the outcome of the judicial or conduct process and the rationale for the actual sanction imposed.



11. The right to choose whether to disclose or discuss the outcome of a conduct or judicial process.
12. The right to have all information obtained during the course of the conduct or judicial process be protected from public release until the appeals panel makes a final determination unless otherwise required by law.

## **Investigation**

### *Time Frame*

An investigation conducted pursuant to this policy, the investigator's preparation of his/her initial report and recommendation, and the imposition of sanctions should normally be completed within 60 calendar days after the College has notice of an allegation of sexual misconduct. The CRC Officer/Title IX Coordinator, his/her designee, may extend this time frame for good cause, including College breaks. If the time frame is extended, notice of the extension and the reasons for such extension will be provided to the Reporting Individual and Respondent.

### *Impact of Criminal Investigation*

Where the Reporting Individual has also reported the sexual misconduct to local law enforcement, resulting in the commencement of a criminal investigation, the College will not wait for the conclusion of a criminal investigation or criminal proceeding to begin its own investigation. While the College may need to delay temporarily the fact-finding portion of its investigation under this policy while law enforcement is gathering evidence, the College will still take any necessary interim accommodation and safety measures, as described above. The College will promptly resume and complete its investigation once it learns that the local law enforcement has completed its evidence gathering stage of the criminal investigation. During any delay in the College's investigation process caused by a criminal investigation, the College will update the parties on the status of its investigation and inform the parties when the College resumes its investigation pursuant to this policy.

### *Investigation Process*

1. **Assigning an Investigator.** When a determination is made to proceed with an investigation pursuant to this policy, the CRC Officer/Title IX Coordinator, or designee will investigate. At any point during this process, the investigator may, in his/her discretion, be accompanied by a qualified individual to assist in the documentation of the investigation.
2. **Standard of Review.** This investigation procedure will determine findings of fact using the "preponderance of the evidence" standard (i.e., it is more likely than not that sexual violence, dating violence, domestic violence or stalking occurred).
3. **Cooperation.** All Trocaire College faculty, staff, students, community members, and third parties (including contracted service providers and vendors) are expected to cooperate in the investigation process. As early as possible in this investigation process, the CRC Officer/Title



IX Coordinator will direct the Reporting Individual, Respondent, witnesses, and other involved individuals to preserve any relevant evidence.

4. **Fact Finding.** In most cases, the investigation will involve conducting a thorough fact-finding investigation, which includes meeting separately with the Reporting Individual (if participating), Respondent, and pertinent witnesses, and reviewing other relevant information. Occasionally, a different or less formal response to the report may be warranted. At any time during the course of an investigation, the Reporting Individual, Respondent, or any witnesses may provide a written statement, other supporting materials, or identify other potential witnesses or relevant documentary evidence, regarding the matter under review. All proceedings will be documented and filed with the Title IX Coordinator for a minimum of five years.
5. **Support Persons.** The Reporting Individual and Respondent may have a support person (silent advocate) accompany them through the process. A support person may not speak for the Reporting Individual or Respondent, present evidence or question witnesses. The Reporting Individual and Respondent are responsible for presenting evidence on their own behalf. Support persons may speak privately to their advisee during the investigation process. Either party may request a recess from an investigatory meeting to consult with their support person which will be granted at the discretion of the CRC Officer/Title IX Coordinator or his/her designee.
6. **Investigation Outcome.** The CRC Officer/Title IX Coordinator or his/her designee will prepare a written report and recommendation at the conclusion of an investigation. The Investigator's written report and recommendation will generally contain, at a minimum:
  - a. summary of the investigation;
  - b. the Investigator's findings, including a recommendation concerning whether the Respondent should be found responsible for the alleged sexual misconduct;
  - c. a summary of the Investigator's rationale in support of the findings; and
  - d. If applicable, a recommendation regarding any actions the College will take to provide accommodations to the Reporting Individual or safety measure(s) for the College community.
7. If the Civil Rights Compliance/ Title IX Officer concludes that the Non-Discrimination policy was not violated, s/he will communicate their findings with the Reporting Individual and Respondent in writing within the (60) sixty calendar days outlined above.

### **Sanctions/Corrective Action**

If the results of the investigation indicate that the College should impose sanctions and/or remedies, the matter will be referred to the appropriate President's Council Member. If the Respondent is a student, the Vice President of Enrollment and Student Affairs, or designee, will implement sanctions in accordance with the Student Code of Conduct (Policy #600). If the Respondent is an employee, the



Council Member, or designee, after consultation with the Chief Human Resources Officer, will implement sanctions. If the Respondent is a Council Member, the President will implement sanctions. If the Respondent is the President or a Board member, the matter will be referred to the chair of the Board of Trustees who will proceed according to Board guidelines. The College will take reasonable steps to prevent the recurrence of any violations of this policy and to correct the discriminatory effects on the Reporting Individual (and others, if appropriate).

The following is a list of possible Code of Conduct student sanctions that may be imposed singularly or in any combination. The Vice President of Enrollment and Student Affairs or designee is not limited to the following sanctions as they may impose other sanction(s) considered appropriate.

Possible Sanctions:

- a) Verbal Warning: A discussion about the incident. No written follow-up notification issued.
- b) Warning: Written notice to the student that his/her conduct is in violation of college regulations and that continuation of said conduct for a stated period of time may be cause for more serious disciplinary action.
- c) Restitution: Financial reimbursement for damages to property.
- d) Community Service: A stated number of hours of donated service commensurate to the alleged violation.
- e) Disciplinary Probation: A stated trial period of time set in writing, during which the student is expected to demonstrate appropriate conduct as a member of the College Community.
- f) Disciplinary Suspension: A stated period of time which the student is excluded from classes or activities.
- g) Disciplinary Dismissal: Termination of status as a student of the College.
- h) Transcription Notation: (See Policy #329: Transcription Notation and Appeals Policy for Crimes of Violence).

Notification of Outcome

After the conclusion of the investigation, the College will provide written notification to the Reporting Individual and the Respondent of the outcome which includes the underlying decision, sanction, and rationales for decision and sanction within the sixty (60) day time limit unless the College determines that additional time is required. This notice shall be issued contemporaneously to both parties. The College will maintain documentation of all hearings or other proceedings, which can take various forms (e.g. notes, written findings of fact, transcripts, or audio recordings, etc.) In no event will students in matters involving an alleged violation of this policy be required to abide by a nondisclosure agreement that would prevent disclosure of the outcome. This applies to Respondents and Reporting Individuals. Respondents and Reporting Individuals are not themselves barred by FERPA from sharing this information. Note, however, that this does not allow students to unreasonably share private information in a manner intended to harm or embarrass another individual, or in a manner that would recklessly do so regardless of intention. Such sharing may be retaliation which can result in separate charges under the code of conduct.



### Right to Appeal

Once written notice of the resolution has been provided, if the Reporting Individual and or Respondent is a student, she or he has the opportunity to appeal the outcome to the Judicial Appeals Board (Policy #605), via its processes and procedures.

Both the determination as to whether there is a policy violation and any sanction(s) imposed may be appealed using these processes and procedures.

### Retaliation

No individual who makes a complaint alleging a violation of this policy or who participates in the investigation or resolution of such a complaint shall be subject to retaliation as a result of such activity or participation. Retaliation includes harassment and intimidation, including but not limited to violence, threats of violence, property destruction, adverse educational or employment consequences, and bullying.

Retaliation exists when action is taken against a Reporting Individual or participant in the complaint process that

- (i) adversely affects the individual's opportunity to benefit from the College's programs or activities, and
  - (ii) is motivated in whole or in part by the individual's participation in the complaint process.
- Any acts of retaliation, as defined in this policy, shall be grounds for disciplinary action.

### **Privacy in Legal Challenges**

Pursuant to subdivision (l) of rule three thousand and sixteen of the Civil Practice Law and Rules, in any proceeding brought against an institution which seeks to vacate or modify a finding that a student was responsible for violating an institution's rules regarding a violation covered by Article 129-B of the Education Law, the name and identifying biographical information of any student shall be presumptively confidential and shall not be included in the pleadings and other paper from such proceeding absent a waiver or cause shown as determined by the court. Such witnesses shall be identified only as numbered witnesses. If such a name or identifying biographical information appears in a pleading or paper filed in such a proceeding, the court, absent such a waiver or cause shown, shall direct the clerk of the court to redact such name and identifying biographical information and so advise the parties.

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## TRANSCRIPT NOTATION POLICY AND APPEALS FOR CRIMES OF VIOLENCE

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To comply with Article 129-B of the New York State Education Law requiring transcript notations for students found responsible for crimes of violence.



For crimes of violence, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act, established in 20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII), the Registrar shall make a notation in the transcript of students found responsible after a conduct process that they were “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.” For the respondent who withdraws from the College while such conduct charges are pending, and declines to complete the disciplinary process, the Registrar shall make a notation on the transcript of such student that they “withdrew with conduct charges pending.” Crimes falling under this policy include: murder; rape; fondling; incest and statutory rape; aggravated assault; burglary; motor vehicle theft; manslaughter; and arson.

Students may seek removal of a transcript notation for a suspension no earlier than one year after conclusion of the suspension. This appeal must be made in writing. Upon receiving the request, the Vice President of Enrollment and Student Affairs will determine whether the appeal should be granted or denied based on the length of the suspension. Notations of expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

## OTHER STUDENT POLICIES

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### BIAS RELATED CRIMES

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In compliance with the New York State Education Law, Section 6436, Bias Related Crime Act of 2000, the following information is designed to outline to the Trocaire College Community the applicable laws on bias related crimes and the penalties for the commission of bias related crimes, the procedures for reporting crimes and the nature of and common circumstances relating to bias related crimes.

<https://www.nysenate.gov/legislation/laws/PEN/P4TYA485>

Trocaire College shall inform incoming students about bias related crime prevention measures through programs which may include workshops, seminars, discussion groups, and film presentations, in order to disseminate information about bias related crime, promote discussion, encourage reporting of incidents of bias related crime, and facilitate prevention of such incidents.

Such information shall include, but not be limited to:

1. the applicable laws, ordinances, and regulations on bias related crime, including the provisions and coverage of the hate crimes act of 2000 codified in article four hundred eighty-five of the penal law;
2. the penalties for commission of bias related crimes;
3. the procedures in effect at the college for dealing with bias related crime;
4. the availability of counseling and other support services for the victims of bias related crime;



5. the nature of and common circumstances relating to bias related crime on college campuses; and
6. the methods the college employs to advise and to update students about security procedures.

According to NYS Penal Code section §485.05, a person commits a hate crime when he or she commits a specified offense and either:

- a) intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or
- b) intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

A specified offense is an offense as defined by any of the following provisions of the New York State Penal Law:

- Assault in the third, second or first degree
- Aggravated assault upon a person less than eleven years old
- Menacing in the first, second or third degree
- Reckless endangerment in the second or first degree
- Manslaughter in the second or first degree
- Murder in the second degree; stalking in the fourth, third second or first degree
- Rape in the first degree
- Criminal sexual act in the first degree
- Sexual abuse in the first degree
- Aggravated sexual abuse in the second or first degree
- Unlawful imprisonment in the second or first degree
- Kidnapping in the second or first degree
- Coercion in the second or first degree
- Criminal trespass in the third, second or first degree
- Burglary in the third, second or first degree

- Criminal mischief in the fourth, third, second or first degree
- Arson in the fourth, third, second or first degree
- Petit larceny
- Grand larceny in the fourth, third, second or first degree
- Robbery in the third, second or first degree
- Harassment in the first degree
- Aggravated harassment in the second degree
- Any attempt or conspiracy to commit any of the foregoing offenses

#### Penalties for Commission of Bias Related Crimes: New York State Penal Law 485.10

1. When a person is convicted of a hate crime pursuant to this article, and the specified offense is a violent felony offense, as defined in section 70.02 of this chapter, the hate crime shall be deemed a violent felony offense.
2. When a person is convicted of a hate crime pursuant to this article and the specified offense is a misdemeanor or a class C, D or E felony, the hate crime shall be deemed to be one category higher than the specified offense the defendant committed, or one category higher than the offense level applicable to the defendant's conviction for an attempt or conspiracy to commit a specified offense, whichever is applicable.
3. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class B felony:
  - a) the maximum term of the indeterminate sentence must be at least six years if the defendant is sentenced pursuant to section 70.00 of this chapter;
  - b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of this chapter;
  - c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter;
  - d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and
  - e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter.
4. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the indeterminate sentence shall be not less than twenty years.



5. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a hate crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at hate crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community.

**Procedures:**

1. The Student Handbook will contain information on bias related crime and its prevention. Such information will include:
  - a) The content of this regulation.
  - b) The content of the College's regulations on Discrimination & Harassment Grievance Procedure (Regulation 129), Student Code of Conduct (Regulation 600) and Disciplinary Procedures Regarding Violations of the Student Code of Conduct (Regulation # 601).

2. Reporting a Bias Related Crime

If you are a victim of a bias-related crime, or you know or suspect that a member of the college community is a victim of a bias-related crime, the following services are available to you:

- a. Trocaire College Security:

Main Campus:	827-2500
Transit Road:	827-4300
- b. Vice President of Enrollment and Student Affairs
- c. Counselor
- d. Buffalo Police Department: Dial 911

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**CHILDREN ON CAMPUS**

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All minor-aged children visiting the campus must not be disruptive or left in any area of the college unsupervised by the parent or guardian. Children are not permitted to attend class, lab or use college computers. The College is not responsible for any unsupervised children on campus at any time.

- Employees who bring minor-aged children to campus during their scheduled work hours must get approval from their supervisor.
- Students who bring children to campus must supervise the children at all times.
- Individuals who do not comply with this policy will be asked to make appropriate arrangements off-campus for the children.



- Continual disregard of this policy may subject the person to disciplinary action.

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## IDENTIFYING & PROVIDING ACCESS TO STUDENTS WITH DISABILITIES

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Trocaire College ensures access to its academic programs, services, and activities on campus to otherwise qualified individuals with disabilities in accordance with guidelines established by Section 504 of the Rehabilitation Act of 1973, and by the Americans with Disabilities Act (ADA) of 1990. The Office of Accessibility Services provides advocacy and coordinates appropriate accommodations for students with disabilities.

Students must meet the technical standards of all academic programs, with or without reasonable accommodations. Requests for accommodations are reviewed individually, on a case-by-case basis, to determine whether there are any reasonable accommodations or available options that would permit the student to satisfy the standards. An accommodation is not reasonable if it poses a direct threat to the health and safety of self or others, if making it requires a substantial modification in an essential element of the curriculum, if it lowers academic standards, or poses an undue administrative or financial burden.

The College adopts the definitions used by the United States Department of Justice for the purposes of Title II of the Americans with Disabilities Act, in section 35.104 of volume 28 of the Code of Federal Regulations (28 CFR 35.104). Consistent with that regulation, the College also adopts the following definitions.

**A. Student with a disability means a person who:**

1. Is enrolled as a student in the College, or seeks to enroll as a student in the College, and who has a physical or mental impairment that substantially limits one or more major life activities;
2. Has a record of having such an impairment; or
3. Is regarded as having such as impairment.

**B. Qualified student with a disability means a student with a disability who with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of College services or participation in College programs or activities.**

**C. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. Major life activities also include major body functions, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.**



D. Accommodation Requests: The Office of Accessibility Services in the Wellness Center is the central point of contact for making requests to determine eligibility for reasonable accommodations in accordance with applicable laws.

It is the responsibility of the student seeking disability related accommodations to contact the Office of Accessibility Services and self-identify as a student with a disability.

Students will be asked to be part of an interactive process to determine reasonable accommodations. Students should be prepared to provide documentation from a licensed provider in regards to their disability diagnosis, current functioning, and recommendations for accommodations. Students must complete an intake with the Office of Accessibility Services to determine what accommodations they may be eligible for. Requests for accommodations are evaluated based on the review of documentation provided as well as the student's self-report and observations regarding current functioning.

It is the responsibility of all students who receive accommodations through the Office of Accessibility Services to provide appropriate documentation, meet with Accessibility Services, and maintain communication with Accessibility Services as needed. Depending on the nature of a student's disability, updated documentation may be needed.

Accommodations start at the time a student is found eligible and cannot be granted retroactively.

E. Temporary Disabilities: Students with temporary disabilities/injuries may also seek accommodations. The process will be the same, however, the accommodation letters may show an end or expiration date depending on the length needed for the accommodation.

Procedures:

1. Information regarding the related procedures can be found in the Accessibility Services Manual located on the Trocaire website. <https://my.trocaire.edu/student-services/disability-services/>
2. If a student feels they have been discriminated against due to their disability, they should refer to the Trocaire Policy #129, Discrimination, Harassment, and Grievance Procedure. <https://trocaire.edu/title-ix-enough-enough-non-discrimination-resources/>

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## **STUDENT DRUG AND ALCOHOL POLICY**

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Trocaire College recognizes that substance abuse is a major health problem throughout the United States and thus, is committed to establishing a drug-free environment. Henceforth, and in accordance with the Drug-Free and Communities Act Amendments of 1989 (Public Law 101-226) & HEOA Sec. 120 (a) (2) (B)-(C). HEOA amendment effective 2008 34 CFR 86, the following standards will apply.

The possession, use, manufacturing or distribution of illicit drugs and alcohol by students on campus or at a college sponsored off-campus activity is expressly prohibited. The misuse of prescription drugs and other products being used other than intended is also prohibited. Students violating the drug and



alcohol policy at clinical or internship locations are regulated by specific program policies. A federal or state drug conviction can disqualify a student for Federal Student Aid (FSA) funds.

This policy authorizes the academic use of various alcoholic beverages, products and related activities in accordance with New York State Alcohol Beverage Control Law Section 65-c, “a person who is a student in a curriculum licensed or registered by the state education department and the student is required to taste or imbibe alcoholic beverages in on-campus or off-campus courses which are a part of the required curriculum, provided such alcoholic beverages are used only for instructional purposes during class conducted pursuant to such curriculum”

In facing the challenge of creating a drug free society, Trocaire endeavors to educate by providing on-campus drug awareness programs, literature and resource/referral services to appropriate community based agencies for all members of the College Community. Good faith efforts will include strict enforcement as well as implementation of this policy.

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

A student self-certifies a federal or state drug conviction in applying for aid that he/she is eligible. A conviction for any offense involving sale or possession of illegal drugs that occurred during a period of enrollment for which the student was receiving Title IV aid will result in loss of eligibility for any Title IV, HEA grant, loan or work-study assistance. A student regains eligibility the day after the period of ineligibility ends or when he successfully completes a qualified drug rehabilitation program. HEA Section 484(r), 34 CFR 668.40

The Wellness Center provides assessment and outside referral services to students, as well as serving as an alcohol and other drug information/education resource. For further information about these programs or individual assistance, contact Counseling Services at 716.827.2579. <https://my.trocaire.edu/student-services/counseling-services/>

**Definitions:**

Campus: The grounds and buildings of the college.

Off-Campus: Away from the college campus.

**Health Risks:**



There are obvious risks associated with alcohol and drug abuse, but there are a number of less obvious risks as well:

- Brain damage, pancreas, kidneys and lungs problems
- Death
- Diminished immune system
- Hallucinations, tremors, and convulsions
- Headaches, nausea and/or vomiting
- Heart attacks and strokes
- High blood pressure
- Hyperactivity or sluggish behavior
- Liver, lung, and kidney problems
- Memory loss
- Physical and psychological dependence
- Poor academic performance
- Sexually transmitted diseases, unwanted pregnancy, unwanted sexual activity
- Violent behavior, aggressive acts, and angry feelings

For a complete list, go to the National Institute on Drug Abuse web site at [www.nida.nih.gov](http://www.nida.nih.gov).

### **Legal Sanctions:**

New York State Alcoholic Beverage Control Law

<http://ypdcrime.com/abc/>

New York State Controlled Substances Penal Law

<http://ypdcrime.com/penal.law/index.htm>.

(Refer to NYS Penal Law Section 220.00 – 221.55)

Operating a Vehicle While Under the Influence of Alcohol or Drugs in New York State

<https://dmv.ny.gov/about-dmv/chapter-9-alcohol-and-other-drugs>

*Federal Penalties and Sanctions*

Drug Enforcement Administration of the

U.S. Department of Justice website

<http://www.dea.gov/druginfo/factsheets.shtml>



Federal Trafficking Penalties can be found at <http://www.dea.gov/druginfo/ftp3.shtml>

**Procedures:**

Trocaire College will make available, upon request, to the Department of Education and to the public, the information distributed to students and employees (in this policy) and the results of the biennial review of the institutions programs that:

- Determines the effectiveness of the program and implements needed changes;
- Determines the number of drug and alcohol-related violations and fatalities that occur in the institution’s campus (as defined in HEA Sec. 485(f)(6) or as part of the institution’s activities, and are reported to campus officials;
- Determines the number of type of sanctions that are imposed; and ensures that sanctions are consistently enforced.
- The biennial review will be made available on the Trocaire College website.
- The Annual Security Report will indicate drug and alcohol arrests and disciplinary referrals in accordance with the Clery Act.

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

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Notification of Rights under Family Educational Rights and Privacy Act (FERPA):

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. (An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution).

The FERPA policy is located on the college website at: [my.trocaire.edu/registrar](http://my.trocaire.edu/registrar) The address of the Office that administers FERPA laws and provides privacy rights to parents and students is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202



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## FUNDRAISING BY STUDENT ORGANIZATIONS POLICY

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Trocaire College endorses the fundraising of student organizations to assist in increasing their organizational budgets. No student organization is permitted to initiate or engage in any form of fundraising on College property without prior written approval of the Student Association when in session and the Director of Student Engagement. Permission for fundraising will only be granted to current college recognized student organizations.

Off campus fundraising on behalf of the College or any of its constituencies is not permitted without the prior written permission of the Student Association, Director of Development, and Director of Student Engagement. Organizations must schedule on campus fundraising events with the Director of Student Engagement. A "Fundraiser Request Form" must be completed and submitted to the Student Life Office/Student Association at least three (3) weeks prior to the event.

The fundraising activity must offer a benefit that is consistent with the student organization's mission and the mission of the College.

Procedures:

1. The purpose for which the funds are raised must not violate any principals articulated in the Trocaire College Student Handbook and Policy Manual.
2. All student organizations or their advisors must have approval from the Student Association or the Director of Student Engagement in their absence, three (3) weeks prior to the start of any fundraising activity.
3. Student organizations planning to schedule a fundraising activity or event must check the event calendar on the Trocaire Website to secure an open date and time. The student organization must complete and submit an online room reservation form.
4. It shall be the responsibility of the organization to monitor, clean up, and remove all materials at the site of the fundraiser when concluded.
5. When requesting an apparel sale, student organizations must first receive a quote through the Trocaire Bookstore before requesting quotes from other merchandisers. Organizations must follow the College style guide when creating designs. All designs must be approved by the Communication Department.
6. Student organizations may raise funds for off campus charities which hold 501© (3) status. The sponsoring student organization must have either a representative or pamphlets/literature of the charitable organization present at the fundraising event. Allocated funds Student Association funds from the College cannot be used for donations.



7. Student organizations must consult with the Director of Development before soliciting and or securing financial support from individuals and businesses who are external to the College for College-related fundraising purposes.
8. The Fundraising Completion Form, along with collected funds must be turned in to the Student Life Office for deposit within one (1) business day after the event.

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## **GUEST SPEAKER POLICY FOR STUDENT ORGANIZATIONS**

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The Guest Speaker Policy for Student Organizations at Trocaire College encourages its recognized student organizations to sponsor guest speakers will contribute to the role of the College as a forum for intellectual discussion, debate, investigation and/or artistic expression. The speaker must directly reflect the mission of the student organization sponsoring the event. Individual students interested in inviting a guest speaker must seek sponsorship from a recognized organization.

It is understood that providing a forum in no way implies Trocaire College's approval or endorsement of the views expressed by the speaker. Additionally, guest speakers must be aware of the fact that Trocaire College is a Catholic institution and agree to be respectful of its values and mission.

It is the responsibility of the organization's advisor to be present for the speaker/event. All costs associated for the speaker/association will be covered by the host organization.

Procedures:

1. The organization submits completed Event Request Form to the Office of Student Life.
2. Final approval will be made by the Director of Student Engagement or designee.

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## **MERCY ACTION PROJECT (MAP) GRADUATION REQUIREMENT**

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To promote a culture committed to personal enrichment and service in the spirit of the Sisters of Mercy and in keeping with the mission, values, and tradition of Trocaire College, all students will complete a Mercy Action Project (MAP) co-curricular learning experience as a graduation requirement. The purpose of MAP is to:

- Support student learning while meeting community needs in ways that uphold the mission of Trocaire College
- Promote student success by enhancing civic engagement, personal reflection, and academic growth
- Encourage a college-wide culture of service



- Foster citizenship, academic and social skills, and Mercy values
- Be mutually beneficial to the student, community partner, and recipients of service

#### Student Learning Outcomes:

Upon completing the mission workshop and service experience, students will be able to:

1. Identify key elements of a Catholic and Mercy education, including the core value outcomes of Trocaire College (*mercy, dignity, service, holistic education*)
2. Articulate the vital connection between compassionate service to others and our Mercy heritage of meeting the unmet need

Outcomes will be assessed, measured, and reported to the Vice President of Enrollment and Student Affairs.

Students in all programs (Certificate, Associate, and Baccalaureate) must complete at least one (1) MAP learning experience prior to completing their program in order to be eligible to graduate. MAP is a tuition-free, non-credit, value-added, co-curricular learning experience. MAP provides service opportunities that integrate the College's mission through an action-reflection approach that connects service to a student's career path. MAP is a program of the Student Affairs Division.

#### MAP components include:

- Understanding Trocaire's Mission (Mission Workshop)
  - Covers College mission, vision, and core value outcomes; Mercy heritage and history of Trocaire; components of MAP
- Living Trocaire's Mission (12 hours of Service in the Community)
  - Related to student's academic program
- Integrating Trocaire's Mission (Reflection/Debrief)
  - Facilitated by Director of Mission, Service & Campus Ministry
  - Students will also complete a reflection piece for assessment

#### Procedures:

1. Students who continue in their academic career by entering another program, and have documented completion of a service-based learning experience in a previous program at Trocaire College, are not required to (but may) participate in MAP in their new academic program.
2. Students will receive a checklist of the required components for MAP.
3. If student is registered for MAP and does not meet all requirements within the semester for which they are registered, Coordinator of Community-Based Learning will communicate with student to determine if student will receive additional time to complete requirements or if re-registration in a future semester is needed.
4. If student wishes to appeal a decision, the appeal will be resolved within the Student Affairs Division as follows:
  - a. Student completes online Student Concern Report <https://my.trocaire.edu/student-services/student-concerns-support/>

- b. Student Affairs will channel concern to Coordinator of Community-Based Learning who will communicate with student
  - c. If needed, Director of Mission, Service & Campus Ministry will communicate with Student
  - d. Then if needed, Vice President of Enrollment and Student Affairs will communicate with Student for final adjudication
5. Students who successfully complete MAP will receive a transcript notation: “Completed;” students who do not successfully complete MAP (according to checklist of required components) will receive a “Not Completed” and will need to complete prior to graduation.
  6. If student does not complete the MAP requirement by the end of their academic program, student will be ineligible to graduate.
  7. Policy applies to all current and incoming students.

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**POLICY NO. 125: ANIMALS ON CAMPUS**

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**PURPOSE:** To define Trocaire College’s policy regarding animals on campus.

**POLICY:** As a general rule, Trocaire College does not permit any animals on campus or in any College building or facility. However, as set forth in this Policy, the College makes the following exceptions:

- Animals required for a student’s disability needs covered under the Americans with Disabilities Act (ADA) and/or applicable state law;
- Animals required for a College employee’s disability needs covered under the ADA and/or applicable state law; and
- Any animal that is brought on campus as part of College programming (e.g., planned campus event such as therapy dogs).

**Definition of Service Animal:**

In accordance with the ADA, service animals are permitted at Trocaire College for persons (including students, employees, and visitors) with disabilities. Under the ADA, “service animal” is defined as a dog, or in some cases a miniature horse, that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual’s disability.

Emotional support, comfort, or companionship animals are generally not considered service animals. However, the College will consider all requests for such animals made by students, visitors, or employees with disabilities on a case-by-case basis using the procedure to request reasonable accommodations and will grant such requests to the extent required by the ADA or other applicable law.



### **Students and Visitors:**

Students and visitors of the College will be permitted to bring service animals onto campus. Such individuals are not required to provide proof that the animal has been certified, trained, or licensed as a service animal. However, in instances where it is not readily apparent what task the service animal performs, the College may ask two inquiries to determine whether an animal qualifies as a service animal:

1. Is the animal required because of a disability?
2. What work or task has the animal been trained to perform?

A student or visitor with a disability who intends to bring a service animal to campus is encouraged to notify The Office of Accessibility Services (located in the Wellness Center) so that relevant faculty and other appropriate personnel can be advised that the service animal will be present in the class.

A student or visitor with a disability who intends to bring an emotional support, comfort, or companionship animal to campus must contact The Office of Accessibility Services (located in the Wellness Center) to request an accommodation.

### **College Employees:**

College employees who wish to bring an animal to work because of a disability must contact The Office of Human Resources. The College will provide reasonable accommodations to qualified individuals with disabilities and will not discriminate against any employees on the basis of a disability consistent with the College's Discrimination and Harassment Policy No. 129. Where permitted by applicable law, the College may request information regarding the employee's disability and need for the accommodation.

### **Owner/Handler Responsibilities:**

An owner (and, if different from the owner, the handler) of an animal permitted on campus under this Policy must abide by the responsibilities listed below. These responsibilities apply regardless of whether the owner/handler is a student, visitor, or College employee.

**Control of the animal:** The owner/handler must be in full control of the animal at all times. The animal shall have a harness, leash, or other tether, unless the owner/handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the animal's safe and effective performance of work or tasks, in which case the animal must be otherwise under the owner/handler's control (e.g., voice control, signals, or other effective means).

1. **Cleanup:** Any animal permitted on campus under this Policy must be housebroken. The owner/handler is responsible for ensuring cleanup of the animal's waste and, when appropriate, must toilet the animal in areas designated by the College consistent with the reasonable capacity of the owner/handler.

2. **Health:** The animal must be in good health. The owner/handler must abide by all applicable local and state laws, including registration and vaccination requirements. The owner/handler must take reasonable efforts to ensure that the animal is free of fleas, ticks, or other pests while on campus. The owner/handler is solely responsible for the costs of maintaining the animal in good health.
3. **Areas that may be off limits:** Students and visitors with animals permitted on campus under this Policy may access all areas of campus where students/the public (as applicable) are normally allowed to go. In addition, employees using animals as an accommodation will generally be permitted to have the animal in their work areas and any common employee spaces (lounges, break rooms, etc.). However, it may be appropriate to exclude animals from non-public areas, especially where there is a health or safety concern (e.g., food preparation areas, areas that must remain sterile for safety, etc.). This will be evaluated on a case by case basis. The Office of Accessibility Services or The Office of Human Resources, as appropriate, will discuss this with the impacted individuals as necessary.
4. **Finances:** The owner/handler is financially responsible for the actions of the animal. Any damage caused by the animal above or beyond normal maintenance cleaning will be the responsibility of the owner/handler. The owner/handler will be solely responsible for any injury caused by the animal.
5. **Disruptive behaviors:** It is the responsibility of the owner/handler to make sure that the service animal does not display behaviors or noises that are disruptive to others, unless said noises or behaviors are part of the needed disability service.

#### **Removal or Restriction of Animals:**

Animals permitted to be on campus under this Policy may be removed or restricted at a College location or event for the following reasons:

1. The owner/handler does not comply with the responsibilities stated above.
2. The animal is out of control and the owner/handler does not take effective action to control it.
3. The animal or its presence creates an unmanageable disturbance or interference.
4. The animal is not housebroken.
5. The animal's presence results in a fundamental alteration of a College program, service, or activity.

Any removal of an animal will be done in consultation with The Office of Accessibility Services for students and visitors or The Office of Human Resources for employees to make sure that the accommodation need will be met in alternative way.

#### **Requirements for Members of the College Community:**

All members of the College community must abide by the following rules:



1. Allow the animal to accompany the owner/handler on campus. Do not separate or attempt to separate an animal from their owner/handler.
2. Do not treat the animal as an excuse to ask about the owner/handler's disability. The nature of a person's disability is a private matter.
3. Do not touch or pet the animal unless invited to do so by the owner/handler. Interactions may interfere with the animal's work.
4. Do not feed the animal.
5. Do not harass or deliberately startle the animal.
6. Students with medical conditions or other concerns affected by the presence of an animal in the classroom should contact The Office of Accessibility Services for guidance.
7. Employees with medical conditions or other concerns affected by the presence of an animal in the building should contact their immediate supervisor or the Office of Human Resources for guidance.

**Procedures:**

Information will be disseminated to the campus community in the employee and student handbooks to refer them to the Animals on Campus Policy No. 125.

Trainings will be held as needed on campus to ensure employees are aware of policy and procedures regarding animals on campus.

For any students, visitors, or employees with animals attending any off campus activities, the owner/handler will have to abide by the rules and regulations of the off-site location regarding animals (i.e. clinicals, Mercy Action Project (MAP), programming etc.)

**Faculty Guidelines:**

As stated above, students are not required to register their service animal with The Office of Accessibility Services. If a student chooses to do so and gives permission for The Office of Accessibility Services to make the instructor aware:

1. The instructor will be made aware via email that a student may be bringing a service animal into their classroom. Only instructors for those classes that a student is attending for the current semester will be notified.
2. If a faculty member has concerns regarding the presence of an animal in their class they should address that concern with the Dean of their program and together they should consult The Office of Accessibility Services and/or The Office of Human Resources as appropriate.



3. Each situation will be reviewed on a case-by- case basis for possible solutions while maintaining the legal rights of the owner/handler of the service animal.
4. For a list of answers to common questions, please refer to the Faculty Q&A appended to this policy.

## **Faculty Q&A for Students with Service Animals on Campus**

### **Q.1. Are service dogs allowed on campus and in classrooms?**

Yes. Service dogs are allowed on campus and in classrooms. When it is not obvious what service the dog provides, college officials and faculty may ask only two questions:

- 1) Is the service dog required because of a disability?
- 2) What work or task has the dog been trained to perform?

Students are encouraged to make The Office of Accessibility Services aware that they are bringing a service animal on campus, but it is not required by law.

### **Q.2. May I ask about the nature of the student's disability?**

No. It is illegal to ask a person to disclose what their disability is or otherwise go beyond the two permissible questions listed above.

### **Q.3. Are animals other than dogs recognized as service animals?**

No. Under the law only dogs (or in some instances, miniature horses) are recognized as service animals.

### **Q.4. What is considered work or tasks that the dog performs?**

The work or tasks performed by a service dog must be directly related to the disability. Examples of such work include, but are not limited to the following:

- Guiding people who are blind
- Alerting people who are deaf
- Reminding a person to take prescribed medication
- Alerting and protecting a person who is having a seizure
- Alerting and calming a person who is having a panic attack

The crime deterrent effects of an animal's presence does not constitute a task directly related to a disability. In addition, animals that have not been trained to perform a specific task of job and provide comfort, companionship, or support just by being with someone are not considered service animals, but rather are deemed support animals. Any request to bring a support animal on campus will be considered a request for a reasonable modification and the student should be referred to The Office of Accessibility Services.



**Q.5. Will I know if a student is bringing a service dog into my class at the start of the semester?**

Possibly. Under Trocaire College's Policy No. 125, Students are encouraged to make the Office of Accessibility Services aware if they are bringing an animal on campus, but legally are not required to do so. If a student does make the Office aware they are asked if they are willing to give their permission for The Office of Accessibility Services to make their instructors aware prior to the start of class.

**Q.6. What if a student in my classroom is allergic or afraid of dogs?**

Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. A faculty member should address each situation with the Dean of their academic program. Each situation should be looked at individually and put through an interactive process to discuss all options. It may be possible to accommodate by requesting students use different locations within the classroom or take a different section of the course etc.

**Q.7. Can I ask for the service dog to be removed from the classroom?**

Please refer to Trocaire College's Policy No. 125 Animals on Campus for information on the Removal or Restriction of animals on campus.

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**STUDENT POLICY ON IMMUNIZATIONS**

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New York State Public Health Law 2165 states the requirements for attendance at a post-secondary institution regarding immunization for measles, mumps, rubella and meningococcal disease in accordance with PHL Section 2165 (measles, mumps and rubella), PHL Section 2167 (meningococcal disease), and Title 10 New York Codes, Rules and Regulations Subpart 66-2 (10 NYCRR Subpart 66-2).

New York State PHL Section 2167 requires post-secondary institutions to distribute information about meningococcal disease and vaccination to the students, or parents or guardians of students under the age of 18.

**Compliance Deadlines**

Any student entering the college who has failed to turn in their immunization requirements which are part of the Medical and Immunization Record will not be able to register and attend classes until the required documents are submitted to the Wellness Center - Health Records. Students will be notified of the necessity to comply with both the immunization laws and college policy and how they can come into compliance with these requirements. Students can come into compliance with these requirements at the time of enrollment.

**Military Waiver:** Proof of honorable discharge from the armed services by providing a copy of DD214 form within ten (10) years from the date of the application to Trocaire College shall enable a student to matriculate pending actual receipt of armed forces immunization records.

### **In Process**

A student is considered in process and allowed to attend classes if he/she has presented documentation from a physician of Immunization that shows the student is in the process of completing the immunization requirements of PHL Section 2165.

To be in process the student must have received at least one dose of live measles virus vaccine, have complied with the requirements for mumps and rubella, and have an appointment to return to a health practitioner for the second dose of measles if this appointment is scheduled no more than 90 days since administration of the first dose of measles virus vaccine.

### **Exception to the Immunization Requirement**

There is no exemption to the meningeal vaccination response form. This form must be filled out by all students entering the college on an annual basis.

The exceptions to the requirements concerning immunization against measles, mumps and rubella are as follows:

- a) If a student is born prior to January 1, 1957 that student does not need to provide proof of immunization to measles, mumps, and rubella because they are considered to have developed immunity.
- b) **Medical Exemption:** If a licensed physician, physician assistant, or nurse practitioner, or licensed midwife caring for a pregnant student certifies in writing that the student has a health condition which is a valid contraindication to receiving a specific vaccine, then a permanent or temporary (for resolvable conditions such as pregnancy) exemption may be granted. This statement must specify those immunizations which may be detrimental and the length of time they may be detrimental. Provisions need to be made to review records of temporarily exempted persons periodically to see if contraindications still exist. In the event of an outbreak, medically exempt individuals should be protected from exposure. This may include exclusion from classes or campus.
- c) **Religious Exemption:** A student may be exempt from vaccination if, in the opinion of the institution, that student or student's parent(s) or guardian of those less than 18 years old holds genuine and sincere religious beliefs which are contrary to the practice of immunization. The student requesting exemption may or may not be a member of an established religious organization. Requests for exemptions must be written and signed by the student if 18 years of age or older, or parent(s), or guardian if under the age of 18. The institution may require supporting documents. It is not required that a religious exemption statement be notarized. In the event of an outbreak, religious exempt individuals should be protected from exposure. This may include exclusion from classes or campus. **Please note some academic programs may not accept religious exemptions.**



## Procedures

1. New students will receive the Medical and Immunization Record as part of the new student packets from the Admissions Office. Health Record Forms are available at: <https://my.trocaire.edu/student-services/health-office/>
2. Students are required to submit their Medical and Immunization Record to the Health Records Office before registering for classes. Students can submit their documents to the Health Records Office by scan/email to [wellnesscenter@trocaire.edu](mailto:wellnesscenter@trocaire.edu) or fax to 716-825-0416

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## TECHNOLOGY-ACCEPTABLE USE POLICY/UNAUTHORIZED DISTRIBUTION POLICY

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1. Respect the rights and privacy of others. This includes using only assigned accounts, not viewing, using or copying passwords, data, or networks for which they are not authorized. Not distribute private information about others or themselves.
2. Respect and protect the integrity and security of every computer, our network and other networks to which we may be connected. Users will not destroy or damage data, networks, or other resources that do not belong to them. Users are expected to report security risks or violations to the information technology department.
3. Comply with federal copyright laws. Compliance is expected of all faculty, staff and students. Persons found in violation of US Copyright Law ([www.copyright.gov/title17/](http://www.copyright.gov/title17/)) are subject to penalties which may include but are not limited to being banned from access of specific technologies or facilities, loss of computer and network privileges, be required to make full restitution and/or prosecuted if criminal activity is found.
4. Respect the material and resources of the internet. Not intentionally access, transmit, copy, or create material that violates the schools code of conduct (including but not limited to material that is offensive, obscene, harassing, insulting or otherwise abusive or discriminatory) whether in language or meaning.
5. Not intentionally access, transmit, copy, or create material that is illegal or further other acts that are criminal or violate the school's code of conduct.
6. Not use college resources for commercial activity or financial gain; not buy, sell, advertise, or otherwise conduct business.
7. Not use college resources for any illegal activity, including but not limited to vandalism or alteration of computer hardware or software.
8. Not use college resources for the unauthorized access or alteration of files or account of other users.



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## **TOBACCO FREE POLICY**

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The use of any form of tobacco is prohibited on all Trocaire College owned, rented or leased property, at all Trocaire College sponsored events and in all vehicles owned or leased by the College. In addition, sale of tobacco products or free distribution of tobacco products is also prohibited. Tobacco product and tobacco company advertisements and sponsorships of events are also prohibited. The same restrictions that are applicable to tobacco products and companies also apply to e-cigarettes.

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## **WEAPONS ON CAMPUS**

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Possession or use of authentic or imitation firearms, weapons, illegal fireworks, incendiary devices, explosives, or any device known to be excessively harmful to others are prohibited on-campus or at an off-campus Trocaire College sponsored event. In accordance with provisions of the Cleary Act, weapons violations must be reported in the US Dept. of Education's annual Campus Crime Survey and reported in the College's annual Campus Security report if they result in disciplinary referral or arrest.

1. Any student, employee, or visitor determined to be in violation of this policy will be subject to possible criminal prosecution, if applicable.
2. Students who violate this policy shall be subject to discipline in accordance with college Student Code of Conduct procedures, which may include suspension or dismissal from the College.
3. Employees who violate this policy are subject to discipline outlined in the Collective Bargaining Agreement and in Administrative Regulations affecting college staff.
4. If a weapon is noticed on Trocaire College property or a college sponsored event, contact security, event organizer, or 911 immediately.



We must strive to do ordinary things extraordinarily well.

~ Catherine McAuley

AZ QUOTES

## SECTION VI: SAFETY & SECURITY

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### EMERGENCY CONTACT NUMBERS

716-827-2500	Security Desk Choate Campus or HELP (2500) from any college phone
716-445-2104	Choate Security (Mobile)
716-827-4300	Transit Security or 716-346-7094 (Mobile)
716-827-4338	Director of Facilities
716-827-2412	Director of the Wellness Center

911: Buffalo Police Department

All house phones at each location has a security button on the menu which when pushed will dial directly to the related security desk.

The Choate Campus also has emergency push buttons and phones throughout the building. Using these mechanisms will alert City of Buffalo Police Central Dispatch and the police will be notified.

Campus Safety and Security at Trocaire College works in concert with students, faculty, and staff toward ensuring their security throughout the campus. Trocaire employs uniformed guards through a private security service and are stationed at each location (Choate and Transit). The guards work closely with the Buffalo & Lancaster Police and Fire Departments.

### CRIME PREVENTION

The key to a safe and secure environment in any area is crime prevention. Campus Safety and Security utilizes uniformed guards when classes are in session. The college also utilizes security cameras which are installed in several areas on campus. Crime prevention is a joint effort however, and cannot be accomplished without the assistance of the entire Trocaire community of students, faculty, and staff. The security committee has composed a list of several crime prevention and safety tips which are distributed at the beginning of each semester.

In addition to uniformed security officers, there is a campus-wide Security Advisory Committee comprised of faculty, staff, administration and students.

Although Trocaire is a safe campus, it is located in the middle of an urban area where students are often expected to walk to and from their vehicles. Listed below are some helpful safety tips:

- Walk in groups or with a buddy
- Travel in well-lit areas
- Be aware of traffic: drivers might not see you!



- Always lock your car!
- If it is snowy and icy, please watch your step
- Call 911 if you notice any suspicious activity
- Put away cell phones to avoid distracted walking
- Look both ways before crossing the street
- When possible, stay on the sidewalk; if you must use the street, walk facing traffic
- Walk with confidence and keep your head up

### **ANNUAL SECURITY REPORT INFORMATION**

In keeping with the Cleary Act, we provide vital information and statistics about incidents on and around the campus community in an annual security report published on the Trocaire College website. Statistics are published annually and are available to anyone upon request. They are also available on the U.S. Department of Education website ([HTTP://OPE. ED.GOV/SECURITY](http://ope.ed.gov/security)) “OPE ID: 00281200” or by contacting the Director of Facilities at 827-4338. The Advisory Committee on Campus Safety will provide upon request all campus crime statistics as reported to the United States Department of Education.

For the most recent Annual Security report, go to <https://my.trocaire.edu/app/uploads/2019/10/Trocaire-College-Annual-Security-Report-2018.pdf>. For additional information contact the Director of Facilities, Choate Campus Room 338 or 716-827-2438.

### **CRIME REPORTING STATISTICS POLICY**

The Security Advisory Committee will provide upon request all campus crime statistics as reported to the United States Department of Education.

By October 1st of each year, the college will publish the Annual Security Report to the college community which includes the campus crime statistics for the year and other campus safety policies and procedures. This information will be sent via email and placed on the Trocaire College website.

The college catalog, student handbook and web site shall designate how to access the campus crime statistics that are filed annually with the United States Department of Education.

The college catalog, student handbook and web site shall state “The Security Advisory Committee will provide upon request all campus crime statistics reported to the United States Department of Education”.

The information in the college catalog, student handbook and web site shall include the United States Department of Education’s website address for campus crime statistics and a campus phone number for a designated campus contact who is authorized to provide such statistics for the college.



## **INVESTIGATION OF VIOLENCE FELONY OFFENSES**

The College provides for the investigation of any violent felony offense occurring at or on the grounds of the College. In addition, the College provides for the investigation of a report of a missing student, if appropriate.

All violent felonies reported to the College or to campus security, occurring on campus or on College owned property, will be reported to the appropriate law enforcement agency for investigation. Violent felonies reported on the Choate Avenue campus will be reported to the City of Buffalo Police Department.

Violent felonies reported on the Transit Road location, will be reported to the Town of Lancaster Police Department.

Article 129-A of the New York State Education law provides for the reporting of any missing student who resides in a college facility. Trocaire College has no resident students.

## **TIMELY WARNING**

This policy provides guidance on issuing Clery timely warnings.

In the event a situation arises, either on or off campus, that, in the judgment of the Director of Facilities or Associate Vice President of Finance constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued. If both the Director of Facilities and Associate Vice President of Finance are away from campus a member of President’s Council will make the decision on if a Clery timely warning should be issued. The warning will be issued through the college’s emergency notification system (ENS). This warning will also include information that would promote safety and might aid in the prevention of similar crimes.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Emergency Notification System may be activated through the procedures outlined under Emergency Procedure and Response.

Anyone with information warranting a timely warning should report the circumstances immediately to security and the Director of Facilities or Associate Vice President of Finance. Call Security at ext. 2500 or press the security direct extension button on all college phones. If at Transit Road call Security at (716) 827-4300.

## **EMERGENCY NOTIFICATION SYSTEM**

Trocaire College has implemented an Emergency Notification System. In the event of a campus closing or other emergency situation, Trocaire’s Communications Office will activate the emergency system that sends notifications through text messaging, email, and voice messages to cell and home phone numbers. You will be able to include up to six phone numbers, two email addresses and a text message number as notification contacts.

School closings due to inclement weather will also activate the notification system.



## Instructions

1. Decide which phone number(s) and/or e-mails you want to use.
2. Go to <https://Trocaire.bbcportal.com/>
  - **Log In:**
    - If you already have an account, sign in using your Trocaire email address and your password you created when you signed up originally.
    - If you do not remember your password, use the “forgot password” option.
  - **Sign Up:**
    - If you have never signed up click the Sign Me Up! Button.
    - Enter your First Name, Last Name, Trocaire Email address, and create a password.
    - Check the box to agree with the User Agreement after reviewing.
    - Click continue.
    - You will then be prompted for your ID number. This is the last 5 digits of your Student ID. You can find this on your schedule or ID Card.
    - You can now set your contact preferences.

## EMERGENCY PROCEDURES & RESPONSE

Serious injury, sickness or emergency requires immediate and clear communication with appropriate parties. If you come across an emergency situation or another individual who needs assistance, please follow the following procedures:

1. Remain Calm and keep individual comfortable.
2. Call 911 directly. Give the exact address of College (360 Choate Avenue, 315 or 317 Choate Avenue (houses) or 6681 Transit Road) location and brief, concise and specific details of the incident.
3. Call Security at ext. 2500 or press the security direct extension button on all college phones. If at Transit Road call Security at (716) 827-4300. If you are unable to call 911 on your phone, ask Security to call giving details. It is important to call Security so they can properly direct safety personnel and secure the scene.

When reaching the site, security should:

1. Confirm that 911 has been called.
2. If possible, stay with individual until ambulance arrives.
3. Notify Director of Facilities or Associate VP of Finance.
4. Make out incident report and give to Director of Facilities or Associate VP of Finance and a copy to the Wellness Center (if individual is a student).

Procedures to Notify Campus Community



Upon notification by campus security, the Director of Facilities or Associate VP of Finance will investigate all college emergencies. Confirming dialogue may include conversations with security, witnesses, victim(s) and/or local authorities. The Director of Facilities or Associate VP of Finance is responsible for confirming an emergency and determining if the Emergency Notification System (ENS) needs to be activated. The ENS system will be activated as soon as possible if there is an immediate or impending threat to the college community. The entire Trocaire community will be notified of any immediate threats regardless of building location. The individual activating the ENS in collaboration with the Director of Facilities or Associate VP of Finance will determine the content of the message in issuing a Timely Warning to the College community

### **ACCESS TO COLLEGE FACILITIES**

Most college buildings and facilities are accessible to members of the college community, prospective students, and visitors during normal hours of business, Monday through Friday, and for limited designated hours on Saturday, and Sunday, during periods of time the college is in normal operation. For information regarding access to campus facilities, contact the Director of Facilities at (716) 826-1200 or (716) 387-1083. The college does not have residential facilities.

During business hours, the College will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours, access to all College facilities is by key, if issued, or by admittance via the Director of Facilities. Emergencies may necessitate changes or alterations to any posted schedules.

The Director of Facilities, security personnel, and maintenance routinely check for security issues such as properly working lighting, locks, alarms and landscaping.

### **LIMITED VOLUNTARY CONFIDENTIAL REPORTING**

Trocaire College encourages anyone who is the victim or witness to any crime to promptly report the incident to the police and Trocaire Security. Because police reports are public records under state law, Trocaire security cannot hold reports of crime in confidence.

If someone is interested in making a confidential report please contact the Trocaire Counselor at the Wellness Center room 118 or (716) 827-2412. The Trocaire Counselor will report aggregate data each year to the Title IX Coordinator who will include the information in the annual disclose of crime statistics. The only time the counselor will break confidentiality is when the person is a risk to themselves or others.

### **FIRE**

If a fire cannot be controlled with an extinguisher, an alarm should be activated and evacuating the building undertaken. Persons evacuating the building should proceed to the nearest marked exit and assist those who are physically challenged. No person should return to an evacuated building unless told to by a member of the College's administration or a member of campus security.

This information can also be found in the Annual Campus Security report.