DOWNSTATE
COLLEGE OF NURSING

Student Handbook

2026 – 2027









The State University of New York Downstate Health Sciences University does not discriminate on the basis of race, sex, sexual orientation, color, creed, age, national origin, handicap, marital status or status as a disabled veteran or veteran of the Vietnam era, in the recruitment and employment of faculty or staff, in the recruitment of students or in the operation of any of its programs and activities, as specified by Federal and State Laws or regulations. Applications are encouraged and welcomed from New York State residents, out-of-state students, and from members of underrepresented minority groups. New York State residents receive preference for admission. For more information, contact the Downstate Office of Diversity and Inclusion at 718-270-1738. The information in this Handbook is as accurate as possible at the time of printing and is subject to change.

The SUNY Downstate Health Sciences University Student Handbook is the university's official notification to the campus community containing resources, academic and non-academic policies, regulations and community standards.

Students are responsible for knowing and abiding by the information contained in this Handbook.

Each member of the SUNY Downstate community plays a role in the creation and preservation of a safe and supportive campus environment. This Handbook describes both the privileges and responsibilities granted to students as members of the SUNY Downstate community. In addition, the Handbook will help students learn about the many campus services and resources available to them to support their academic efforts, enhance their academic experience, and assist in times of difficulty.

SUNY Downstate Health Sciences University reserves the right to alter existing rules and regulations, and information about academic programs, as deemed necessary by the institution. SUNY Downstate Health Sciences University expressly reserves the right to: (1) change or modify its schedule of tuition and fees; (2) withdraw, cancel, or reschedule, or modify any course, program of study, degree or any requirement or policy in connection with the foregoing; and (3) change or modify any academic or other policy.

Essential changes of information in this Student Handbook concerning new academic regulations, policies, or programs, will be accompanied by notification via campus email. All members of the campus community are expected to routinely check their campus email. Updates that take place between publication dates will also be posted on the Student Handbook web site. It is the responsibility of each student to ascertain current information that pertains to the individual's program, particularly with regard to satisfaction of degree requirements by consultation with the student's advisor, the student's program, the office of the student's dean, the Office of Student Affairs, the Registrar's Office, and other offices as appropriate.

The Student Handbook is published online annually by the Division of Student Affairs and archived at the beginning of each school year. The information contained in the online version of the SUNY Downstate Student Handbook is considered the official version of all documents and policies. Should there be a Handbook or policy with a different version located elsewhere with different content, the web version on the Student Handbook web site should be considered the most current and most accurate. Any information contained in a particular version of the Student Handbook may be superseded by appending the online version. In the event that a conflict exists between information in the online Student Handbook and other sources (e.g., other university websites), the information in the online Handbook supersedes the information from other sources. Typically, the Handbook is published in August of each year and supersedes the previous version. Earlier versions of the Handbook also appear on the Student Handbook web site for archival purposes.

SUNY Downstate reserves the right to amend the Student Handbook at any time and without notice to reflect modifications in policy, law, or regulation. Federal and State law and regulations as well as external accreditation regulations and policies supersede information in the Student Handbook. All students are reminded that SUNY Downstate is subject to the policies promulgated by the Board of Trustees of The State University of New York.

The Student Handbook is reviewed annually prior to publication by the Division of Student Affairs, who coordinates updates to the Student Handbook in collaboration with the Deans of all of SUNY Downstate's five schools and colleges. Policies in each school/college section are reviewed and approved annually by each school or college's formally designated policy committee and submitted to the Division of Student Affairs. Campus-wide policies are subject to annual review by the SUNY Downstate Policy Committee and by the Council of Deans prior to publication.

Deadlines to propose changes to the Student Handbook are set according to the publication dates and are announced annually.

In preparing this Student Handbook, every effort has been made to provide pertinent and accurate information; however, SUNY Downstate Health Sciences University assumes no liability for errors or omissions.

The Student Handbook and any updated policies will be located on the Student Policies of the Downstate web site: https://www.downstate.edu/education-training/student-affairs/student-policies/index.html The Student Handbook can be made available in alternative format upon request.

The Student Handbook is produced by the Division of Student Affairs. Questions regarding the Student Handbook should be directed to studentaffairs@downstate.edu.

Wayne J. Riley, MD, MPH, MBA, MACP
PRESIDENT

DOWNSTATE
HEALTH SCIENCES UNIVERSITY

August 2026

Dear SUNY Downstate Health Sciences University Students,

Welcome to SUNY Downstate Health Sciences University and the 2026-2027 academic year!

For more than 165 years, Downstate has served Brooklyn, New York City, and communities around the world through excellence in education, research, patient care, and public service. Our history reflects a longstanding commitment to improving health, advancing scientific discovery, and preparing the next generation of healthcare professionals and leaders.

As a student at Downstate, you are now part of a vibrant and diverse academic community dedicated to excellence, innovation, scholarship, and service. Whether you are studying medicine, nursing, public health, biomedical science, or one of our many other health professions, you are part of an institution with a proud tradition of preparing graduates to make meaningful contributions to the health and well-being of individuals and communities.

Your education at Downstate will extend far beyond the classroom, laboratory, clinic, or research setting. It will be shaped by the patients you serve, the discoveries you help advance, the communities you engage, and the relationships you build with classmates, faculty, researchers, clinicians, and staff. These experiences will prepare you not only for a successful career, but for a lifetime of service and leadership.

Healthcare is more than a profession. It is a commitment to improving the lives of others. Throughout your time here, you will see that commitment reflected every day in the compassion, professionalism, and dedication of those around you. I encourage you to embrace every opportunity to learn, ask questions, challenge yourself, and contribute to

450 Clarkson Avenue | MSC1
Brooklyn, NY 11203
718.270.2611

Wayne J. Riley, MD, MPH, MBA, MACP
PRESIDENT

DOWNSTATE
HEALTH SCIENCES UNIVERSITY

the life of our University. Some of your most valuable learning will come through the people you meet, the challenges you embrace, and the communities you serve.

Downstate is guided by enduring values of excellence, professionalism, integrity, respect, diversity, inclusion, innovation, and service. These principles define our community and will serve as a foundation for your education and your future leadership.

This Student Handbook is an important resource. It provides information about University policies, programs, services, and resources, and I encourage you reference it throughout the academic year as you navigate the many opportunities available.

On behalf of our faculty, staff, administration, alumni, and the many patients and communities we are privileged to serve, I wish you a fulfilling, rewarding, and successful academic year.

Welcome to Downstate. Welcome to your future.

Kindest regards,

Wayne J. Riley, M.D., MPH, MBA, MACP
President

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Brooklyn, NY 11203
718.270.2611

DOWNSTATE
HEALTH SCIENCES UNIVERSITY

Jeffrey S. Putman, Ed.D.
Vice President for Academic & Student Affairs
Division of Student Affairs
SUNY Downstate Health Sciences University
T:718.270.2187 | F:718.270.7592
jeffrey.putman@downstate.edu

August 2026

Dear Students,

Welcome to the **2026-2027 academic year** at SUNY Downstate Health Sciences University!

Whether you are joining us for the first time or returning to continue your education, I am delighted to welcome you to our remarkable community. Thank you for choosing SUNY Downstate as the place where you will grow academically, professionally, and personally.

You belong here, and everyone at SUNY Downstate is committed to helping you succeed. Throughout your time here, you will be supported by faculty, staff, advisors, mentors, and classmates who are invested in your success. We believe in your potential and are honored to be your partners as you pursue your goals.

This Student Handbook is an important resource designed to help you navigate your Downstate experience. It includes University policies, academic expectations, student rights and responsibilities, campus resources, and information specific to your College or School. I encourage you to become familiar with it and refer to it throughout the year.

Your education extends well beyond the classroom, laboratory, clinic, or research setting. Some of the most meaningful learning takes place through the relationships you build, the organizations you join, the communities you serve, and the experiences that challenge you to grow. Get involved, attend campus events, seek out mentors, and take advantage of the opportunities and resources available to you.

Whatever profession you are preparing to enter, your time at Downstate will help you grow in your knowledge and skills, as well as in your professionalism, compassion, and ability to serve others. Learn from the diversity of experiences and perspectives within our community, and consider how you will use your education to improve the health and well-being of others.

Most importantly, reach out when you need us. Asking questions and seeking support are important parts of your success. ***You will not get in trouble for asking for help.*** In fact, we encourage you to reach out early, long before a small concern becomes a larger one.

On behalf of the Division of Student Affairs and the entire SUNY Downstate community, welcome. We are honored that you have chosen to pursue your education with us and look forward to supporting you throughout your journey. I wish you a successful, rewarding, and inspiring ***2026-2027 academic year***.

Warmest regards,

Jeffrey S. Putman, EdD
Vice President for Academic & Student Affairs

SENIOR LEADERSHIP ON CAMPUS



WAYNE J. RILEY, M.D., MPH, MBA, MACP

PRESIDENT, SUNY DOWNSTATE HEALTH SCIENCES UNIVERSITY



Heidi Aronin, MPA

Senior Vice President and Chief Administrative Officer



Charles Brunicardi, M.D. FACS

Senior Vice President, Dean of the College of Medicine



David Christini, Ph.D.

Senior Vice President for Research

Dean of the School of Graduate Studies



Kitaw Demissie, M.D., Ph.D.

Dean of the School of Public Health



Brigitte Desport, DPS,ATP, BCP, OTR/L

Interim Dean of the School of Health Professions



Lori A. Escallier, Ph.D., RN, CPNP-PC, FAAN

Dean and Professor of the College of Nursing



Jamie J. Grecco, JD
Chief Human Resources Officer
Senior Vice President and Chief of Staff



Keydron K. Guinn, Ph.D., MA, MBA
Special Assistant to the President



Balavenkatesh Kanna, MD, MPH, FACP, FACHE

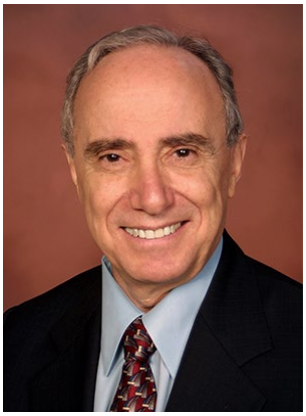
Chief Executive Officer University Hospital at Downstate

Vice President of Hospital Affairs



Shoshana Milstein, CHC, CHP, RHIA, CCS

Vice President of Compliance & Audit Services



Pascal James Imperato, M.D., MPH&TM, MACP
Senior Vice President for Academic Affairs
Chief Academic Officer



Richard Miller, Ph.D.
Campus Chief Financial Officer



James Minto
Vice President of Facilities Management & Development



Jeffrey Putman, Ed.D.
Vice President of Academic and Student Affairs



Dawn Walker, MPA
Vice President of Communications & Marketing

UNIVERSITY SERVICES

DIVISION OF STUDENT AFFAIRS

The Division of Student Affairs advocates for student success and empowers students to grow as professionals, as well as individuals, by providing a wide range of support services. We work with students across all five schools and colleges to explore ways to enhance the entire student experience and to develop solutions to issues and concerns, both individual and collective. With a **Students First** approach, the office serves as the student mentor, advocate and voice from the admissions process to matriculation to graduation.

The goals of the Division of Student Affairs are to:

- Serve as a central source of information
- Contribute to the academic mission by collaborating with faculty to positively enhance the student experience.
- Provide current and accurate programming and advising
- Ensure that the needs of students are met and relevant policies are developed or clarified as needed.
- Serve as the liaison for schools and colleges on issues that pertain to the student body.
- Support events that commemorate milestones and celebrate achievements

The Division encompasses several offices– Office of Admissions, Office of Financial Aid, Office of Student Affairs, and the Office of the Registrar. While many of you may be fairly self-sufficient, and require little or no assistance during your educational experience, others may need assistance from these offices. Several of the offices have extensive information on our institutional website (www.downstate.edu then go to "Information For You" and then "Current Students"). Check the website first. The section which follows also provides a guide for you. Office hours within the Division vary. Consult the posted hours for each office (current information listed below.)

OFFICE OF STUDENT ADMISSIONS

The Office of Student Admissions provides services to prospective students, applicants and accepted applicants to the Colleges of Nursing and Medicine, and the Schools of Health Professions and Public Health. Admission to the School of Graduate Studies is through the School of Graduate Studies and its departments. Following your admission into SUNY Downstate Health Sciences University, the Office of Student Admissions seeks students who are passionate about highlighting and sharing their experiences at SUNY Downstate with prospective students and accepted applicants to serve as student interviewers, tour guides, etc. As a currently enrolled student, you may help recruit other students to our schools by assisting with:

- Conducting campus tours and taking part in student panels on and off campus.
- Communicate with prospective students and accepted applicants by phone, e-mail, and online chat.
- Speak with interviewees to relieve their apprehension about matriculating to SUNY Downstate.
- Participate in regularly scheduled activities and events such as student hosting, campus tours, shadow-a-student, information sessions, research day, or peer-to-peer conversations.

If you would like to participate in any of these activities, please contact the Office of Student Admissions via email admissions@downstate.edu ; alternatively, you may visit the office in the Basic Science Building, Room 1-131 during their office hours 9am - 5pm Monday – Friday or contact them at 718-270-2446.

OFFICE OF FINANCIAL AID

The Office of Financial Aid is part of the Division of Student Affairs and is in the Student Services Center - Basic Science Building, Room 112. The telephone number is 718-270-2488 and our email address is financialaid@downstate.edu . Our office hours are 9:30am to 5pm or by scheduling an in-person appointment or virtual appointment. Additional information regarding financial aid policies and procedures is located on the financial aid web site: https://www.downstate.edu/education-training/student-services/financial-aid/index.html

The mission of Downstate Health Sciences University's financial aid program is to assist students in obtaining the necessary funds to offset the costs related to enrolling in their academic program. Financial Aid consists of loans, New York State and Federal grants,

Federal work study, and a limited amount of institutional grants and scholarships. Students wishing to be considered for an institutional grant or scholarship must supply parental, financial data on the Free Application for Federal Student Aid (FAFSA).

The primary responsibility for financing higher education rests with the student and their family. Financial Aid from Downstate is offered as a supplement to the contribution of students and families. The total amount of aid offered for a given academic year cannot exceed the total cost of attendance which includes tuition and fees, room and board, books and supplies, as well as other miscellaneous expenses related to attending school.

Students who are experiencing financial difficulties or who have questions regarding financial aid are encouraged to visit the Office of Financial Aid virtually or in person to discuss funding opportunities with a member of our staff.

Eligibility and How to Apply

The Free Application for Federal Student Aid (FAFSA) is available on line as early as October 1st on www.fafsa.ed.gov . The priority deadline for filing the FAFSA is March 1st for the upcoming academic year. Downstate Health Sciences University's federal code is 002839.

Undergraduate	**Graduate**
Must register for 6 or more credits each semester to receive aid	***Must have 5 or more credits to receive loans***
Must be registered for 3 or more credits to meet the Pell Grant eligibility requirements (see our web site)	***Must have 9 or more credits to receive grants***
TAP or NYS scholarship students must be enrolled in 12 credits to retain eligibility for their award. TAP is not available to graduate students.	

In addition to affecting initial eligibility for federal loans, the number of credits for which a student is enrolled affects the estimated cost of attendance used to determine the amount and type of aid that can be offered.

The enrollment level of all students is reviewed each semester, and students who do not meet eligibility requirements for the aid they have been offered will have their award adjusted accordingly.

Students enrolled in the Colleges of Medicine and Graduate Studies are subject to individual reviews of academic progress by the appropriate academic Grades and Promotions committee.

Satisfactory Academic Progress

To maintain eligibility for federal, state, and institutional financial aid, students must maintain good academic standing and make satisfactory academic progress towards the completion of their degree. Standard policies have been adopted by the School of Health Professions, the College of Nursing and the School of Public Health, that define the minimum acceptable grade point average, number of credits that must be completed in a semester, and the total number of credits accumulated while enrolled in the college. Students who encounter academic difficulties, including failure of one or more courses, or a cumulative grade point average below what is required by their program are encouraged to consult the Office of Financial Aid to determine the possible impact that their academic status may have on their continued eligibility for financial aid. You can find more information on our Satisfactory Academic Progress policies here: https://www.downstate.edu/education-training/student-services/financial-aid/sap/index.html .

Withdrawals and Return of Title IV funds

Any student who withdraws from all their course work for a semester, or who fails to earn a passing grade in at least one of their courses for a semester is subject to a review to determine the amount of Federal Financial Aid that was earned for that semester. Any unearned portion must be returned to the appropriate Federal Financial Aid program. You are advised to visit our web site and consult the Office of Financial Aid if you are considering withdrawing from all your courses so that you will know the impact this will have on your Federal Financial Aid for that semester.

Managing Your Finances

All students should undertake a financial inventory as they prepare to enter their academic program. It is imperative that students consider their credit history and strive to reduce their consumer debt as much as possible prior to enrolling. Review your credit card bills, personal loans, car payments, etc. as these prior debts will not be covered by the financial aid you anticipate for your upcoming academic year.

Visit the debt management section (https://www.downstate.edu/education-training/student-services/financial-aid/debt-management/index.html) of Downstate's Financial Aid website for information on debt and credit issues.

While student loans represent a significant resource for you to help offset the cost of attendance, anything you can do to minimize your reliance on borrowing will enable you to reduce your loan payments upon the completion of your degree. Investigate all the resources you may have at your disposal to help pay for your education. Have you saved or invested for your education? Do family members have resources you can utilize for your education? Does your employer provide tuition remission benefits?

Financial Literacy Tools

SUNY Smart Track®

Smart Track resources cover the spectrum of personal financial literacy, from budgeting, responsible credit card use and avoiding identify theft to the basics of banking, borrowing and it offers a bigger advantage to your college financial planning. Please visit: https://www.suny.edu/smarttrack/literacy/.

AAMC

The Association of American Medical Colleges (AAMC) offers practical advice regarding the monetary decisions you make before/during/after medical school.

https://www.aamc.org/services/first/first_for_students/

Other students may also find this information informative. In addition, the sites listed below may be useful in helping you address your consumer debt and monitor your credit status.

National Foundation for Credit Counseling

http://www.nfcc.org/

To Obtain Your Free Credit Report Annually:

https://www.annualcreditreport.com/cra/index.jsp

OFFICE OF THE UNIVERSITY REGISTRAR

The Office of the Registrar is part of the Division of Student Affairs and is in the Student Services Center on the first floor of the Basic Science Building in the Student Services Center - Room 112. Office hours are 9:30 am - 5 p.m. daily (appointments are available by request). The email address is registrar@downstate.edu . The office is responsible for class schedules, registration, course selection, course adds/drops, grades, transcripts, certification of student status, certification of academic good standing, loan deferments, veterans' affairs, licensure certification, and the maintenance of all academic records. Additional information regarding fees, charges and records policies are in the Sections of this Student Handbook.

Current students may review their academic records by requesting to do so by sending an email from their downstate.edu email address to registrar@downstate.edu and requesting an appointment. Appointments can normally be made in 1-2 business days.

Changes in local mailing address, including phone number, must be made on-line through Banner Self-Service.
Changes in permanent address must be reported promptly, in writing, to the Office of the Registrar.
Proof must accompany this request.

Change of Name

Current students who wish to change their name officially on school records must present an original proof of change (e.g., court order, marriage license) to the Office of the Registrar. Name changes are not granted after graduation or separation from SUNY Downstate.

Change of Residency

Continuing students who wish to apply for New York State Residency for tuition billing purposes, must file the appropriate application and supporting documentation with the Office of the Registrar, in accordance with the dates posted on the academic calendar.

Holds on the Academic Record

A hold on your academic record may prevent future registration, the processing of documents such as transcript requests or issuance of diploma and should be resolved as soon as possible. Holds can only be removed by the office that placed the hold.

State Licensure/ Registry Examination3

There is a $15.00 fee payable in advance to "SUNY Downstate" for the processing of State licensure applications. The Office of the Registrar is responsible for certification of State licensure applications. Licensure forms and payment are submitted through TranscriptsPlust at: https://www.credentials-inc.com/tplus/?ALUMTRO002839

Transcripts

Your SUNY Downstate transcript is securely linked to the TranscriptsPlus System hosted by Parchment Inc. You may find the link to TranscriptsPlus on our web site and obtain more information at: https://www.credentials-inc.com/tplus/?ALUMTRO002839 . **There is no fee to order a transcript.**

Diplomas

Diplomas are issued four times each year: May 31, June 15, August 31 and December 31. For all Colleges and Schools, diplomas are mailed to students 6-8 weeks after all grades have been received following one of the four (4) issuing dates and a diploma address has been entered on-line through Banner Self-Service. If students fail to provide a diploma mailing address, the diploma will be sent to the Office of the Registrar and held for a period of one year, after which they will be destroyed. Duplicate diplomas may be ordered for a fee of $30.00, which includes a certified mail fee. Acceptable reasons for requesting a duplicate diploma include a lost, stolen or damaged diploma. A notarized letter explaining the reason for the request is required.

Diplomas are issued in the student's official name at the time of graduation, and are not re-issued with a name that changes officially after the student's graduation date.

Students in a dual degree program will have their degrees conferred and diplomas issued at the same time.

Graduation Application

Students with expected graduation dates within that calendar year are required to file a graduation application to initiate a check of degree requirements and to order a diploma. Failure to file a graduation application by the deadline (see academic calendar) will result in not being able to participate in the commencement ceremony and a delay in the receipt of the diploma.

OFFICE OF STUDENT AFFAIRS

The Division of Student Affairs advocates for student success and empowers students to grow as professionals, as well as individuals, by providing a wide range of support services. We work with students across all five schools and colleges to explore ways to enhance the entire student experience and to develop solutions to issues and concerns, both individual and collective. With a **Students First** approach, the office serves as the student mentor, advocate and voice from the admissions process to matriculation to graduation.

The Goals of the Office of Student Affairs include:

- Serve as a central source of information
- Contribute to the academic mission by collaborating with faculty to positively enhance the student experience.
- Provide current and accurate programming and advising
- Ensure that the needs of students are met and relevant policies are developed or clarified as needed.
- Serve as the liaison for schools and colleges on issues that pertain to the student body.
- Support events that commemorate milestones and celebrate achievements

Stop by the Office of Student Affairs for assistance. The Office is located in the Student Services Center - Basic Science Building, Room 112. Telephone 718-270-1010, Email studentaffairs@downstate.edu. Office Hours are 9:30am to 5pm or by appointment.

The Office also serves as the Dean of Students' Office for students in all five colleges. Students in the College of Medicine should see the College of Medicine section for specific information about the role of the Dean of Students in the College of Medicine.

Accessibility Services

Students with accessibility needs who wish to request accommodations for their academic program are encouraged to complete the accommodations process prior to matriculation. The Office of Student Affairs coordinates these arrangements. Accommodate is a program used by Accessibility Services & Resources to manage student accommodations.

Students who wish to request accommodation(s) after they have matriculated into the college are required to complete the appropriate form available from the Office of Student Affairs. Please note that accommodations may require time to process or to put in place.

It has been our experience that accommodations to an academic program require an adequate lead time for review, consultation and notification to appropriate faculty and/or staff. You should plan no less than a one-month lead time from the date we receive your documentation to the first day of classes, for accommodations to be in place so that your transition is a smooth one. The Office of

Accessibility Resources and Services reserves the right to request additional information as part of the accommodation process.

Students with disabilities may request assistance from the Office of Student Affairs to complete the New York State voter registration form or to file a form appropriate for their state of residence.

International Student Services

Assistance is provided for immigration forms, and for matriculated F-1 students. SUNY Downstate J-1 Visa Holders are assisted in the Department of Human Resources.

United States Citizenship & Immigration Services (USCIS): https://uscis.gov/ (Many forms are available for downloading from the site; the Employment Authorization Card may be applied for electronically.)

State Department travel warnings, announcements and information sheets for every country: https://travel.state.gov/content/travel.html

Links to home pages of U.S. embassies and consulates throughout the world: https://travel.state.gov/content/travel.html

Jury Duty

Students who are summoned for jury duty may come to the Office of Student Affairs to request a letter stating their student status and request to have jury duty postponed. Allow 1-2 business days for the letter. There is no guarantee that students will have their jury duty postponed and New York State no longer accepts being a student as an automatic excuse. If the court imposes service, the student must serve. Students should notify course directors/instructors should this occur.

After two excused absences, students are generally required to serve on the third summons. It is recommended that the student identify a time period when they can serve (e.g. during a vacation period), and notify the court of those dates at the time of the first and no later than at the third excused absence. ***Students should not elect to postpone jury service via phone or other methods, but should always request to mail in their summons using this process.***

Letters of Recommendation

Letters of attendance and good standing (generally for health insurance eligibility, loan deferments, and away electives) are available through the Office of the Registrar. Letters of recommendation for scholarships, educational programs, or other academic activities requiring a more extensive letter may be requested by completing the form https://www.downstate.edu/education-training/student-affairs/_documents/ltrofrecrequestform_000.pdf. Allow a minimum of 5 business days for completion of the letter.

Student Health Insurance

SUNY Downstate Health Sciences University (DHSU) requires that the following registered, matriculated students have health insurance:

- All medical students
- All full-time undergraduate students (12 or more credits)
- All full-time graduate students (9 or more credits)
- All part-time students engaged in any clinical course work

Students must be enrolled at SUNY Downstate or on a registered leave of absence (and have requested coverage) in order to remain eligible for coverage, except as specified below.

Any student who currently has health insurance through the SUNY Downstate School plan, and will not have other coverage through a residency position on August 1, is eligible to purchase continuing coverage from the broker who handles our insurance. You only have 30 days from the end of coverage (July 31), to complete your enrollment. Please contact:

Health Sciences Assurance Consulting, Inc.

2477 Stickney Point Road, Suite 207B

Sarasota, Florida 34231

(888) 978-8355

E-mail: SUNYDMC@hsac.com

Information about the mandatory health insurance school policy for all enrolled students is available in the Office of Student Affairs and on our web site. United Healthcare Student Resources is the insurance carrier for the policy and specific questions regarding enrollment or benefits should be directed to DHSU's insurance broker, Health Sciences Assurance Consulting, Inc. The toll-free telephone number is (888) 978-8355.

United Healthcare Student Resources also provides a personal website to access things like claims status, printing ID cards, EOB's and

the ability to locate providers. To register, simply select the "Create Your Online Account Now" link from the top right corner of the home page http://www.uhcsr.com under the brown header labeled "Direct Links." You should only need your name, date of birth and email address (try personal if your school email doesn't work) to sign-up. If you are trying to register, and have received your medical ID card, you can use your SR ID number instead of your email to complete the registration process.

Students who have an alternative comparable health insurance policy can waive the student health insurance charge up to the last day to add/drop for any given semester. (Students who remain enrolled on their student account after the last day for add/drop for a given semester will be ineligible for a refund and must pay the premium for the entire semester. It is the responsibility of the student to check their bill and ensure that a waiver has been processed.) Students can only waive or add coverage during designated enrollment periods in August and January, except for students approved for state-sponsored insurance programs approved through the NY State Health Care Exchange (or equivalent). Students who lose/change alternative health insurance coverage must inform the Office of Student Affairs immediately.

OFFICE OF STUDENT ACADEMIC SERVICES

The primary goal of the programs offered by the Office of Student Academic Services (OSAS) is to help SUNY Downstate Health Sciences University students achieve their full academic potential. In order to achieve this goal, OSAS provides academic counseling, content tutorials, and testing in both group settings to students in all schools and colleges at SUNY Downstate Health Sciences University, including College of Medicine, College of Nursing, School of Graduate Studies, School of Health Professions, and the School of Public Health.

The OSAS works closely with students, deans, and faculty by offering programs on efficient and effective approaches to learning in all schools and colleges. Seminars, workshops, and/or individual training are provided in the following areas:

Exam Taking Strategies: Students learn efficient exam taking skills that enable them to complete program and board exams in a timely manner and avoid careless errors. Problem solving and reasoning skills are addressed in this context. Seminars on how to prepare for exams, and individual counseling regarding overcoming test taking anxiety are also offered.

Memory Strategies: Approaches to improving working memory and effort regulation are presented to help ensure effective, long-term mastery of the plethora of facts and details. Instructions on how to organize, select resources for, and implement an efficient learning review are offered.

Reading Efficiency: Advice is offered on how to use, read, and integrate texts with other study resources.

Resource Management: Strategies for the use of a multitude of learning resources, including lectures, labs, textbooks, course handouts, supplemental electronic resources, small group instruction, and problem sets are offered. Students are advised on methods to develop time-effective and organized approaches to learning using these resources.

Self-Regulated Learning Strategies: Students are offered academic counseling on self-directed learning methods of knowledge organization, elaboration, rehearsal and integration of information to facilitate long term retention of information and effective problem solving.

Time Management: Approaches to implementing an efficient study program that includes effective organization and management of time are offered to help students learn to plan their classes, study time, leisure and day to day living activities to attain high levels of productivity. Advice on time management personality characteristics for efficient learning is offered.

Tutorial program: Peer tutorial programs are available to students upon evaluation by an OSAS academic counselor. Upper-level students, who are trained and supervised as tutors, provide both individual and group tutorials.

For further information, contact:

Dr. Seth Langley, Ph.D.

Associate Vice President, Student Academic Services

HSEB 6027, Box 1190, 718.270.7536

Website: https://www.downstate.edu/education-training/student-services/academic-support/

BURSAR'S OFFICE

The Office collects all monies except hospital patient receipts. These collections include tuition, residence hall rents, registration deposits, library fines and fees, and residence hall damage fees. The office also disburses all checks made available through all federal loan and scholarship programs, state scholarships and TAP awards, local center loan and scholarships, and guaranteed loans.

The cashier's window of the Bursar's office is open 10:00am to 4:00pm

The Bursar's Office accepts Visa, MasterCard and the Discover cards in person and online for payment of tuition, fees, and residence hall rent charges. Students with questions concerning the calculation, deferment, or payment of their charges can call us Monday through Friday from 9 A.M. to 4 P.M. at (718) 270-1124 or 270-3048.

Students are not considered registered for the term unless they have settled their institutional charges. The exact due date can be found on a student's e-Bill or the invoice. This invoice or E-bill can be obtained on-line approximately one month prior to the payment due date. The student is also informed of the due date by email and the student can also review due date information on the Bursar's webpage.

New: Students receiving refunds in excess of tuition, fees and other charges can now sign up for Direct Deposit.

Please monitor your Downstate email account for important information regarding billing deadlines.



STUDENT LIFE: STUDENT CENTER AND STUDENT ACTIVITIES

OFFICE OF STUDENT LIFE

The Office of Student Life staff are located in the Student Center. They will be happy to answer questions for any student or group of students on matters of concern to them. The following is within their area of responsibility: methods and procedures for organizing an event, club/organization registration, the Student Center calendar, and alcohol policy and facility capabilities as they relate to student events and activities, as well as any inquiries regarding the Mini-Course Program or Intramural Activities.

Student Center

The Student Center, located at 394 Lenox Road, is the focal point of campus social, cultural, and recreational activities. The Center provides rooms for meetings and small lounges for reading, group study, or just relaxing. Two pianos are available, as well as a television with cable TV.

Students paying a Student Activity fee are automatically members using their Student IDs. Spouses/domestic partners and their children (under the age of 18) of students may be included at no cost.

Recreational facilities include a gymnasium, sauna, squash courts, an outdoor tennis court, billiards, foosball, and table tennis. Physical fitness equipment includes a multi-station gym, bar bells, and an array of bodybuilding and cardio equipment.

Hours of Operation: Monday to Friday, 7 am to 8:30 pm, Saturday- Closed, Sunday 3:30pm to 8:30pm

The Student Center is closed on weekends from Memorial Day through the 2nd weekend in August. The Student Center is also closed the last week in July for annual cleaning, and the week between Christmas and New Years.

Student Center Hours are subject to change.

Student Center Mission Statement

The Student Center has been established to further the educational mission and goals of SUNY Downstate Health Sciences University. The Office of Student Life offers programs and services which provide for the personal, professional, social, and cultural development of the students, staff, faculty and alumni of the University. In pursuit of this objective, the Student Center will:

• PROVIDE programs and services which enhance the educational experience of students, and which promote the successful accomplishment of academic goals

• DESIGN and implement programs and services which contribute to the growth and development of individual students, student groups, and the campus community as a whole

• COORDINATE, develop, and implement programs, resources, and services to assist members of the campus community in the planning and presentation of events

• ENCOURAGE, develop, and employ strategies for increasing interaction among the many diverse groups within our multicultural community

• ENSURE that it effectively serves its role as the campus community center, thereby creating and strengthening a strong sense of campus identity; and

• SUPPORT opportunities for the students to explore (and enhance) their individual skills and talents outside the classroom

Student Center Policies

Any student or group of students planning an event on campus should be aware of the following policies:

1. Alcohol

Consumption of alcoholic beverages is permitted in public areas in the Student Center only through registration of the event at the Student Activities Office.

2. Room Reservations

All Student Organization events held on campus must be approved and scheduled in advance to ensure space availability and appropriate implementation. Space may be reserved by registered Student Organizations for approved meetings, social, and recreational events by filing a Room Reservation Form at the Student Center. Reservations are not accepted by telephone.

Space is limited - reservations should be made a minimum of two weeks in advance, except for large events, which require one month's notice.

3. All sponsored events must be registered for the sake of communication and avoidance of conflicting schedules. All events will appear on the Student Center calendar.

4. Private Parties: Please note that SUNY policy prohibits the use of space for private parties.

STUDENT CLUBS & ORGANIZATIONS

There are over fifty clubs and organizations active at Downstate for all interests and programs. Most clubs are open to all students and have meetings and/or activities on a monthly basis. Club and Orgs are required to sponsor four events and complete one Community Service project each year, which range from giving flu shots to park clean-up. A list of currently active organizations is below and more information can be found at the Student Center website: https://www.downstate.edu/education-training/student-services/student-organizations/index.html

FOR ADDITIONAL INFORMATION REGARDING CLUBS AND ORGANIZATIONS, PLEASE CONTACT THE STUDENT CENTER AT 718-270-2487 OR BY EMAIL AT STUDENTCENTER@DOWNSTATE.EDU.

RESIDENTIAL LIFE

For additional information concerning housing, please feel free to write or telephone:

Office of Residential Life and Services
SUNY Downstate Health Sciences University
450 Clarkson Avenue, Box 115
Brooklyn, NY 11203
Telephone: 718- 270-1466
Fax: 718- 270-1467
E-Mail: Residentiallife@Downstate.edu
Web: https://www.downstate.edu/education-training/student-services/residential-life/index.html

ON-CAMPUS LIVING

SUNY Downstate Health Sciences University believes that the experience of living in the Residence Halls has a significantly positive impact on students' personal development and academic success.

The mission is simple: To provide a safe & secure living environment that supports our student's academic and personal success. We accomplish this mission by providing well maintained facilities and excellent customer service.

Our residential community is an inclusive, academic support environment which emphasizes both individual freedom and community responsibility. We seek to foster an environment where students can create bonds that will last them long after their time at the university is successfully completed.

Two residence halls, located at 811 and 825 New York Avenue, and directly across the street from academic facilities, accommodate up to 400 students. Assignments for the academic year are made during spring semester. All students are expected to sign a contract for the duration of the academic year. Information regarding procedures and policies for living in the residence halls can be found in the Residential Life and Services Student Handbook, which is available on-line to resident students.

Types of On-Campus Living Accommodations

Standard Room (Single or Double occupancy)

Each Standard Room contains a bed, desk, dresser, closet and lamp for each occupant. Toilet facilities are shared with the adjoining room. Standard rooms are located on the second and third floors in each building and are same gender floors. Community shower rooms are provided for the residents on these floors. Community kitchens for students on these floors are located on the first floor. Single occupancy units may be available based on demand and availability.

Studio Apartment (Single or Double occupancy)

Each studio apartment contains a bed, desk, desk chair, dresser, and closet for each occupant plus a standing floor lamp. Each apartment contains a compact kitchen, dining table and private bathroom. Single occupancy units may be available based on demand and availability.

Two-Bedroom Apartment (Double occupancy)

Each bedroom contains a bed, desk, desk chair, dresser, and closet plus a standing floor lamp. The apartment also contains a compact kitchen, dining table and private bath.

OFF-CAMPUS HOUSING

The Office of Residential Life and Services provides interested students with information on available housing options outside of the residence halls. An off-campus housing list is maintained by the Office of Residential Life and Services as a service to Downstate students and staff. SUNY employees do not inspect, approve/supervise any off campus premises. SUNY Downstate Health Sciences University does not become a party to any private landlord/tenant matters.

For more information, contact:

Off-Campus Housing
Office of Residential Life and Services
450 Clarkson Avenue, Box 115
Brooklyn, New York 11203
Telephone: 718-270-1466
Fax: 718-270-1467
Email: ResidentialLife@Downstate.edu
Web: https://www.downstate.edu/education-training/student-services/residential-life/index.html

STUDENT HEALTH AND COUNSELING CENTERS

STUDENT HEALTH CENTER

The Student Health Center provides primary care for acute conditions, illnesses, and injuries to full-time and part-time matriculated students at SUNY Downstate Health Sciences University. It also provides routine health clearances, immunizations and tuberculin testing when needed.

Student Health also includes, at no extra charge, a Student Counseling Center for all matriculated students.

The Student Health Fee is mandated by the State University of New York.

Services are not provided to students not paying the Student Health fee, students on leave of absence, or to the families of matriculated students.

The Student Health Center makes available matriculated student's preventive, therapeutic, and consultative medical care. Although there is no charge for the office visit to the Student Health Center, the coverage provided by Student Health does not include the cost of medications, hospitalization, laboratory fees, radiology fees, psychiatric care (other than initial evaluation and counseling by an on-campus clinical psychologist), dental care, or consultation with physicians other than the Student Health Center physicians. All full-time students and part-time students enrolled in clinical course work are required to obtain health insurance, and may purchase the policy offered by the school, or provide documentation of equivalent or better coverage from another insurance company. If you choose outside health insurance, you are responsible for the adequacy of this coverage in paying all medical bills including laboratory, x-ray, private consultation fees, hospitalization, ambulatory surgery, emergency room and ambulance expenses. You should carry your health insurance card at all times.

Students in the School of Graduate Studies who are covered by the SUNY Graduate Student Employee Health plan may come to Student Health for primary care.

Medical care is offered to students on a voluntary basis, and it is not the policy of Student Health to interfere with care rendered by the students' personal physicians. However, it is to the students' advantage to make known to Student Health any illness or absence due to illness. While details of illnesses are strictly confidential, if the student requests and gives written authorization, information can be released to designated members of the College's academic administration.

Location, Hours and Staffing

The Student Health Center is located at 440 Lenox Road, Suite 1-W. Current hours of operation are Mondays through **Fridays 8am-4pm (Closed on weekends and holidays).** Telephone numbers: (718) 270-2018 and 270-**4233. After hours and on weekend, call and/or report to** the University Hospital at 718-270-4577 or 718-270-4580

Patients are seen by physicians or nurse practitioners, in order of arrival, but severely ill/contagious patients will be given priority.

Clinic visits must be scheduled on the Student Electronic Health Record, Medicat (except for sick and emergency visits). Walk-ins are acceptable in some cases

ELECTRONIC HEALTH RECORD: MEDICAT- https://downstate.medicatconnect.com
Cloud-based Student Health Portal, a safe and secure way for students to engage with the Student Health staff.

- Document upload
- Self-scheduling
- Mobile self-check-in
- Secure messaging with providers
- Automated forms based on appointment type
- Immunization record maintenance & accessibility

STUDENT HEALTH CENTER STAFF:

Mona Pervil-Ulysse, MD - Director, Student & Employee Health Centers - mona.pervil-ulysse@downstate.edu

Grace Akpan, DNP, FNP-BC, RN - Nurse Practitioner - Phone: 718 270 4235 - grace.akpan@downstate.edu

Schnell Lafortune - Operations Administrator - Phone: 718 270 3945 - schnell.lafortune@downstate.edu

Nylese Penn - Student Coordinator - Phone: 718 270 2018 - nylese.penn@downstate.edu

Services Available Through Student Health

Primary care, including the assessment and management of acute illnesses and injuries.

- Referral to subspecialists or specialty clinics, as necessary.
- Referral to a gynecologist for routine care including contraception.
- Referral to psychiatrist or psychologist
- Annual health assessments, tuberculin tests (available at any time, required annually), immunizations as required by New York State.
- Health clearance for clinical affiliations.
- Influenza vaccine. Other vaccines, including varicella and those needed for travel if available.
- Health education (good health practices, diet counseling, blood pressure monitoring, drug and alcohol counseling).
- Confidential HIV testing and counseling, no charge

Services provided to you by outside physicians, laboratories, or hospitals, and when you are not on campus, are not covered by the Student Health Fee, and should be covered by private insurance.

Reproductive Health –Medication/Prescription Abortion Information and Referrals

On May 2, 2023, New York State Governor Kathy Hochul signed legislation into law (A1295-C/S1213-B) that requires all public colleges and universities in the SUNY and CUNY systems to offer access to medication abortion. The law requires that every SUNY and CUNY campus provide access to abortion medication to their student body either by employing or contracting with authorized individuals who may prescribe abortion prescription drugs, or by providing students with information and referrals to providers authorized to prescribe abortion medication.

- *Student Health Center:* Student Health will continue to evaluate and support students who are or become pregnant. Our providers will educate pregnant students on all options available to them, including those who wish to have an abortion.
- *Downstate University Hospital Department of Obstetrics and Gynecology:* Students can opt to be seen on campus through the SUNY Downstate Department of Obstetrics and Gynecology outpatient service in Suite G of University Hospital. Our clinicians provide a full array of gynecological, prenatal and perinatal services, including access to medication for abortion. You can schedule an appointment directly with our clinicians by calling the Centralized Appointment Service at (718) 270-7207. (Student Health can also refer you for an appointment, but a referral is not required.)
- *Care from Other Local Hospitals or Service Providers:* Students can also be referred by Student Health to other local providers or agencies who accept their insurance. There are many providers located in Brooklyn and the New York metropolitan area who can provide care and give access to medication for abortion.

Health Forms/Regulations

To facilitate the care of health problems arising during your attendance in school and to be following the New York State Health Code, you are required to submit a completed and current health form to the Student Health Center before you register for the first time. This form must be filled out by you and your private physician.

Registration by continuing/returning students for any subsequent year at Downstate is dependent upon satisfactory annual health clearance, including an annual tuberculin test, by the Student Health Center at SUNY Downstate Health Sciences University. Students with potential exposure to patients in respiratory isolation are required to be fitted with a NIOSH-approved TB mask, as per OSHA regulations. This will be done by the Student Health Center.

Proof of immunity to measles, mumps and rubella is required by New York State Public Health Law 2165 prior to matriculating. Proof of such immunity is described in the Student Health Form. In addition, students are required by New York State to complete and submit a Meningitis Information Response form. For students working in patient care areas where they will be exposed to blood or body fluids, the hepatitis B vaccine should be taken prior to matriculation unless the student is already immune.

The student health history, physical examination, immunization and laboratory test report form the foundation of the medical record in the Student Health Center. This record is initially reviewed by the Student Health Center medical staff. Any deficiencies or abnormalities are then reported to you for follow up prior to your matriculation. After you have enrolled at SUNY Downstate Health Sciences University this record serves as a reference for future care given by the Student Health Center or by outside medical consultants.

The information in your health record is entirely confidential and is accessible only to the professional staff of the Student Health Center and any medical consultants caring for you. In addition, as required by the New York State Health Code, information regarding your immunity to infectious diseases, your tuberculin status, chest x-ray and, possibly in the case of contagious disease, otherwise confidential information will be given to you to bring to appropriate infection control personnel in any medical facility in which you work as part of your curriculum. In all other cases, information will be released only with your written authorization in compliance with HIPAA regulations, or pursuant to a lawfully issued subpoena. All records made by the Director of Student Counseling are separate from the Student Health Center record and are likewise entirely confidential.

Diagnostic and Therapeutic Medicine

When in the judgment of a health provider in Student Health a diagnostic evaluation of the student's health becomes necessary, an exam will be carried out in Student Health and/or referral will be made to consultant(s) in University Hospital of Downstate. This includes gynecologic care. Routine and specialized laboratory tests as well as x-ray or other imaging studies are available through Student Health but will entail charges by the hospital and radiologist. All medications are to be obtained at an outside pharmacy and are to be paid for by the student.

Medical Emergencies

If you have a medical emergency when the Student Health Center is closed, you should go to the nearest emergency room.

If you are in the vicinity of Downstate Health Sciences University, and the Student Health Center is closed, and you have an urgent medical situation, you may visit the Emergency Services Department in the University Hospital of Downstate, and inform the physician that you are a student at Downstate Health Sciences University. All visits to an emergency room should subsequently be reported to the Student Health Center.

1. **Always** carry your insurance card.
2. Use the University Hospital of Downstate emergency room only for true emergency situations. For other illnesses, go to the Student Health Center during the hours of 8a.m. to 4 p.m., Monday through Friday.
3. When you register as a patient at the University Hospital at Downstate ER, make certain that the computer reflects your current name, address and telephone number and current insurance coverage (if you have used the University Hospital at Downstate ER in previous years, they may have your old insurance coverage information on file). Be sure to identify yourself as a SUNY Downstate Student in the event you need to be assessed for an emergency visit.. **Note that there is a co-pay on the school insurance plan**. University Hospital of Downstate's ER and its Emergency Medicine physicians are participating providers in the school-sponsored health insurance plan (United Healthcare), which includes coverage for ER visits. There should be no charge other than the $50 co-pay for ER services for students enrolled in the school-sponsored health insurance program.
4. For all visits to the ER at the University Hospital at Downstate will be billed to the student's insurance plan.
   a) If you have a question about the school-sponsored insurance coverage for a bill, call HSAC, Inc. at **1-888-978-8355.** (Email SUNYDMC@hsac.com). They will investigate the claim and make certain that you have received all the benefits to which you are entitled. Note: The policies and procedures regarding the school sponsored health insurance plan are subject to change. Consult the student affairs website/student health insurance for current information.
   b) If you have other insurance coverage (***not*** the student plan), you are responsible for investigating/paying the bill if there is one.

5. Any residual bills (**other than the** $50 co-pay on the school insurance plan) not paid by the school-sponsored insurance plan should be brought to the attention of the Director of the **Student Health Center**. You must bring your bill and the Explanation of Benefits to the SHC at 440 Lenox Road, Suite 1-W. See the Director or designee in person to discuss the bill. Do not just drop the bill off and leave.
6. **Do not ignore** a bill from the hospital or from a physician. It will invariably go to a collection agency.

IMPORTANT HEALTH INFORMATION

SUNY Downstate Health Sciences University and its affiliated hospitals have protocols for exposure to blood and body fluids. It is important for you to be aware of the procedure no matter where you are.

EXPOSURE TO BLOOD AND BODY FLUIDS

If you receive a needle stick injury or blood exposure while on a clinical rotation, it is important to follow these steps:

1. Immediately cleanse the area with soap and water. If your eyes or mucus membranes are involved, flush with saline. Bring any wound needing suturing to the attention of the appropriate emergency facility.
2. Report all exposures to your supervisor, and to the Student Health Center as soon as possible. They will initiate the proper reporting procedure and treatment, if required.
3. If exposure occurs during evenings, nights, weekends or holidays, come to the Emergency Services Department at the University Hospital at Downstate. If you are at another hospital, report immediately to your supervisor and/or the emergency room. Identify yourself as a SUNY Downstate Health Sciences University student. If you are at Kings County Hospital, go immediately to the Emergency Room at Kings County Hospital.
4. Report the exposure to the Student Health Center at the first possible opportunity. The Student Health Center will provide immediate and/or follow up care to you. The Health Center will also attempt to contact the proper authorities at the hospital where the exposure occurred to obtain information regarding the possibility of contagious disease in the source patient.

IF YOU WILL BE WORKING WITH PATIENTS OR HANDLING POTENTIALLY INFECTIOUS HUMAN MATERIALS AND YOU ARE NOT ALREADY IMMUNE TO HEPATITIS B, YOU ARE URGED TO TAKE THE HEPATITIS B VACCINE. AT THE PRESENT TIME IT IS PROVIDED FREE OF CHARGE IN THE STUDENT HEALTH CENTER. IF YOU DO NOT WANT TO TAKE THE VACCINE, YOU ARE REQUIRED TO SIGN A DECLINATION FORM.

ANNUAL LECTURES BY HOSPITAL EPIDEMIOLOGY ARE MANDATORY FOR ALL STUDENTS AT SUNY DOWNSTATE WHO HAVE PATIENT CONTACT (OSHA REGULATIONS). THESE LECTURES EXPLAIN IN DETAIL THE ABOVE PROCEDURE AND PROVIDE VALUABLE INFORMATION ON PROTECTING YOURSELF AGAINST SUCH EXPOSURES.

IMPORTANT TELEPHONE NUMBERS

718 270-2018 Student Health Center phone

718 270-2901 Student Health Center fax

718 270-1408 Student Counseling Center 7

718 270-4577 Emergency Dept., University Hosp. Downstate

Psychological Counseling and Psychiatric Care

Psychological counseling is provided on a full-time basis by the Director of Student Counseling Center and licensed Psychologists. Consultations and short-term counseling is free of charge to matriculated students.

Medical Records Upon Graduation

Upon request, the Student Health Center will provide you with copies of your immunization records, tuberculin testing, and laboratory reports. The Student Health Center will not perform pre-employment exams or laboratory tests required by other institutions.

Student Health Advisory Committee

The Student Health Advisory Committee includes members of the faculty, Student Health Center, Student Counseling Center, administrators, and students. The role of the Committee includes making recommendations regarding campus health, counseling and wellness services, health insurance, the utilization of the yearly student health fee and any other student health issues. The Committee serves as an advisory body. Students with questions or suggestions are encouraged to speak to the Director of the Student Health Center or the Office of Student Affairs.

STUDENT COUNSELING CENTER

Overview

The Student Counseling Center is part of the Student Health Center and provides counseling and psychological services to all matriculated students in the Colleges of Medicine and Nursing and Schools of Health Professions, Public Health and Graduate Studies. The Center is staffed by licensed mental health clinicians who have extensive experience in the field of student counseling. The Counseling Center is not a part of the administration of the University. There is a firewall between the Counseling Center records and anyone else. All information shared with the counselors is strictly confidential and cannot be shared with anyone else without the student's consent. The very limited exceptions to confidentiality are related to the possibility of self-harm or causing harm to others.

Counseling Services offered at Downstate are included in the Student Health Fee and are provided at no charge to matriculated students. A student's health insurance is never billed. The Student Counseling Center has been established to help students deal with academically related stress as well as with any other personal problems that can interfere with their performance in school or their mental health overall. Some of these problems include but are not limited to anxiety, fear, depression, poor school performance suicidal thoughts, loneliness, anger, low self-esteem, feeling overwhelmed, interpersonal difficulties, imposter syndrome, family and relationship problems, gender and sexuality identity issues, feelings related to bias issues, microaggressions, cultural challenges, habit control problems such as overeating, alcohol and substance misuse, adjustment to living away from home for the first time.

The Student Counseling Center is located at 440 Lenox Road, Suite 1M. We provide both in-person and remote counseling. We encourage students to be seen in-person, if possible, but we are equally glad to work with students remotely. The easiest way to schedule an appointment is to go to the Medicat portal on the Student Counseling website at: https://www.downstate.edu/education-training/student-services/student-counseling/ You will see all available appointments, choose between in person or Telehealth and will be able to fill out the necessary Intake and Consent forms. Counseling services are available Monday – Thursday from 9am – 6pm and Friday from 9am – 4pm. We are closed on Saturdays, Sundays, and holidays. Earlier morning hours or later evening hours can also be arranged by emailing counseling@downstate.edu or calling 718-270-1408. In an emergency after hours or on weekends, students may contact the Emergency Services unit of the University Hospital at Downstate, 470 Clarkson Avenue, Also see additional emergency resources below.

Services provided

Short-term individual counseling.

Psychiatric Care for medication management and cognitive behavioral therapy (CBT) is provided through a partnership with the Department of Psychiatry at our sister school, SUNY Upstate, via The Student Tele-Psychiatry Network (STPN). For students seeking these services, the referral is made through the Student Counseling Center. The student will have an initial Intake by one of the Student Counseling Center clinicians. If it is decided that a referral for medication or CBT treatment is appropriate, the student will then be referred to STPN. The referral process is entirely confidential, and treatment at STPN is free of charge.

Psychiatric care is also provided by a part-time psychiatrist who is a staff member at the Counseling Center. Those appointments are available after an Intake at the Counseling Center.

A weekly Wellness group providing Meditation & Yoga is provided remotely and once a month in person.

We are planning on offering occasional Groups geared to address specific challenges such as stress management, anxiety, imposter syndrome, coping skills, transition to graduate education and overall wellness.

If more extensive treatment is required

We know that being a graduate student can be extremely stressful and that sometimes more than short term counseling is needed and some problems require a referral to an outside facility. We work with students to guide them in the referral process for providers outside of the Downstate system. Some examples of these are long-term psychotherapy, marital and couple therapy (if one of the spouses is not a student), or help with a substance misuse problem. If a referral is made to an outside facility or practitioner, any cost for which the student is not insured will be borne by the student.

Emergency Services

Below are two confidential, anonymous free mental health emergency services available 24/7 for students if they are experiencing difficult feelings such as loneliness, stress, depression, or thoughts of suicide. Counselors are trained to build rapport and trust. They can help explore issues, determine goals, and come up with temporary solutions. These services are both available 24 hours a day, 7 days a week, and are particularly helpful if someone is experiencing an emergency at nighttime or on weekends when other options are not available.

Suicide Crisis Lifeline

Call 988

Trained counselors are available to speak on the phone 24/7. In addition to providing support they have access to extensive local resources for referrals.

Crisis Text Line

Text Got5 or to 741741

Trained counselors are available for texting conversations 24/7.

This service is provided free through a partnership between The New York State Office of Mental Health and Crisis Text Line

We strongly encourage students to schedule appointments sooner rather than later. It is much easier to address any issues before they become emergencies. Please do not hesitate to reach out to us. There is no obligation to continue counseling after your initial session if either the one session is sufficient or you choose not to continue.

For further information or if you have any questions, please contact the Counseling Center at counseling@downstate.edu or 718-270-1408.

THE MEDICAL RESEARCH LIBRARY OF BROOKLYN

History

The library traces its roots to 1845 when the Library of the Medical Society of the County of Kings was established in response to physician demand for current information necessary to practice medicine. The Library of the Long Island College of Medicine had its roots in the Hoagland Library of the Long Island College Hospital (Collegiate Division), which began educating students in 1860. The merger of the libraries of these two institutions in 1962 created the fifth largest medical library and third largest medical school library in the nation at that time. In November 1991, the Medical Research Library of Brooklyn moved to a 65,00 sq. ft., 200 seat, self-contained facility in the Health Sciences Education Building. In August 2010, the Library Information Commons opened to provide access to study spaces and electronic resources. The Information Commons is available during staffed and limited non-staffed hours.

Hours

Library Staff Hours

Monday-Thursday	8:00 am	–	9:00 pm
Friday	8:00 am	–	5:00 pm
Saturday	9:00 am	–	5:00 pm
Sunday	12:00 pm	–	9:00 pm

Non-Staffed Hours – Monday-Friday 9:00 pm –11:00 pm

Holiday Hours are posted on the library's website

Collections

The collections of the library support the clinical, research, and academic(medicine, nursing allied health and public health) missions of the institution. There are over 261,064 journal volumes in print and electronic formats and over 54,491 monographs in print and electronic formats as well. The library continues to expand its electronic resources in books, journals and databases, which provides remote access 24/7. X7430.

Archives and Special Collections

This unit houses materials, which document the history, achievements, and activities of SUNY Downstate Health Sciences University. The Archives also holds manuscript collections of prominent Brooklyn physicians and materials, which document the history of medicine, health care and medical education in Kings County.

STAFF (Unit Heads)

The Library staff is available to provide access to educational and informational resources. If you have any questions, please contact us.

LIBRARY SERVICES

Access Services/Inter-Library Loan

Materials circulate from this desk. Student rooms can be checked out here. Students are automatically registered. Faculty and staff need to register separately. The Inter-Library Loan service uses the ILLIAD system that allows users to create personal accounts and monitor their requests for material not owned by the library. Delivery is usually in electronic format. This service is available to anyone

with a SUNY Downstate ID card. x7401

Reference staff provides both online and live help and are available on call from Monday - Friday and via web request: http://library.downstate.edu/directory/refform.htm. One on one and group consultations are also available upon request. Online tutorials for using the resources are available via the library's web page. x7405

Library Resource Management Services staff is responsible for acquiring, licensing, and paying for the information resources of the library. They ensure the currency and accuracy of resources held within the collection, including the catalog. They are also responsible for preserving the collection. X7430

The Advanced Learning Resource Services includes The Advanced Learning Resource Center, Classroom Services, AV Delivery/Support. The Learning Resource Center is designed to meet small group and independent learning needs. There are over 50 computer carrels, and the PC training room. X7423.

Education Services provides curriculum-related and clinical support classes. **Interlibrary Loan (ILL)/Document Delivery**

ILL is a service offered to Downstate students, faculty and staff that provides electronic scans of articles and book chapters, monographs, and audiovisual materials that are not owned by the Library. Document Delivery is a service that provides the electronic versions of articles and electronic book chapters for items that are available in our collection.

Copyright

Copyright services is a service that educates faculty, staff and students on the application of copyright law and provide information about copyright on campus. The copyright manager assists with questions concerning course packs, classroom handouts, electronic course material and library reserves, as well as what materials can or cannot be uploaded for student use.

Photocopying/Printing

Photocopying and printing cost 15 cents per page. Color printing is available for 75 cents per page. One card for printing and photocopying is available for $1. Value may be added to the cards at dispensers located on the main and lower levels of the library. Users may also scan to email or USB drives at no cost.

Visitor Policy

Application forms for visitors may be obtained from the Access Services Desk. Completed applications must be received 5 business days prior to the day of the planned visit to be processed for approval.

NOTE: Children are not allowed in the library.

Food/Beverages

The front of the Library Information Commons is a designated food area. Food is NOT allowed in any other part of the Library. Beverages in LIBRARY-APPROVED spill-proof containers are allowed in the library. Further inquiries may be made of any library staff member.

FACULTY STUDENT ASSOCIATION (F.S.A.)

Located in the Student Center, Room 2-09, the Faculty Student Association (FSA) is the campus auxiliary service corporation providing many business and accounting services to the Downstate Health Sciences University community as an independent, not-for-profit IRS 501(c)3 corporation with a Board of Directors comprised of administrative, faculty, and student representatives. The FSA administers the student activity fees and sponsors special programs and projects for the general welfare of the campus community.

Zipcar Service

Save and help the environment more when you share your rides and errands with fellow students!

For ALL Downstate Students, Faculty, Staff, and affiliated entities. Gas & insurance are included. Being a member of Zipcar eliminates maintenance, car payments, parking and parking tickets amongst other things. We all know the hassles of owning a car while on campus and we wanted to give you a solution: Zipcar. You can avoid the pains of having your own car on campus all while helping the environment because Zipcar, the world's largest car sharing organization, offers a convenient and ecofriendly alternative to owning an automobile. FSA has collaborated with Zipcar to bring "wheels when you want them" to Downstate. The zipcars are located at the Kings County Parking Garage Procedure - 581 Clarkson Avenue Brooklyn NY 11203 (btwn E.39th & E.40th Streets). Low DHSU discounted membership rate is $25/ yr - that is a 42% savings over the Zipcar standard rate of $60/yr). Usage rates start at $9 per hour & $83 per day (weekends start at $9.75/hr. & $108/day) not inclusive of tax and tolls. Questions? Call Zipcar at: **1-866-4ZIPCAR (1-866-494-7227)**

Banking

Visit us online at https://www.downstate.edu/about/our-administration/finance/atm.html

ATM (Automated Teller Machine) services from JP Morgan/Chase, contracted through the Faculty Student Association, are located outside the Student Services Center (BSB 1-112) in the Basic Science Building.

ACADEMIC COMPUTING & TECHNOLOGY RESOURCES

The ACT Office maintains a useful page that contains links to FAQs and videos for the most common issues. Go to https://services.downstate.edu. Click the Knowledge Base tab, and choose Accounts & Access; click on "Your NetID Account: Key Facts to Know

- **How to get help with educational technology/issues**:
    - Accounts, software:
        - Submit a ticket at https://services.downstate.edu or
        - Send an email to help@downstate.edu.
        - Call the campus ServiceDesk at 718-270-Help (4357).
        - Include your full name, college/school, contact info and (if relevant) the course subject code and number ("NRBS 3000") and the name of the relevant item in the course ("Exam 1", "Weekly Assignment Dropbox 6", etc).
    - Exams: call our Live Exam Assistance Hotline: (516) 274-8078.
    - Brightspace LMS: Contact SUNY Online; they have evening and weekend hours.
        - (844) 673-6786
        - Submit a support request ticket at https://online.suny.edu/help/
- **NetID account**: Your NetID account authenticates your login to various systems including Banner, Brightspace, Leo, campus Wi-Fi and email. Your NetID password expires after 180 days and must be updated periodically. If you had clicked on the "Keep me logged in?" option during a recent login, you may continue temporarily in some single sign-on (SSO) systems such as Brightspace and email after your password expires. Eventually, however, your access will time out and you must update your NetID password. You can use the "Can't access your account?" link on the email login page to change your password. Instructions can be found in the Knowledgebase – see above for URL.
- **Email / Microsoft 365**: When you first log in to email, you will be required to enter key information (cell phone, alternate email) that will be used for two-step authentication. We recommend downloading the Microsoft Authenticator to your phone for easier and secure 2-step authentication to your Downstate email. Your email account is a full Microsoft 365 account with access to Word, Excel, PowerPoint, OneDrive (1 Tb storage) and Teams. Articles on setting up email, O365 and MS Authenticator can be found in the Knowledgebase – see above for URL.
- **Brightspace, Leo learning management systems**: These become active shortly before matriculation; watch for an email announcement.

Laptop requirements: An Apple or Windows laptop is required for students in the College of Medicine, Nursing, School of Health Professions and School of Public Health. To see the technical requirements for student laptops, go to https://services.downstate.edu, click on "Computer, Device or Printing Support", then click on the "Technical Requirements" page. here **Chromebooks, tablets and Linux laptops are not sufficient for meeting curricular requirements.** Financial aid can include funding for a laptop in the package.

Student Loaner Laptop: If your laptop becomes disabled and requires repair, you may request a student loaner laptop. The request form link is in the Orientation and Information Course in Brightspace. Loaner laptops must be returned by the end of the semester. Use of these laptops is a temporary loan; they cannot be renewed semester after semester to fulfill your laptop requirement.

Login Page For Current Students: Go to https://www.downstate.edu and click on "Current Students" link to access a login page for commonly used systems such as:

Banner (registration, bill payment, grades);

Brightspace, **Leo** and **New Innovations** (learning/curricular/clinical training management systems),

Medicat student electronic medical records system

DegreeWorks (curricular progress tracking).

Campus Wi-Fi: Use your NetID username and password to authenticate to the campus wireless network available across the HSEB, BSB and clinical buildings. The network SSID (broadcast name) is "DMC-Secure". (Note that the Residence Hall now has a separate ISP provider and network; consult the Residence Hall staff for instructions on how to join their network.) When you first try to log in, you may be asked to "trust" our self-signed security certificate before joining.

Academic Computing and Technology Office: The ACT office is a part of the Information Services and Technology Division and is responsible for academic applications, software and Downstate computers (both public and faculty/staff).

- **Supported applications/software**: Browse the Knowledge Base at https://services.downstate.edu
  - **Scientific/statistical software:** SPSS, SAS, EndNote, ArcGIS.
  - **Microsoft 365**: Download the installer from your email account page.
  - **Learning / curricular management systems**: Brightspace, Leo and New Innovations;
  - **Web meeting systems**: Microsoft Teams and Zoom.
  - **Lecture capture, hosting and streaming**: Panopto.
  - **Virtual microscopy**: Path Presenter at https://microscopy.downstate.edu
  - **Survey/data capture:** Qualtrics and REDCap**.**
- **Onsite/Remote Assessment**: We support a variety of exam platforms. Instructions for students can be found during your onsite orientation, in the Student Orientation and Information course in Brightspace and in your course sites by your instructors.
  - Examplify (College of Medicine)
  - NBME (College of Medicine)
  - ATI (Nursing)
  - Brightspace using Respondus Lockdown Browser/Monitor video proctoring.
- **Public computers/labs**: Downstate desktops (Apple iMac and Windows 11) are available in several locations. Printing is only available in the Medical Library, the 7th floor SOHP lab and the Residence Hall study lounge. Computer labs assigned to each college or school are on the 5th, 6th, 7th and 8th floors of HSEB and the 3rd floor BSB. Access is controlled by a numerical door lock with a code specific to students in that college/school.
  - **Medical Library**: Commons (ground floor), ALRC and training rooms (basement level)
  - **COM carrels, Grad computer lab:** 5th and 6th floor HSEB (College of Medicine)
  - **6th floor HSEB 6-007:** Assessment computer lab
  - **7th floor HSEB 7-045** (School of Health Professions)
  - **8th floor HSEB** (SOHP Healthcare Informatics)
  - **3rd floor BSB 3-116** (School of Graduate Studies)
  - **Residence Hall, Building 816, Study Lounge** (first floor)

FACILITIES MANAGEMENT & DEVELOPMENT

FM&D maintains all Downstate Health Sciences University buildings and campus spaces, cleans the BSB and the HSEB, and manages campus design and construction, as well as environmental health and safety. FM&D depends on your cooperation to keep classrooms, hallways, and restrooms clean and safe.

Work order requests for routine building repairs can be phoned in to 718-270-1212 between 8 a.m. and 4 p.m., Monday through Friday.

Primary emergency requests for situations such as flooding, or loss of essential utilities for life support or health and safety, may be reported 24 hours per day, seven days per week by calling 718-270-1212 or 718-270-2810. FM&D responds to such calls immediately.

Secondary emergency requests such as for clogged toilets/sinks and broken windows also can be reported by calling 718-270-1212, and will be corrected weekdays during the 8 a.m. to 4 p.m. shift. For light bulb replacement, call 718-270-1222.

FM&D depends on the faculty, staff and students of the Downstate community to remain aware of the environmental aesthetics of the campus, and urges them to promptly report any maintenance deficiencies that require correction or repair.

Telephone 718-270-2376 to report cleaning and housekeeping concerns in BSB and HSEB restrooms, lecture halls, 5th and 6th floor carrels, and other student study areas.

If you are holding an event or an organizational/group meeting, remember to request large plastic bags from the FM&D Housekeeping staff for your refuse. Clean up your meeting room following your meeting, and straighten out the furniture, restoring the room to the condition you would like to find if you were entering the area.

OFFICE OF COMMUNITY AND GOVERNMENT RELATIONS

The Office of Community and Government Relations acts as liaison to Federal, State and City elected officials and governmental offices. This office also works closely with community-based organizations, providing assistance, information and support for a wide variety

of projects and initiatives. This office provides information about volunteer opportunities in the community and supports a wide a variety of departmental and student organized outreach initiatives.

The Director of Government Relations should be contacted prior to any contact with elected officials unless it is of a personal nature at: BSB 1-101, 718-270-3866.

OFFICE OF DIVERSITY AND INCLUSION

Compliance with the equal opportunity laws and regulations listed below is within the scope of responsibilities of this office.

- Title VI of the Civil Rights Act of 1964 as amended - Prohibits discrimination on the basis of race, color or national origin in admissions, access to courses or programs, and student policies;
- Title IX of the Educational Amendments of 1972 - Prohibits exclusion from participation in, or denial of benefits, or subjection to discrimination on the basis of sex in any education program or activity receiving federal financial assistance.
- Section 504 of the Rehabilitation Act of 1973 - Prohibits discrimination on the basis of physical or mental handicap in any federally assisted program or activity;
- Age Discrimination Act of 1975 - Prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance;
- Under *State Education Law S224-a,* no person shall be expelled from or be refused admission as a student to an institution of higher education for the reason that (s)he is unable, because of their religious beliefs, to attend classes or to participate in any examination, study or work requirements on a particular day or days. Moreover, the *Religious Freedom Restoration Act of 199*3 - requires federal, state and local governments to demonstrate a compelling interest before burdening an individual's exercise of religion.
- State of New York, *Executive Order 28* establishes that no State agency or department shall discriminate on the basis of sexual orientation against any individual in the provision of any services or benefits by such State agency or department.
- Americans with Disabilities Act of 1990 (Titles II-V) and American with Disabilities Amendment Act of 2008 - Prohibits discrimination on the basis of disability in public service and public transportation, public accommodations, telecommunications and miscellaneous provisions.

Students are invited and encouraged to consult with the Office of Diversity and Inclusion informally when situations or problems relating to perceived discriminatory treatment or sexual misconduct occur.

In addition, the complaint procedure process may be used by any Downstate Health Sciences University employee, student, or third party in activities on and off campus. Equal Opportunity protected categories include, but are not limited to: race, gender (including pregnancy), color, religion, creed, age, national origin, disability, marital status, status as a disabled veteran or a veteran of the Vietnam era, sexual orientation, gender identity, gender expression, status as a victim of domestic /intimate partner/dating violence, predisposing genetic characteristic, or retaliation. This process is not intended to replace, duplicate, or supplant any other grievance procedure, nor does it deprive a complainant of the right to file with an outside enforcement agency. This document should be considered a supplemental mechanism for the investigation and resolution of allegations of unlawful discrimination or sexual misconduct for the benefit staff, faculty, students, visitors and the administration.

The complaint procedure and policy may be found in the following pages.

In keeping with efforts to establish an environment in which the dignity and worth of all members of the campus community are respected, sexual misconduct that affects SUNY Downstate Health Sciences University students and employees is unacceptable conduct and will not be tolerated. Sexual Misconduct includes any behavior that is: any unwanted verbal or physical sexual advance, sexually explicit derogatory statements, or sexually discriminatory remarks which are offensive or objectionable to the recipient or which causes the recipient discomfort or humiliation, or which interfere with the recipient's education, or which creates an intimidating, hostile, or offensive educational environment.

Sexual harassment is a form of Sexual Misconduct and is a violation of Title IX of the Educational Amendments of 1972. Under the law, there are two forms of sexual harassment: <u>quid pro quo</u> conduct occurs when specific academic benefits are withheld or penalties are imposed as a means of coercing sexual favors; <u>hostile environment</u> sexual harassment occurs when a person in authority either creates or condones an academic environment in which sexual harassment is present. A sexual harassment complaint may be filed not only by an individual directly victimized by sexual harassment, but also by any other individual who objects to the behavior, and/or fears that such behavior may adversely affect their educational status or prospects. (Additional information in the following pages.)

Downstate Health Sciences University is committed to the prompt and equitable resolution of allegations of discrimination on the basis of sexual harassment. Students may consult and/or file a complaint with the Office of Diversity and Inclusion utilizing the complaint procedure process mentioned above and described in the Sections.

PARKING

For information, please contact Brian Corby in the Parking Office. Monday-Friday, 7am - 3pm, 718 270-3163. The University Police Department will strive to ensure that parking accommodations will continue to be provided to every extent possible.

ADVISORY COMMITTEE ON CAMPUS SECURITY

What is the Advisory Committee on Campus Security?

SUNY Downstate Health Sciences University has established an Advisory Committee on Campus Security in compliance with New York State Education Law 129a Section 6431. (This Committee was formerly known as the "Personal Safety Committee" under SUNY Policy and is in compliance with SUNY Policy 5401.)

The Committee is charged by law with reviewing current campus security policies and procedures, and with making regular recommendations for improvements to the University President.

The Committee is co-chaired by a representative from Student Affairs and a representative of the University Police Department.

Committee Composition

The Committee shall consist of a minimum of six members:

1. at least half of the Committee shall be female;
2. one-third of the Committee shall be appointed from a list of students that contains at least twice the number to be appointed, which is provided by the largest student governance organization on the campus;
3. one-third of the Committee shall be appointed from a list of faculty members that contains twice the number to be appointed, which is provided by the largest faculty organization on the campus; and
4. one-third of the Committee shall be selected by the President.

Committee Charge

The Committee shall review current campus security policies and procedures and make recommendations for their improvement. It shall specifically review current policies, plans and procedures for:

1. educating the campus community, including security personnel and those persons who advise or supervise students, about sexual assault pursuant to §6432 of Article 129-A of NYS Education Law;
2. educating the campus community about personal safety and crime prevention;
3. reporting sexual assaults and dealing with victims during investigations;
4. referring complaints to appropriate authorities;
5. counseling victims; and
6. responding to inquiries from concerned persons.

The Committee shall issue an annual report to the President. This report does not constitute the annual mandatory reporting of official crime statistics issued by the University Police Department, which is separate.

UNIVERSITY POLICE

The University Police Department maintains a pro-active approach toward reduction and suppression of crime on campus. Chief: Israel Maldonado, Room A1-85A BSB, Box 1201, 270-3161. You can access the University Police/Public Safety website at: https://www.downstate.edu/about/our-administration/university-police/index.html/

The following explains the make-up of the department and the initiatives it takes.

Officers are assigned to:

- Entrances in each building
- Patrol each building
- Booths that are located in areas of high pedestrian traffic
- Radio-equipped motor vehicles

Identification/Facility Access: There are systems in place that are designed to ensure that persons entering the Downstate Health Sciences University (DHSU) are authorized. Faculty, staff and students are required to display SUNY Downstate identification cards when entering SUNY Downstate, and to prominently display it at all times while on campus. Visitors are issued temporary visitor

passes.

I.D. Card (Downstate Card)

Complete and current Downstate Card policies and features are available at: https://www.downstate.edu/about/our-administration/university-police/id-cards/downstate-card.html.

All enrolled students are issued a Downstate Card at no cost that serves as an ID Badge for access to all DHSU facilities. It is imperative that students treat their Downstate Card with good care, since the card is intrinsic to DHSU's homeland security. The student to whom the ID card is issued is entirely responsible for its use or misuse. Students must carry their cards with them at all times, and must never lend their ID cards to any other persons. If it is ever lost or stolen the card could potentially provide an unauthorized person to gain access to DHSU facilities. If your Downstate Card is ever lost, stolen or damaged, it must be reported immediately to the Downstate Card Office at 718-270-4600 (Ext. 4600 from on campus).

To receive a replacement card you will be required to pay a NON-REFUNDABLE fee. Your Downstate Card must be surrendered upon graduation or separation in order to receive your diploma or a copy of your transcript. A hold will be placed on your Downstate student record until such time as your Downstate Card has been returned or the non-refundable fee is paid. If the card is lost immediately before graduation, students are required to pay the lost/stolen card fee and will be issued a LETTER authorizing release of the graduation diploma.

Students may be asked by University Police and/or Public Safety officers or other University personnel, including student managers, resident advisors, and desk assistants, to show their ID cards. When such requests are made by authorized personnel, students are expected to cooperate by producing their ID cards. This helps assure that only persons with legitimate interests use campus facilities. The ID card is necessary on campus to use various services such as the student health center, gymnasium, library, etc. Any person not producing a valid ID card when requested, is assumed not be a member of the campus community; and if the situation warrants, may be asked to leave campus or be charged with trespassing.

The Downstate Card office shares student non-confidential information with other DHSU offices to facilitate essential applications such as door access, library use and photo verification during exams.

Phones/Alarms: There is a network of emergency telephones (red) conveniently located throughout DHSU. In addition, there is also a network of panic alarms located at various places, including the corridors, laboratories, rest rooms and on-call rooms. Both the "red" phones and panic alarms are linked directly with the University Police Department and are monitored 24 hours a day to ensure a quick response to all emergencies.

Escort Service

- After 1 a.m. - upon demand (Extension 270-2626), until 5 a.m. weekdays and from 1 a.m. on Saturday until 5 a.m. Monday.

  An unscheduled service designed to move faculty, staff and students at off-peak hours to local destinations (e.g., dorms to Kings County, University Hospital to garage, etc.) To obtain this service, call 270-2626 and explain your request.

Shuttle Service: To enable personnel who commute by public transportation get to their points of departure safely, the University Police Department provides transportation to subway stations and bus stops. The shuttle runs from 5 a.m. until 1 a.m. on weekdays. Escort service is available when the Shuttle is not in service. There is also a shuttle service to and from the off-campus parking facilities and Downstate Health Sciences University.

- During the hours of 3:00 p.m. until 10:30 p.m. Mondays-Fridays, a van will depart at regular intervals from University Hospital (445 Lenox Road) and HSEB (395 Lenox Road in route to the following locations: DHSU Foundation parking lot (404 Winthrop Street), subway stop at Winthrop/Nostrand (#2, #5 trains), Business Office (711 Parkside Ave.), Parking Garage (323-359 Clarkson Avenue), Parking Lot (225 Clarkson Avenue, Church Avenue and Nostrand Avenue.

Package Inspection: To ensure the security of state property, the University Police Department supervises the removal of equipment and other state property from DHSU. An "Equipment Removal Form," signed by an authorizing agent, along with identification of the person removing the property, is required. A "Personal Property Form" is prepared when personal property (radio, television, etc.) is brought into the institution and this form is used to identify ownership when the property is being removed.

Interagency Relationship: The staff of the University Police Department has established and maintains clear and continuous channels of communication with local law enforcement agencies.

Closed Circuit Television System: A CCTV system monitoring the interior and exterior of the DHSU campus is recorded 24 hours a day by the University Police Department.

Perimeter Lighting: Additional high intensity lighting has been installed on exterior areas of the campus in addition to that already provided by the City of New York.

Incident Reports: Call University Police at 718 270-2626 to report incidents relating to criminal actions and other emergencies on campus.

Student Responsibilities: We emphasize that isolation can occur almost anywhere on campus, depending on such circumstances as the time of day, day of the week, building, etc. A few common sense rules to avoid isolation are:

- walk and travel in groups, if possible
- use University Police escort and shuttle service
- be aware that the University Police department monitors its telephone switchboard (Extension 2626) 24 hours a day and that red telephones have direct contact with University Police without dialing
- be aware that the University Police department has emergency alarm buttons throughout the University Hospital, Basic Sciences Building, DHSU Student Center and dormitories which, if activated, University Police staff are dispatched to investigate.

Procedure for Reporting Sexual Assaults Off Campus: Allegations of sexual assault or rape occurring off campus should be reported at once to the local police via 911 and to University Police via 718-270-2626.

Rape Counseling: Kings County Hospital Department of Social Services Domestic Violence Coordinator, call 718 245-4374 or 718 245-4012, MF 9 a.m.-5 p.m. Medical assistance available in Kings County Emergency Room on a 24 hour basis.

Other numbers for assistance:

NYC Victim Services Hotline 212 577-7777 (24 hours)

NYC Police Dept. Sex Crimes Reporting Unit 212 267-7273

Residence Hall Security: Downstate Health Sciences University has two residential buildings available for occupancy by its student population. The following security and safety systems are currently in place:

1. 24 hour coverage by University Police officers at main entrance to 811 New York Avenue.
2. 8:30 a.m. to midnight service desk coverage by professional and student staff.
3. Electronically locked main entrance doors. A coded key card is required for access.
4. A panic alarm system on each floor (common areas) and in all public basement areas.

Web Page

The University Police Department has a web page, which is located at http://www.downstate.edu/police/default.html. You can view or print copies of our Annual Campus Security Report and Crime Incident Log from this location, and we have other useful information and contact numbers posted for your convenience. You can also request a printed copy of our Annual Campus Security Report by calling our Administrative Office, 718 270-3161.

Crime Statistics Availability Statement (Clery Statement)

A copy of The State University of New York Downstate Health Sciences University campus crime statistics as reported annually to the U.S. Department of Education will be provided upon request by the campus University Police Department. Please direct all such requests to the Department of University Police at 718-270-3161. Information can also be obtained from the U.S. Department of Education website at: http://ope.ed.gov/security/."

Information about Bias Crime prevention and Sexual Assault prevention may be found in Section III.

Campus Crime Reporting

The New York State University Police Department ("UPD" or "Department") is the law enforcement agency on campus, and as such, University Police Officers have all police powers of arrest under the New York State Penal & Criminal Procedure Laws. The Department records and investigates all complaints of on-campus crimes. UPD also has written memorandums of understanding with the New York City Police Department (NYPD) which deal with jurisdiction issues and areas of responsibility. UPD also collaborates and partners with the NYPD, the New York State Police, and other local, state, and federal law enforcement agencies when needed or requested. Statistical information on crimes committed on the campus is forwarded monthly to the Division of Criminal Justice Services in Albany, New York for inclusion in the FBI Uniform Crime Report.

As part of our standard orientation process, UPD informs all students, faculty, and staff at all levels about how to report crimes that occur. Students, faculty, and employees are expected to promptly report any crime on or off-campus to the University Police Department. SUNY Downstate Health Sciences University (SUNY Downstate) has detailed policies regarding reports of Domestic Crimes and Workplace Violence, and all are encouraged and assisted in reporting crimes to both the University Police Department and the NYPD.

Potential criminal actions and other emergencies on campus should be reported promptly and directly by any student, faculty member or employee to the University Police by dialing (718) 270-2626 (or extension 2626 from any campus phone). Upon receipt of the call, personnel are dispatched immediately to the site of the complaint and, as noted above, University Police Officers have the authority to make arrests or conduct criminal investigations, if necessary.

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

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

- Title IX Coordinator or designee
- Student Affairs Deans or Academic Deans or Faculty
- NYS University Police Department

The following Officials may provide confidentiality:

- Student Counseling Center
- Student Health Center
- Campus Clergy

Off Campus Incidents

If you are the victim of an off-campus incident, we strongly urge you to call 911 first, and then to notify the University Police/Public Safety Office at 718-270-2626.

Investigation of Violent Felony Offenses

Violent felony offenses are defined in subdivision one of section 70.02 of the New York State Penal Law to include, but are not limited to, degrees/classes of: murder, manslaughter, kidnapping, rape, sodomy, aggravated sexual abuse, assault, burglary, robbery, arson, criminal possession of a dangerous weapon, etc.

All members of the SUNY Downstate community are expected to immediately report all suspected or actual violent felony offenses occurring at or on the grounds of the University, to the University Police Department by dialing x2626 from a University telephone or (718) 270-2626 from a cell phone or off campus phone.

Investigation of Missing Students

A missing student is defined as any currently registered student of SUNY Downstate who has not been seen by friends, family members or associates for a reasonable length of time, and whose whereabouts have been questioned and brought to the attention of a member of the SUNY Downstate staff or faculty member.

The University Police will initiate an investigation when they are notified that a student, who resides in a SUNY Downstate operated residence is missing, with no reasonable explanation for their absence. Ordinarily, the investigation will be initiated immediately after this notification.

In the event the student does not reside in a SUNY Downstate-owned residence, the University Police will initiate an investigation which may include contacting other municipal or local police authorities.

MORE HELPFUL INFORMATION

CHAPLAIN SERVICES

The Department of Pastoral Care (telephone 718 270-2594) of the University Hospital of Downstate offers spiritual care and pastoral support services to patients, families, staff and members of the Downstate Health Sciences University community. Religious services and memorials are held in the Hospital Chapel (A1-347) as posted. Chaplains and Rabbi can also be reached through the Page Operator (270-2121) on a 24-hour basis.

Hospital Chaplains

Protestant: Reverend Sharon Codner-Walker, MDIV, BCC- Director of Pastoral Care (Email: Sharon.Walker@downstate.edu)

Catholic: (vacant, TBA) Reverend Sharon Codner-Walker is available

Religious Services in Chapel Room A1-347

Catholic Mass: Thursdays, 12:05 p.m.

Christian Fellowship Service – Wednesdays 12-1 p.m.

Intercessory Prayer – Mondays 12:30-1 p.m.; 5:30-6 p.m.

The Interfaith Chapel (Room A1-347) is open 7 days/24 hours for use by all faiths/denominations for meditation and quiet prayer. The Chapel, and all services conducted there, can be viewed on the in-house television system, Channel 18, which is available at all times. Interdenominational Services are held in the Chapel for occasions such as Ash Wednesday, and Good Friday. Notices will be posted in advance.

Jewish Faith:

Rabbi Yitzchok Holzman, an Orthodox Rabbi affiliated with the Lubavitch community, serves as "Jewish Patient Liaison" for SUNY Downstate Health Sciences University. Torah classes are given weekly by Rabbi Holzman on a variety of topics, for the well-advanced as well as for beginners. Call for schedules and more information.

Services:

Shacharis Morning Prayer: 8:00 AM, daily.

Mincha Afternoon Prayer: 1:45 PM on the 2nd floor BSB (Radiology) and at 4:00 PM, daily.

Special Holiday programs and events are also held.

Rabbi Holzman is available by calling Tel :(718) 270-1818, Pager: (917) 218-1818, Email: Rabbi@Downstate.edu

Muslim Faith:

Resource Person: Nisar A. Khwaja, MD. (718 245-2665) & designated personnel via Dept. of Pastoral Care (718 270-2594)

Services:

Every Friday from 1:15 - 2:00 p.m. on the Penthouse floor of the Kings County Hospital "T" Building. A prayer room is also available at the same location during the day.

SUNY Downstate: 24 hrs./7days Hospital Chapel A1-347 available for prayer, meditation, and study (prayer mats, beads, and The Holy Qur'an available)

POLICIES AND PROCEDURES

SECTION I

FEES POLICIES

Summary of Fees

ITEM	PAYABLE To	CHARGE
Duplicate Diploma	SUNY Downstate	$30.00
Mailing Fee Only	SUNY Downstate	$9.00
Licensure	SUNY Downstate	$15.00
Carrel Key replacement	SUNY Downstate	$20.00*
Late Payment Fee*	SUNY Downstate	up to $ 200.00 per semester
Return Check Fee	SUNY Downstate	$20.00
Student Health Fee Full-Time Students/semester	SUNY Downstate	$81.50
Student Health Fee Part-Time Students/credit	SUNY Downstate	$6.79/cr
Technology Fee Full-time Students/semester	SUNY Downstate	$159.50
Technology Fee Part-Time students/credit	SUNY Downstate	$13.29/cr
Transcript Fee (Charged once per semester)	SUNY Downstate	$5.00
Orientation Fee-College of Med (charged in entering semester)	SUNY Downstate	$250
Orientation Fee-Non-College of Med (charged in entering semester)	SUNY Downstate	$50
Commencement Fee (charged in graduating semester)	SUNY Downstate	$90.00
Late Payment Fee (for Payment Plan)	SUNY Downstate	$10.00
Payment Plan Enrollment Fee	SUNY Downstate	$25.00
Foreign Health Insurance	SUNY Downstate	$2544.68 (annual, divided up by the number of months a student is enrolled)

Fees are subject to change subject to actions of SUNY or Downstate Health Sciences University.

TUITION AND FEES

New York State Residency Guidelines for Tuition Determination

An individual's domicile is that place where one maintains a permanent home and to which one intends to return. A residence hall is

generally not considered a permanent home, and additional documentation is required for exceptions.

The deadline for change of residency by matriculated students with appropriate documentation are one month prior to the registration date for your college for the next semester (you must file a change for residency status six weeks prior to the registration deadline that you wish to have the change in effect). The Application for continuing/returning students is available in the Office of the Registrar.

Residency application for in-state versus out of state tuition rates for entering students are made by filing an application through the Office of Student Admissions.

A U.S. citizen or U.S. permanent resident whose domicile has been in New York State for a one-year period prior to registration is eligible, upon application and approval, to pay in-state tuition rates. Persons who do not meet this one-year requirement are out of-state residents and pay out-of-state tuition rates. In-state rates will be applied to members of the U.S. Armed Forces, while on fulltime active duty in New York State. This classification is provided to the eligible individual only and not to the spouse or dependents of such person. Individuals who are not U.S. citizens or permanent residents must provide proof of immigration status before a residency determination can be made. Students on a temporary immigration visa (such as an F1 or J1), aliens not lawfully present in the United States and students awaiting approval of an application for a change of immigration status are generally not eligible for New York State residency for tuition purposes. Each case will be considered individually, following State University of New York's "Administrative Policies on the Establishment of Residence for Tuition Purposes."

A. The term resident is defined as an individual whose domicile is in New York State. The following principles would assist the residency determination under this policy.
    1. An individual's domicile is that place where one maintains a permanent home and to which one intends to return. (In general, a residence hall is not considered a permanent home address.)
    2. One retains a given domicile until it is abandoned and another established.
    3. One does not acquire a new domicile simply by a presence in New York State for attendance at an institution of higher education. The act of living within the State's boundaries is, in itself, an insufficient demonstration of residency. The student must demonstrate establishment of a domicile (permanent place of abode) in New York State. Living in New York State solely for the purpose of attending a college or other postsecondary institution does not, in itself, demonstrate that legal residence has been established.
    4. The domicile of an unemancipated student is that of the parents or guardians. Evidence of emancipation must include the establishment of financial independence. Factors relevant to the determination of financial independence include, but are not limited to, the following:
        a. employment of student on a full or part-time basis.
        b. sources and extent of financial support by parents or guardian.
        c. sources and extent of other income.
        d. independent filing by student of Federal or State income tax return.
        e. parental claim of individual as dependent for exemption on Federal and State income tax return.
        f. residence with parents or guardian during summer or other academic term recess.
        g. status of student as financially independent for purposes of receipt of Federal and/or State financial assistance.
    5. Proof of domicile is based upon an intention to make New York State a permanent home and the existence of facts tending to confirm such intention. Factors relevant to a determination of domicile include:
        a. residence of parents, spouse and children.
        b. place of voter registration.
        c. residence for personal income tax purposes.
        d. financial independence, business pursuits, employment and income sources.
        e. situs of motor vehicle and other personal property registration.
        f. situs of real and personal property.
        g. state issuing driver's license.

Student Health Insurance

(Health insurance charges are subject to change.)

Health insurance is mandatory for all full-time matriculated students, and for part-time matriculated students enrolled in a clinical

course. The policy offered by the school can be waived if comparable coverage is claimed. To be comparable, the health insurance policy must have comparable benefits to the Student Health Insurance policy and must not be a high deductible policy. (The deductible must be no more than $3,500.)

International Student Health Insurance

Students attending on an international student visa (F-1, J-1) are required to pay for SUNY sponsored health insurance, the exact amounts to be determined each year by SUNY. It can be waived if comparable coverage is shown.

REFUND POLICY

Withdrawal/Medical or Personal Leave of Absence

If you decide not to continue to attend Downstate Health Sciences University, it is your obligation to officially withdraw through the appropriate offices and notify the Office of Student Affairs and Office of the Registrar. Non-attendance of classes does not classify as an official withdrawal and does not relieve the student of the financial obligation or entitle the student to a refund.

The process of withdrawing from the University is a formal procedure which the student has the responsibility to initiate. A student withdrawing shall be responsible for payment of tuition and fees in accordance with the Tuition & Fee Refund Schedule. The date recorded by the Office of the Registrar will be used as the official withdrawal/leave of absence date for tuition adjustment purposes.

Dismissal/Suspension/Involuntary Leave of Absence

Students who are dismissed, suspended, or placed on an involuntary leave from the University for academic, disciplinary, or other reasons prior to the end of an academic term shall be liable for all tuition and fees due for that term. The date of the separation, for the purpose of this policy, shall be the date of the notification of the dismissal, suspension, or leave, or shall be the last date of the semester in which the separation occurs, whichever comes first.

Tuition Liability/Refund Schedule

The Tuition Liability/Refund Schedule below (which is based on a semester that is 15 weeks or longer) indicates 0% liability is for the first week of classes only. The first week of classes is defined as the first seven calendar days of the semester. During 0% liability, refunds will be processed and charges removed for tuition and all fees. After 0% liability, tuition will be pro-rated according to the schedule below, and all fees are non-refundable. After 100% liability, a student is liable for tuition and fees in full. Students who register for courses and do not file the appropriate withdrawal or do not drop before the end of the fourth week of classes are liable for their full charges.

The University-Sponsored Student Health Insurance will not be pro-rated or refunded after the last day to add/drop for the Fall or Spring semester. Students have the right to waive out of the health insurance plan by filing out the on-line waiver form before the last add/drop date.

If you do not waive the health insurance charges by the registration deadline, you will be automatically billed for the non-refundable health insurance for that semester and the waiver will be processed for the next semester only. Please note: You will be permitted to waive up through the last day to add/drop, however, you should note that if you are submitting a waiver for the Fall, your charge will be waived retroactive to August 1 and your insurance will be cancelled as of August 1, even if the insurance company has already paid a claim. If you are submitting a waiver for the Spring, your charge will be waived retroactive to January 1 and your insurance will be cancelled as of January 1, even if the insurance company has already paid a claim. If you do this and have had a claim already paid by United Healthcare, you will be retroactively billed by the insurance company and/or your care provider for the full, uninsured, amount of the charge from your provider.

Refunds will not be made to students who register for but then do not attend classes and have not completed the required withdrawal procedure.

Refund Schedule for Semesters of 15 Weeks or Longer (Fall and Spring)

Courses dropped during the	**Tuition Refund**	**Tuition Liability**	**Fee Liability**
1st week	100% refund	0% liability	0% liability
2nd week	70% refund	30% liability	100% liability
3rd week	50% refund	50% liability	100% liability
4th week	30% refund	70% liability	100% liability

Courses dropped during the	Tuition Refund	Tuition Liability	Fee Liability
5th week	0% refund	100% liability	100% liability

Note: For Summer or shorter semesters, a different refund schedule is used. For further information, contact the Office of the Bursar.

Return of Federal Financial Aid Policy

Federal law mandates how a school must compute the amount of federal financial aid that a student earns if they withdraw (officially or unofficially), takes a leave of absence, drops out of school, or is dismissed prior to completing more than 60% of the semester. Specifically, the amount of federal financial aid that the student earns is based on the percentage of the semester completed. All unearned federal financial aid must be returned. Careful consideration should be given to the financial ramifications of separating from the college prior to completing 60% of the semester. Additional information regarding this policy is available from the Financial Aid Office.

Additional information regarding this policy can be found by contacting the Financial Aid Office.

University Statement of Student Responsibility

Students themselves whether new, visiting, returning or continuing are responsible for reviewing, understanding, and abiding by the University's regulations, procedures, requirements, and deadlines as described in all official publications.

This policy is based on the State University of New York Policy on Billing, Refunds, Collection and Write-offs Policy for Tuition, Fees, and Other Charges (Policy 7301).

SECTION II: ACADEMIC POLICIES

INSTITUTIONAL LEARNING OBJECTIVES

The SUNY Downstate Institutional Learning Outcomes (ILOs) are a set of core competencies that all students are expected to develop during their time at SUNY Downstate regardless of their respective program.

ILOs are designed to guide individual departments and disciplines in the development of learning objectives for programs, courses, and services.

Embedded in these ILOs are strategies and principles that help students recognize and develop successful pathways to help them achieve their academic goals and prepare for a career in health and biomedical sciences.

Upon completion of a program at SUNY Downstate, all students should be able to:

- Demonstrate knowledge and skills relative to the respective discipline profession.
- Demonstrate ethical and professional behaviors relative to the respective discipline/profession.
- Practice effective collaboration and communication among diverse communities.

The ILOs were reviewed and approved by University leadership, the Deans of each School or College, and the Outcomes Assessment Coordinating Committee.

ACCREDITATION

The State University of New York Downstate Health Sciences University is an accredited institution and a member of the Middle States Commission on Higher Education (MSCHE or the Commission) https://www.msche.org/. DHSU's accreditation status is Accreditation Reaffirmed. The Commission's most recent action on the institution's accreditation status on June 26, 2025 was to reaffirm accreditation. MSCHE is recognized by the U.S. Secretary of Education to conduct accreditation and pre-accreditation (candidate status) activities for institutions of higher education including distance, correspondence education, and direct assessment programs offered at those institutions. The Commission's geographic area of accrediting activities is throughout the United States. For more information, please see SUNY Downstate's Statement of Accreditation Status https://www.msche.org/institution/0398/ .

For more information about SUNY Downstate's accreditation, including the accreditation of individual academic programs, see our web site at: https://www.downstate.edu/education-training/academic-affairs/evaluation-assessment-accreditation/accreditation/index.html

STUDENT AND EMPLOYEE PREFERRED/CHOSEN NAME/IDENTITY MARKER POLICY

Policy Statement

The State University of New York (SUNY) — Downstate Health Sciences University (hereinafter, "University" or "SUNY Downstate,") is committed to ensuring that our students, faculty, and staff can learn and work in an environment that is respectful and inclusive of each individual's gender identity/expression. SUNY Downstate endeavors to foster a campus community that is free of bias, harassment, or any misconduct related to gender non-conforming members of the SUNY Downstate community.

SUNY Downstate's Preferred First Name Policy allows students and employees to officially notify the University of their preferred first names, and have this change reflected in on-campus communication systems, as long as the preferred first name is not used for purposes of misidentification, avoidance of a legal obligation, fraud or misrepresentation and that the preferred first name meets community standards (i.e. not profane, obscene, or derived from hate-speech; and conform to technical requirements). There are limits to where preferred first names will be reflected in SUNY Downstate communications.

This Policy is consistent with current Title IX federal law protecting students and employees from discrimination based on gender identity and/or expression and is a best practice for supporting transgender and gender non-conforming members of campus communities. This service is not limited to use by transgender and gender non-conforming students and employees and is available to anyone who uses a preferred first name on a daily basis other than their legal/primary first name.

The preferred first name is used for internal communication and certain external communications (i.e. website staff bio pages, news bulletins). Internal applications for the use of approved preferred first name include but may not be limited to: class rosters, advising lists, housing lists, and email. SUNY Downstate (employee/student identification cards) will display both legal and preferred first name. SUNY Downstate is obligated to use the legal first name for many official records and reports, including but not limited to: certain employment and payroll records (i.e. I-9 or W-2 forms), billing records, financial aid documents, official transcripts, diploma, medical records, employee benefits records, expense reimbursements, travel and purchasing authorizations, enrollment reporting, conduct hearing results, external reporting and federal immigration documents. In addition, the legal name must also be used for sponsored research activities while under the auspices of SUNY Downstate.

Requests for use of preferred first name shall be limited to one request per academic year.

Chosen (or Preferred) Names

Using Chosen (or Preferred) Names: Students are encouraged to provide their preferred names to the Office of Student & Academic Affairs during the admissions process or through the Office of the Registrar. Faculty and staff are encouraged to provide their preferred names to the Department of Human Resources during the application and/or onboarding process.

Slang or Informal Variations of Names: While SUNY Downstate embraces preferred/chosen names, for the purpose of this policy, SUNY Downstate does not accept slang or informal versions of names. For instance, if one's legal name is "Andrew," SUNY Downstate will not use informal versions like "Andy." This ensures consistency and compatibility across all systems and records.

Legal Name Changes

If student and/or employee experiences a legal name change due to marriage or any other reason, they must follow the appropriate legal process. This involves completing the appropriate change request form with the Office of the Registrar (for students) or the Department of Human Resources (for employees) and submitting the necessary documentation. Original proof of change (e.g., court order, marriage license) must be submitted. Name changes are not granted after graduation or separation from SUNY Downstate.

Chosen Identity Marker

In addition to a preferred/chosen first name, a chosen identity marker includes a student's or employee's personal pronouns and gender identity. Students and employees can select personal pronouns and a gender identity that is different from their legal identity. It is the responsibility of students and employees to understand where the Chosen Identity Markers will be used and carefully consider corresponding impacts.

Students are encouraged to select their personal pronouns or a gender identity during the admissions process or by identifying such with the Office of the Registrar. Employees are encouraged to select their personal pronouns or a gender identity during the application process or by identifying such with the Department of Human Resources.

Preferred/Chosen Names FAQ

Can I print my preferred/chosen name on my diploma? Yes, students may elect to print their preferred/chosen name on the diploma. However, for students who attend or plan to attend professional schools (e.g. Medicine, Health Professions, or Nursing, etc.): Before opting to print your preferred/chosen name on your SUNY Downstate diploma, please take into consideration that professional licensing requirements often require you to use your legal name. For example, application and licensure and federal employment/guidelines require the use of the legal name. Therefore, not using your legal name on a diploma may result in the rejection, delay, scrutiny, and/or requirements for additional proof of identification associated with any applications for employment, licensure, credentialing, visa applications, and/or other processes that require verification of your identity.

Important Note for All Students: Although SUNY Downstate considers the diploma to be a ceremonial document, some countries may require your diploma (in conjunction with your official transcript) for various legal, immigration, and employment purposes. Choosing to print your preferred/chosen name on your diploma may result in unforeseen complications due to the discrepancy between your diploma and other documents (e.g. transcript, passport, birth certificate, etc.) that contain your legal name. To avoid such complications, we recommend printing your legal name on your diploma if you plan to live, study, or work outside of the United States.

Can anyone update my preferred/chosen name, personal pronouns, or gender identity? No. Only you as the student or employee can update your preferred/chosen name, personal pronouns, or gender identity.

Can I set my preferred/chosen name to whatever I want? Name changes must consist solely of alphabet characters and cannot include symbols, numbers, or special characters. Furthermore, while SUNY Downstate embrace preferred names, SUNY Downstate does not accept slang or informal versions of names for the purpose of this policy. SUNY Downstate reserves the right to remove and/or decline a preferred/chosen name if determined inappropriate.

Can I use my preferred/chosen name for everything at the University? No. Your preferred/chosen name can only be used and will appear where possible in some university related records, documents and systems. For other University records and documents, your legal name will appear.

How do I correct or change my legal name? If a student or employee experiences a legal name change due to marriage or any other reason, they must follow the appropriate legal process. This involves completing Section III of the "Document Request Form" found on the Registrar's Web Site and submitting the necessary documentation. Students must present original proof of a name change (e.g., court order, marriage license) to the Office of the Registrar. Name changes are not normally granted after graduation or separation from SUNY Downstate. Employees must also follow the appropriate legal process. Employees must present the necessary documentation to the Department of Human Resources for processing.

POLICY ON TRANSFER CREDITS

Purpose

This Policy, in accordance with Federal Law, 34 CFR 602.24(e), assures that SUNY Downstate has transfer of credit policies that: (1) is publicly disclosed in accordance with section 668.43(a)(11); and (2) includes a statement of criteria established by the institution regarding the transfer of credit earned at another institution of higher education.

Policy

SUNY Downstate is an upper-division transfer and graduate institution. Students in our bachelor's programs complete a minimum of 60 semester hours of pre-requisite courses prior to enrolling. Students in our graduate degree programs complete pre-requisite courses and a bachelor's degree prior to enrolling. The pre-requisite courses are not taught at SUNY Downstate and must be taken at another institution of higher education. Pre-requisites for each program are listed on the Admissions website for each program. Completing the pre-requisites does not guarantee admission to SUNY Downstate or our programs.

The Office of Admissions evaluates transfer credit as part of the application process. Applicants are able to attend the accredited college(s) of their choice (as described below) to complete the pre-requisites prior to enrolling at Downstate. We accept credits from institutions, subject to the rules and limits of each program.

College Courses Completed in the United States

Official transcripts from all U.S. colleges/universities you have attended must be submitted in your application package, regardless of how long ago you attended the college or university and whether or not courses from those colleges/universities are being used for prerequisite courses. Please indicate on the application any courses in progress, or the processing of your application will be delayed.

Transfer Credits: We only accept credits from colleges or universities accredited by one of the following: The Middle States Commission on Higher Education (MSCHE), the New England Commission on Higher Education (NECHE), The Higher Learning Commission (HLC), the Northwest Commission on Colleges and Universities (NWCCU), the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), the Western Association of Schools and Colleges (WASC) Senior College and University Commission (WSCUC) or the Accrediting Commission for Community and Junior Colleges (ACCJC). In addition, we will review for transfer any

credits from any program accredited by a program-based accreditor that also accredits one of our programs. The list of these accreditors can be found on our Accreditation page at https://www.downstate.edu/education-training/academic-affairs/evaluation-assessment accreditation/accreditation/index.html .

If you have any questions about whether a transfer course will be accepted, you should check with the Office of Admissions prior to enrolling in the course.

Studies Completed Outside of the United States

Applicants who have completed all or part of their post-secondary, college/university education in a country other than the United States are required to have a course-by-course, detailed, educational credential evaluation. The evaluation must be completed by a member of the National Association of Credential Evaluation Services (NACES). For a list of approved evaluation agencies, please review the NACES website. Do not send your overseas college transcript in your application packet. Instead, the official course-by-course evaluation report must be sent directly from the agency to the Office of Admissions. Or go to World Education Services.

If your overseas courses have already been evaluated by an accredited U.S. college or university and the courses are listed on the college transcript individually with credit hours and grades, you may submit the transcript without a separate credential evaluation. However, if you are using any of the credits toward prerequisite courses for admission pre-requisites, you must still submit a complete course-by-course evaluation from a NACES member agency, even if the courses are listed on a transcript from a U.S. college or university.

Credit by Examination Programs

If you are fulfilling admissions requirements through the College-Level Examination Program (CLEP) examination, Regents College examinations, or Excelsior College examinations, you must have an official copy of your score report forwarded by the testing agency directly to the Office of Admissions (SUNY Downstate Health Sciences University, 450 Clarkson Avenue, MSC 60, Brooklyn, New York 11203), unless these credits already appear on the official transcripts of an accredited USA college or university.

- The College Board (CLEP)
  Tel: (609) 771-7865
  www.collegebound.com/clep

- Dantes Subject Standardized Tests
  Tel: (877) 471-9860
  www.getcollegecredit.com

- Excelsior College
  Tel: (888)647-2388
  www.excelsior.edu/exams

- Portage Learning/Geneva College
  Tel: (888) 724-3590
  www.portagelearning.com

Course Equivalency Guides have been created to assist prospective students transferring into some programs.

Read the Course Equivalency Guide

Questions about pre-requisites may be e-mailed to Student Admissions.

Read specific rules and restrictions regarding transfer into the College of Medicine (linked here).

Online courses at accredited colleges may meet pre-requisite courses for most programs, though some programs require that lab courses required as pre-requisites be taken in-person.

There may be time limitations for courses meeting program of study credit or pre-requisite requirements. Check individual program requirements listed for each program on the Office of Student Admissions Web Site.

Articulation Agreements exist with many colleges and universities. Students who are attending a college or university that is offering a program with an articulation agreement, should be careful to review the requirements of the agreement as the standard for guaranteed admission or transfer of credit may be more restrictive than those for applicants being considered for standard admission.

Credit for Experiential Learning or through Military Service

SUNY Downstate awards credit for experiential learning or military service as follows:

Credit for Military education and training can be awarded if the credit is documented on a Joint Military Services Transcript (JST) or on the transcript of an authorized and accredited military college or military service academy and is awarded in accordance with recommendations of the American Council on Education (ACE) Military Guide.

Other credit for experiential learning is only awarded if the credit has been evaluated and accepted by another accredited institution of higher education and that credit and course equivalencies appear on the official transcript of that institution. SUNY Downstate does not directly evaluate experiential learning to be transferred into a SUNY Downstate academic program.

Transfer Credit Appeal Process

SUNY Downstate Health Sciences University's Transfer Credit Appeal Process is for students who do not agree with the campus decision regarding acceptance or placement of credit earned.

Who to contact

Students wishing to pursue the transfer credit appeal process should first contact the Director of Admissions or designee by e-mail at admissions@downstate.edu. Who will forward the question to the appropriate academic program director for review.

If a concern is not resolved through informal communication with the appropriate academic program director, the following process is available.

Appeal at the Student and campus level (available to all students)

The student submits a request to appeal to the Student Admissions Office, along with a letter outlining the reasons for the appeal, a catalog course description of the course in dispute from the year the course was taken, and any additional transfer course materials available. The appeal will be reviewed by representative(s) from Admissions, the program director, the Vice President for Student Affairs and the Dean of the SUNY Downstate school or college the student is applying to. Within 15 business days of the date of receipt of the appeal, a written response will be sent to the student regarding the disposition of the appeal.

The campus official responsible for the final determination of the acceptance or denial of transfer credit is the Vice President for Student Affairs, along with the Dean of the SUNY Downstate school or college the student is applying to.

Please note: If a decision is made to reverse the campus decision on a course, that reversal will apply only to that student, not to the generalized acceptability of the course.

Appeal at the SUNY System Level:
(Available to students transferring from another State University of New York campus for coursework done at another SUNY campus only)

Appeal at the SUNY System level (available to SUNY transfer students only) can be found on-line.

If the student has not had a response from the campus within 15 business days, or is not satisfied with the response at the campus level, he/she can submit an appeal to the SUNY Provost with supporting materials. The SUNY Provost or designee will gain additional information from the receiving institution as needed. The SUNY Provost will respond to the student within five business days from receipt of completed appeal application.

If the SUNY Provost reverses the campus decision on a course, that reversal will apply only to that student, not to the generalized acceptability of the course. All decisions will be officially communicated to the student and the campus.

POLICY ON IDENTITY VERIFICATION

This policy describes the Student Identity Verification in Distance and Correspondence Education in compliance with US Department of Education, Office of Postsecondary Education Regulation 34 CFR 602.17(g) and the Higher Education Opportunity Act, specifically Public Law 110-35, stipulating that accrediting agencies require postsecondary institutions that "offer distance education or correspondence education to have processes through which the institution establishes that the student who registers in a distance education or correspondence education course or program is the same student who participates in and completes the program and receives the academic credit."

Overview

Like many of our peer institutions, there are a number of courses and programs at SUNY Downstate which utilize an online or mixed-methods approach to student learning. As a matter of policy, on an annual or semester basis (depending on how each individual school or college submits their course information), the Office of the Registrar obtains information from each course instructor as to whether their course is a distance learning course or has components that use distance learning.

SUNY Downstate policies and procedures for addressing identity verification of online students is an integral part of its policies on academic integrity. Individual school policies on academic integrity defines cheating, plagiarism, and forgery and delineates the consequences of violating the policy. Submitting another student's work or having another individual complete assignments, assessment, or tests in either online or seated courses is a violation of the academic integrity policy.

At the present time, SUNY Downstate Health Sciences University offers programs that are available, in part or in their entirety, offered by distance learning in the School of Public Health, the College of Nursing, and the School of Health Professions. The current model of instruction tends to be a course utilizing online materials, discussion boards, drop-boxes for assignment submission and other electronic formats available through our Course/Learning Management System. In some cases, courses are offered in a hybrid methodology where some parts are offered online and other parts of the course are taught in a traditional manner (e.g. classroom/lab), which serves to verify the confirmation of the identity of the student in the course.

Methods used to ensure Student Identity Verification

Along with submitting applications that include identifying data, students matriculating into the Colleges of Medicine and Nursing, and the Schools of Health Professions, Public Health and Graduate Studies must complete a background check to further verify their identity. SUNY Downstate has a few non-matriculating students, primarily in the School of Public Health, who are required to submit information such as Government-issued Driver's License, Identification Card or Passport along with their application.

Access is then provided to students upon acceptance using their assigned downstate.edu email address and secure password. This secure login is a student's only means of access to the learning management system (LMS) and the remote testing/evaluation system (if applicable). Students are registered in their online courses through Banner, which imports the registration information directly into the LMS without any action on the part of students, faculty, or staff beyond the regular registration process. Only duly registered students and the instructor of record appear on the roster of any online course. Furthermore, every action within a course site registers on the extensive tracking features of the LMS, which track each user in terms of time and duration of the action and part of the site involved, even if there is no posting by the student. Students taking exams using our remote examination software are photographed and recorded during the examination for the purposes of identity verification.

Supplementing these technical means of verifying student identity and activity are high degrees of student and faculty interaction that characterize typical online instruction. Students introduce themselves during class discussions online, and often write multiple posts weekly, including responses to one another as well to the instructor's assignments and discussion questions. Students may also maintain class chats, written journals, blogs and/or wikis individually or in group work and may complete other assigned papers and assignments. Such interactivity creates a high degree of familiarity between the faculty member and student within each course. Other tools used include, but are not limited to:

- the use of e-portfolios
- the use of student photos and/or videos during classes or discussions
- work in groups and teams
- plagiarism checkers (to ensure work submitted by the student is the student's own)
- synchronous ("real-time") conferencing (by both voice and video); and
- asynchronous conferencing (by both voice and video)

Not all of these tools and practices are included in all online courses.

In all cases, the means of ensuring the verifiability of student identity in online instruction meet or exceed those used in in-person instruction.

Methods used to ensure Student Privacy

Student records are kept within our Student Information system (Banner), which utilizes secure sockets layer communication (SSL) and is accessible only on campus or from off campus via VPN (Virtual Private Network). Staff are provisioned with accounts that provide access to information they need. Issues such as provisioning other access to information is vetted through the Banner Team Leader's Committee.

Students have access to their own records through Banner Self Service and can view some grading information in the Learning Management System (LMS). Students can change passwords online through the email system or via a request to the Information Services Helpdesk.

Notification regarding extra costs related to Identity Verification (such as proctoring)

College of Medicine students pay for the Background check via a service provided by AMCAS and the results are included in the application submission to SUNY Downstate. Other students are informed of the process to acquire background checks as part of their application package. We do not currently ask students to incur any other costs related to this area.

Written procedures indicating offices responsible for the consistent application of Identity Verification

The offices of Student Affairs, Admissions, Educational Computing, Information Security and the Information Services Helpdesk are responsible for the consistent application of Identity Verification. Representatives from the offices meet on a regular basis, as needed, to review and look for improvement the processes as both policy and technology changes.

POLICY ON ASSIGNMENT OF CREDIT HOURS

SUNY Downstate Health Sciences University, as part of The State University of New York, has adopted the Carnegie Unit as a measure of academic credit. This policy defines how SUNY Downstate reviews new and existing courses and programs to assure our compliance with the SUNY Policy on Credit/Contact Hours (Document Number 1305) and the United States Department of Education definition of a credit hour as "an amount of work represented in intended learning outcomes and verified by evidence of student achievement."

Policy

SUNY Downstate Health Sciences University, as part of The State University of New York, has adopted the Carnegie Unit as a measure of academic credit. This is in compliance with the SUNY Policy on Credit/Contact Hours (Document Number 1305) and the United States Department of Education definition of a credit hour as "an amount of work represented in intended learning outcomes and verified by evidence of student achievement." (http://ifap.ed.gov/dpcletters/attachments/GEN1106.pdf)

Downstate offers a variety of instruction type of courses, including standard lecture and laboratory courses. In addition, as an academic health science center, many of our courses are practical learning experiences. Each individual school or college at Downstate reviews and approves their own curriculum, but all follow standard definitions as put forth by the institution, and are in full compliance with State University of New York policy.

Specifically, many courses follow the format of a standard credit hour awarded for fifteen 50-minute sessions of classroom instruction with a normal expectation of two hours of outside study for each class session. Therefore, a typical three credit hour course at Downstate meets for three 50-minute sessions per week for a fifteen-week semester, and thus totaling 45 sessions. Another format commonly used is the practicum course, such as our clinical courses. For these courses, credit is awarded as defined by the State University of New York (Document Number 1305) for full-time independent study. Specifically, for clinical courses that meet full-time, one semester credit hour is awarded for each week of the course. For clinical courses that are not full-time, but rather interspersed with other coursework, one semester credit hour is awarded for every forty-five hours of involvement on the part of the student. As an example, a clinical course that meets for nine hours a week over the course of fifteen weeks would be assigned three semester credit hours.

New courses, revisions to current courses, and the programs of study are each approved through their respective college or school curriculum committee. It is the charge of each of these Committees to review and approve the curriculum only as it is in compliance with all federal, SUNY and national accreditation guidelines. In addition, virtually all of our programs must be individually accredited by their respective professional organizations. And each accrediting body reviews our courses for compliance with their individual requirements.

Depending on the individual school or college's by-laws, the approval for curriculum may only rest with the Curriculum Committee or it may also require approval by the faculty organization of the college or school. Final authority for the curriculum of each College rests with the Dean of the individual school or college and thus, ultimately, the Dean is responsible for ensuring that programs are reviewed periodically. The review of programs and curriculum is on-going and a continuous improvement process, with reviews occurring annually based on student feedback, changes in the discipline, and updated accreditation standards as published by the professional organizations. Any significant change in a course or a change in a program of study is required to be approved by the respective Curriculum Committee and may require

approval by the State University of New York, the NYS Education Department, individual program accreditors, or Middle States.

POLICY ON STUDENT COMPLAINTS

Student Complaint Procedures

Any person who believes they have been aggrieved by SUNY Downstate or any of its schools or colleges may file a formal complaint with the Vice President for Student Affairs within 90 days of the alleged occurrence or event giving rise to the grievance. Although complaints may be made in person, by telephone, or in writing, the individual must file a formal complaint in writing. You will be asked to discuss your problem with a responsible college representative, one who may best be able to resolve your concerns. You should also review the section below on "Other Complaint Procedures" to determine if another procedure specific to your type of complaint exists.

In response to a written complaint, SUNY Downstate will investigate the allegations and respond to the grievant in a timely manner. Should the need arise, Downstate may contact the grievant for further information or clarification of the complaint. The complaint may be referred to a different responsible campus official for resolution (if appropriate or necessary); any final determination of a formal complaint will be made by an individual not directly involved in the alleged problem.

No adverse action will be taken by Downstate, or it's official representatives or employees, against the student or other complainant based on the individual having filed a complaint. (See "Retaliation", below.)

The College will maintain a written record of the complaint and its resolution or disposition, including appropriate documentation, for a period of six years. Such file will be retained in the Office of the Vice President for Student Affairs and will not be part of the student's file.

If a grievant wishes, they may also file a formal written complaint with the New York State Education Department in accordance with their guidelines (see below). The State Education Department recommends that the complainant try to resolve the complaint with the institution prior to filing a complaint with the Department. An official complaint form and guidelines are available on their web site.

Students who are attending SUNY Downstate via distance learning where they are physically located in a state other than the State of New York can also file a complaint with the appropriate educational authority. For information on how to do so, see: Policy on Distance Learning — Registration and Filing of Complaints or Grievances.

Retaliation

Anyone who participates in this procedure has the right to do so without fear of or actual retaliation. It will be made clear to all parties that retaliation against an employee or a student, or third parties participating in a University sponsored program or affiliated activity, who has filed a complaint, or against any witness or other participant in this process, will result in appropriate sanctions or disciplinary action as covered by SUNY Downstate policies or applicable collective bargaining agreements. These sanctions will be invoked for retaliation regardless of the merits of the original complaint.

Retaliation is an adverse action taken against an individual as a result of the filing of a complaint, exercising a legal right, and/or participating in a complaint investigation as a third party witness. Participants who experience retaliation should contact the Vice President for Student Affairs, the Assistant Vice President for Diversity and Inclusion and/or Title IX Coordinator.

Other Complaint Procedures: Academic Matters, Discrimination, & Sexual Violence

Prior to filing a complaint, please note that each individual college or school has specific procedures for resolving academic complaints regarding assignment of grades (including individual exam/assignment or course grades), academic dismissal, or other academic matters. The established procedure, which is in the Student Handbook under the section for each individual school/college, should be utilized before filing a formal complaint.

Specific procedures for filing of complaints of Discrimination, which are handled by the SUNY Downstate Office of Diversity & Inclusion, and complaints regarding sex discrimination and sexual violence, which are handled by the SUNY Downstate Title IX Coordinator, are located in the Student Handbook and here.

Please note: Complaints regarding medical or patient care, violations of HIPAA, or other complaints relating to University Hospital at Downstate (except as it relates to a student's clinical educational experience) should follow the procedures of the SUNY Downstate Office of Compliance and Audit Services. Instructions to file a complaint in this regard are found on their web site.

Continuous Improvement

Regularly, but no less often than once each year, the Office of the Vice President for Student Affairs shall provide the President and the Council of Deans which meets regularly with him/her, a report of the complaints received for that year and their resolution. The report shall address if there are any trends in complaints, as well as making recommendations for improvements to or new policies or procedures which would be designed to prevent valid complaints from repeating.

External Complaint Options

How to File a Complaint with The State University of New York

The SUNY Office of University Life reviews concerns from students and other individuals regarding student life matters (i.e., non-curricular issues). The Office of University Life staff will work to help connect you with the appropriate parties on your campus to attain a resolution. For further information on how to file a complaint with The State University of New York, see their web site: https://system.suny.edu/university-life/student-concerns/

How to File a Complaint with the NYS Education Department

Section 494C(j) of the Higher Education Act of 1965, as amended, provides that a student, faculty member or any other person who believes he or she has been aggrieved by an institution of higher education has the right to file a written complaint.

In New York State, a complaint may be filed by any person with reason to believe that an institution has acted contrary to its published standards or that conditions at the institution appear to jeopardize the quality of the institution's instructional programs or the general welfare of its students. Any person who believes he or she has been aggrieved by an institution on or after May 4, 1994, may file a written complaint with the Department within five years of the alleged incident.

How to File a Complaint with the NYS Department of Education

- The person should first try to resolve the complaint directly with the institution by following the internal complaint procedures provided by the institution and next should try to resolve the complaint with The State University of New York system administration (instructions listed above) before contacting the NYS Education Department. The Department suggests that the complainant keep copies of all correspondence with the institution.

- If a person is unable to resolve the complaint with the institution and/or SUNY system administration or believes that the institution has not properly addressed the concerns, they may use the following procedure to file a complaint with the NYS Education Department:

https://www.nysed.gov/college-university-evaluation/complaints

- Be sure to read the information on the above linked page and follow the instructions when submitting a complaint.

Students residing outside New York State seeking information about how to file a complaint should reference the Policy on Distance Learning - Registration and Filing of Complaints or Grievances.

How to File a Complaint with Middle States

Unresolved complaints may also be filed with the Middle States Commission on Higher Education, the University's accrediting agency, once all other avenues have been exhausted. The link below provides information on its complaint policies and procedures. For further information, see their web site: https://www.msche.org/submit-a-complaint/

Complaint Resolution

Some complaints may fall within the jurisdiction of an agency or organization other than the State Education Department. These complaints will be referred to the entity with appropriate jurisdiction. When a complaint concerns a matter that falls solely within the jurisdiction of the institution of higher education, the complainant will be notified and the Department will refer the complaint to the institution in question and request that the matter receive a review and response.

Upon conclusion of the Department's complaint review or upon a disposition of the complaint by referral to another agency or organization, or to the institution of higher education, the Department will issue a written notice to the complainant describing the resolution of the complaint. The complainant may contact the Department evaluator directly for follow-up information or for additional assistance.

DISTANCE LEARNING STUDENTS: REGISTRATION AND FILING OF COMPLAINTS OR GRIEVANCES

Registration of Distance Programs

SUNY Downstate Health Sciences University's degree and certificate programs delivered through distance education are registered with The State University of New York (SUNY) and the New York State Education Department (NYSED).

The State Authorization Reciprocity Agreement (SARA) is a national initiative to provide more access to online courses while maintaining compliance standards with state regulatory agencies. SARA is a voluntary agreement among its members states that allows institutions to provide online courses outside of their own state borders by seeking and maintaining state approvals via a streamlined process. To learn more about SARA, visit: nc-sara.org. New York State joined SARA on December 9, 2016 and the National Council for State Authorization Reciprocity Agreements (NC-SARA) approved institutional participation for SUNY Downstate Health Sciences University.

Students Residing Outside New York State and Taking Distance Education Courses

SUNY Downstate Health Sciences University is a member of the National Council for State Authorization Reciprocity Agreements (NC-SARA). As a participating institution, SUNY Downstate can enroll residents of other SARA participating states in its distance education courses and programs. This policy only applies to students taking distance learning courses from outside of New York State.

Programs Leading to Professional Licensure

SARA does not affect state professional licensing requirements. Please note that certain programs leading to professional licensure may be subject to additional state professional licensing requirements, which are not covered by SARA. Students and prospective students are encouraged to consult with their own state and/or professional licensing body to ensure that any courses taken or degrees/certificates earned in an online program at SUNY Downstate will be accepted in their home state.

SUNY Downstate Students Participating in Out-of-State Field Experiences or Learning Placements

As a participant in and member of SARA, SUNY Downstate registered students who are participating in an authorized supervised field experience or a learning placement outside of New York State are considered distance education students for purposes of SARA. SUNY Downstate is a member of SARA and students who participate in out-of-state experiences may participate in those experiences and will receive credit for those experiences that are successfully completed through their course registration at SUNY Downstate. (SARA Policy Manual, version 26.1, Section 5.2 - "Programs leading to professional licensure", N3)

Complaint Resolution Procedures

See Policy & Procedure on Student Complaints

Federal regulations require institutions delivering distance education courses to provide students and prospective students with contact information for filing complaints with (1) the state approval or licensing entity in the institution's home state and (2) any other relevant state official or agency that would appropriately handle a student complaint.

SUNY Downstate Health Sciences University is a member of the National Council for State Authorization Reciprocity Agreements (NC-SARA) and follows the complaint resolution policies and procedures outlined within the SARA Policy Manual and summarized here. Consumer protection complaints resulting from distance education courses, activities, and operations may be submitted to SUNY Downstate for investigation and resolution, as described here. If a student is dissatisfied with the campus-based resolution, a concern may be submitted to System Administration of the State University of New York as outlined here. And, if still not satisfied,

a complaint may be submitted, within two years of the incident about which the complaint is made, to the New York State Education Department as outlined here. (Please note, this process does not include complaints related to grades or student conduct violations, both of which are to be fully addressed via campus processes, not through the NC-SARA complaint resolution procedures. See applicable annual Student Handbook in the Student Policies section.)

Professional Licensure Disclosure Statement

Purpose

SUNY Downstate Health Sciences University offers several programs leading to professional licensure within the State of New York through in-person and online program delivery. States vary in what professions they require to be licensed/certified and how licensure/certification is acquired. Some states require an individual to graduate from an accredited program. Others require individuals to obtain additional coursework, additional fieldwork, background checks, passage of additional state licensing exams, additional fees, or other requirements.

Accreditation Statement

The State University of New York Downstate Health Sciences University is an accredited institution and a member of the Middle States Commission on Higher Education (MSCHE or the Commission) https://www.msche.org/. DHSU's accreditation status is Accreditation Reaffirmed. The Commission's most recent action on the institution's accreditation status on June 26, 2025 was to reaffirm accreditation. MSCHE is recognized by the U.S. Secretary of Education to conduct accreditation and pre-accreditation (candidate status) activities for institutions of higher education including distance, correspondence education, and direct assessment programs offered at those institutions. The Commission's geographic area of accrediting activities is throughout the United States. For more information, please see Downstate's Statement of Accreditation Status https://www.msche.org/institution/0398/.

State Authorization

SUNY Downstate Health Sciences University is a member of the National Council for State Authorization Reciprocity Agreement (NC-SARA), which allows us to provide distance learning programs and coursework to residents of states other than New York. NC-SARA membership, however, does not grant reciprocity or exempt us from state professional licensing requirements. As a result, licensing requirements in New York may not be recognized as sufficient to obtain a license in any other state.

Determination of Student Location for State Authorization and Program Licensure Disclosures

These procedures outline how SUNY Downstate Health Sciences University determines student's location to comply with federal regulations on state authorization (34 CFR 600.9) and disclosure of information about licensed programs (34 CFR 668.43). *These procedures do not apply for any other determination of student location, including tuition residency, IPEDS reporting, or other purposes.*

Student Location Procedure

Relocation

Should a student relocate during the course of a program to another state, it may impact the student's ability to remain in the program, meet the state licensure requirements, and/or continue to receive financial aid funding. Prior to considering relocation, please contact your program to discuss authorization and licensure eligibility requirements. *(See also, Student Location Procedure.)*

International Students

Prior to enrolling in any program at SUNY Downstate Health Sciences University, prospective students living and/or working outside of the United States should confirm with the appropriate certifying agency whether successful completion of any degree program at Downstate will meet the credentialing requirements of the country in which they intend to seek employment, as to certain types of employment or for advanced/specialized educational programs.

Professional Licensure Disclosure

The U.S. Department of Education regulations, 34 CFR 668.43 (a) (5) (v), requires an institution to disclose whether an academic program will fulfill educational requirements for licensure or certification for each state in which a student is enrolled and taking

classes. Further, effective July 1, 2024, federal regulation requires institutions of higher education to make a determination whether a Title IV eligible academic program that leads to professional licensure or certification meets the educational requirements for licensure/certification in the U.S. State where the institution is located and the U.S. States where "distance education" students are located at the time of initial enrollment in the program, as well as U.S. States where the program is advertised as meeting such requirements, and if applicable, the U.S. State where students attest they intend to be licensed/certified.

Our academic programs leading to licensure only accept distance education students who are located in and intend to practice in New York State. *(See "Student Location Procedures.")* New York State prides itself in the high quality of its licensed and certified professionals. For the protection of its citizens, each license and certificate has requirements that individuals must meet in order to be licensed or certified in New York State. A number of programs at SUNY Downstate lead to eligibility for a professional license or certification that is required for employment. Such programs are carefully designed to meet and exceed these requirements. The below programs at SUNY Downstate Health Sciences University are registered by the New York State Education Department and thus meet the initial educational requirements for licensure/certification for New York State.

Through a good faith effort, and for the purpose of complying with federal regulations, we have determined that the programs listed below meet the educational requirements for licensure/certification in the State of New York; however, should you move to or decide to practice in another US State, it is important to note that SUNY Downstate Health Sciences University is not the licensure/certification authority in other US States and cannot access whether an individual candidate will be issued a license/certificate in other US States and instead each individual candidate must contact the licensure/certification authority in the US State in which they are seeking licensure/certification to obtain guidance on the application policies and procedures for licensure certification.

Programs this applies to:

- College of Medicine: Doctor of Medicine
- College of Nursing: Accelerated Bachelor's of Science in Nursing; the Registered Nurse to Bachelor of Science program in Nursing; Masters of Science in Nursing- with concentrations in Family Nurse Practitioner, Women's Health Nurse Practitioner; Advanced Certificate in Family Nurse Practitioner, Advanced Certificate in Women's Health Primary Care Nurse Practitioner and Doctor of Nursing Practice
- School of Health Professions: Master of Science and Advanced Certificate in Midwifery; Masters of Science in Occupational Therapy; Bachelor of Science/Doctor of Physical Therapy in Physical Therapy; Master of Science in Applied Behavior Analysis; and Master of Science in Physician Assistant

Attestation Form

Federal regulation, § 668.14(b)(32)(i) and (ii), requires students to complete an attestation at the time of initial enrollment or change of address outside of New York State when they are enrolled in a professional licensure or state certification program. The attestation serves as a crucial tool to ensure that students engage in the decision-making process with full awareness and consent.

SUNY Downstate is committed to complying with federal regulations and demonstrating transparency. SUNY Downstate Health Sciences University has implemented a robust student attestation process to ensure that students are fully informed about how the University's professional licensure and certification programs align with the educational standards of a state or territory, empowering them to make informed decisions about their education and future career paths.

Attestation Form

College of Medicine

This Disclosure is strictly limited to the SUNY Downstate's determination of whether its educational programs, specifically the following program(s): **Doctor of Medicine** — that if successfully completed, would be sufficient to meet the educational licensure and/or certification requirements in a State for the practice of medicine.

Read College of Medicine Disclosure

College of Nursing

This Disclosure is strictly limited to the SUNY Downstate's determination of whether its educational programs, specifically the following programs: **Accelerated Bachelor's of Science in Nursing; the Registered Nurse to Bachelor of Science program in Nursing; Masters of Science in Nursing- with concentrations in Family Nurse Practitioner, Women's Health Nurse Practitioner and Nurse Midwifery; Advanced Certificate in Family Nurse Practiitioner, Advanced Certificate in Nursing Education and Women's Health Primary Care Nurse Practitioner and Doctor of Nursing Practice** — that if successfully completed, would be sufficient to meet the educational licensure and/or certification requirements in a state for the practice of nursing.

Read College of Nursing Disclosure

School of Health Professions

This Disclosure is strictly limited to the SUNY Downstate's determination of whether its educational programs, specifically the following programs: **Master of Science and Advanced Certificate in Midwifery; Masters of Science in Occupational Therapy; Bachelor of Science/Doctor of Physical Therapy in Physical Therapy; Master of Science in Applied Behavior Analysis; and Master of Science in Physician Assistant** — that if successfully completed, would be sufficient to meet the educational licensure and/or certification requirements in a state for the practice of Health Care Professions.

Read School of Health Professions Disclosure

Student Location Procedure

Determination of Student Location for State Authorization and Program Licensure Disclosures

Overview

SUNY Downstate Health Sciences University is committed to complying with federal and state rules and regulations regarding the operation of higher education institutions in every state in which it enrolls students in programs leading to certifications or professional licensure. This practice, known as State Authorization, relates to all out-of-state activities ranging from fully online programs to experiential learning activities in face-to-face courses.

These procedures outline how SUNY Downstate Health Sciences University determines student location to comply with federal regulations on state authorization (34 CFR 600.9) and disclosure of information about licensed programs (34 CFR 668.43). These procedures do not apply for any other determination of student location, including tuition residency, IPEDS reporting, or other purposes.

Policy

Student location is determined at the time of initial enrollment at the University. For purposes of this policy, the student location is the State where the enrolled student resides and is based on the physical location of the student. For a prospective student, this is the State of the prospective student's residency at the time the student has applied for admission, intends to enroll, and is then entered into SUNY Downstate Health Sciences University's Banner System by the Office of Admissions (based on the address that is entered in their application for admission).

For students with a permanent address that does not include a U.S. State or territory (e.g., students living outside the United States), their location will be considered the State of New York.

Students are required to maintain an accurate permanent ("home") and local address in the Banner system.

This determination of location differs from determination of residency, which is a SUNY policy set for the purposes of determining eligibility for in-state tuition at SUNY state-operated campuses. More information about the determination of residency can be found on the NYS Residency page within the Admissions website.

Change of Address. The student location designation will remain in effect unless and until a student changes the U.S. State or territory listed in the student's permanent address using a change of address form with the Registrar's office. Once a new U.S. State or territory is registered into the Banner System, for any enrolled student. SUNY Downstate will consider that date of submission as the effective date of a student's revised location for the purposes of this policy.

Background

This policy is in relation to the university certification procedures for Title IV participation and consumer protection so that students do not expend their time and funds on a program that will not meet their occupational goals and, likewise, so that federal funds are not expended for such programs. Amendment to existing regulation 34 CFR 668.14(b)(32)(ii) 32, effective July 1, 2024, impacts Title IV eligible programs that lead to licensure or certification for an occupation, no matter program modality and no matter if the institution participates in NC-SARA, as professional licensure disclosures are reviewed during the SARA application approval process.

State Authorization § 600.9(c)(2)(ii) requires a policy on Student Location that must be provided to the Secretary of Education upon request. Student locations will no longer correspond with the student's state of residence, but instead with the student's physical location. Institutions providing distance or correspondence education to students located outside of the state where the institution is physically located must meet the student's state's requirements for it to be legally offering distance or correspondence education in that state (State Authorization §600.9(c)(1)(i)). Institutions must determine the state in which a student is located both at the time of the student's initial enrollment in an educational program and upon formal receipt of information from the student that their location has changed (State Authorization § 600.9(c)(2)(iii)).

Responsibility

Students may not be enrolled in any courses or program while in a location that is not authorized. Moreover, students may not be enrolled in and/or complete a licensure program while in a location where the licensure program does not meet educational licensure requirements. The only exception to this requirement is if a student submits an attestation stating they are aware the program does not meet the requirements but wishes to continue the program. This exception refers to the licensure program requirement only.

Procedure

To comply with Institutional Information § 668.43(c), Licensure Requirement Direct Disclosures, the Admissions Office is the first point of verification and contact with prospective students applying to programs leading to certification or professional licensure. As part of the application process, students will receive notice asking them to review the state authorization public disclosures webpage, which includes locations where the program is approved and meets educational licensure requirements.

They will also be required to complete an attestation form before being considered for admission to SUNY Downstate Health Sciences University. The Attestation form will be a part of their required application material. The student may not be considered for admission in the program unless they submit an attestation that they understand the program does not meet educational licensure requirements in their location. Students failing to complete the attestation form will not be considered for admission and could be dismissed from their program.

The applicable programs have been identified by SUNY Downstate and copies of the disclosures are available on the SUNY Downstate Professional Licensure website. The Admissions Office will require the form to be complete as a part of the application process which will explain the policy and act as direct disclosure notification regarding the professional license disclosure to any student in one of the applicable programs before acceptance and acknowledgement.

The Admissions Office will send Direct Disclosure notification regarding the Professional Licensure Disclosures to any new or incoming student who changes their permanent (mailing) address to an out-of-state address or to students that have a permanent (mailing) address out-of-state and change their program of study to one of the applicable programs. The Registrar's Office will manage a Direct Disclosure notification regarding the Professional Licensure Disclosures to any current students who change their permanent (mailing) address to an out-of-state address or to students that have a permanent (mailing) address out-of-state and change their program of study to one of the applicable programs. The disclosures are sent within 14 calendar days of the change being made. Students in these situations are flagged by the Registrar's office after a change of address is submitted.

Academic Advisors of students within programs that lead to certification or professional licensure will follow up with students who complete the attestation form to ensure full understanding of the attestation form and strongly encourage students to contact their state's licensure entity to review all licensure and certification requirements imposed by their state(s) of choice.

Attestation Form

Federal regulation, § 668.14(b)(32)(i) and (ii), requires students to complete an attestation at the time of initial enrollment or change of address outside of New York State when they are enrolled in a professional licensure or state certification program. The attestation serves as a crucial tool to ensure that students engage in the decision-making process with full awareness and consent.

SUNY Downstate is committed to complying with federal regulations and demonstrating transparency. SUNY Downstate Health Sciences University has implemented a robust student attestation process to ensure that students are fully informed about how the University's professional licensure and certification programs align with the educational standards of a state or territory, empowering them to make informed decisions about their education and future career paths.

Attestation Form

Relevant Standards, Codes, Rules, Regulations, Statutes, and Policies

Licensure Disclosure Statement Regulation: 34 CFR 668.43(a)(5)(v) (https://www.federalregister.gov/d/2023-22785/p-1961)

Student Location Determination Regulation: 34 CFR 600.9(c)(2) (https://www.ecfr.gov/current/title-34/part-600/section-600.9#p-600.9(c)(2))

Policies for Students on Exposure to Infectious and Environmental Hazards and care for students who have been exposed, and the effect on learning activities

Note: These policies mirror specific policies adopted by the College of Medicine which are located in the College of Medicine section of this Handbook.

Training Students on Exposure to Infectious & Environmental Hazards

This policy describes the mandatory training and education to insure our students understand how to protect themselves against infectious and environmental hazards.

Policy

During Orientation

- Students must complete a mandatory OSHA presentation by the Director of the Student Health Center, who discusses the following:
- ○ The prevention of sharps and splash exposures, personal protective equipment (PPE), and steps to take if an exposure occurs.
- ○ Information about hepatitis B, hepatitis C and HIV infection
- ○ How to find additional information in the "Exposure to Blood and Body Fluids" section of the Student Health website, and in the Student Handbook which is distributed to students on a flash drive at Orientation and is also available online. OSHA training is performed annually.
- ○ In all instances, standard and universal precautions are to be utilized by all students during patient care activities.
- Some students in New York State are required to receive training in Infection Control and Barrier Precautions which is given by the Hospital Infection Control Department, Division of Infectious Diseases. This New York State approved course is valid for a four-year period.
- Wallet-sized cards are distributed to all students that contain:
- ○ Information about "Universal Standard Precautions" which includes PPE and steps to take in case of exposure, including follow-up care at Student Health.
- ○ A second card is distributed which contains emergency phone numbers and the HIV post-exposure protocol.
- Depending on their program, some students must be "fit-tested" for N-95 particulate respirators and receive a respirator for personal use.
- Documentation of required training is required prior to the student's entrance into clinical training.

Procedures for Care & Treatment after Exposure to an Infectious or Environmental Hazard

Purpose

This policy describes the procedures for care and treatment after exposure to an infectious or environmental hazard including a definition of financial responsibility.

Policy

- Immediately after exposure to a needle puncture or mucous membrane exposure to blood or other potentially infectious material (OPIM) the student should:
  - Clean wound with soap and water or flush affected mucous membranes with clear water
  - Contact his or her supervisor. The student should not rely on fellow students or house staff for instructions.
- The student should report to the following depending on the site of clinical rotation or care:
  - For exposures at SUNY Downstate during normal working hours, the student should report to the Student Health Center. When the Student Health Center is closed, report to the Emergency Room at SUNY Downstate.
  - For exposures at Kings County Hospital, the student should report to the Emergency Room at KCH.
  - For exposures at other clinical sites, the student should ask the nurse in charge, who will be able to direct the student how to proceed, e.g., to the Emergency Room or the Employee Health Service at that clinical site.
- If the student was not initially seen at the Student Health Center, the student should report there when it next opens for the necessary follow-up care. The Student Health Center is located at 440 Lenox Road, Apt 1-W, and is open Mon-Fri, 9 am-4 pm. The contact number is 718-270-1995 or 2018.
- Services received at Student Health will be at no charge. Charges to the student's insurance for services received in the KCH Emergency Room may be reversed by having the student report to the KCH Employee Health Service within 5 days. The student's insurance may be charged for services received at other clinical sites.
- It is the responsibility of the site of the clinical rotation to provide the appropriate follow-up of the source patient, if known.

Policy on Effects of Infectious Disease or Disability on Student Learning Activities

Purpose

This policy describes the effects of infectious and environmental disease or disability on student learning activities.

Policy

- All SUNY Downstate schools and colleges abide by the center-wide policy on HIV and other infectious or communicable diseases (see Section 20 of SUNY Downstate Health Sciences University Hospital Policies and Procedures): and shall not discriminate against any person on the basis of HIV status or other communicable diseases (e.g. Hepatitis B, Hepatitis C). SUNY Downstate may not require a test for verification of HIV status or other communicable diseases for the purpose of attaining or maintaining academic admission or continued matriculation.
- SUNY Downstate shall maintain confidentiality regarding communicable diseases (e.g. HIV testing, HIV status, or AIDS-related conditions) of its students in accordance with all applicable federal, state and local laws and regulations and in accordance with all policies and procedures of SUNY Downstate Health Sciences University.
- For students who are infected with hepatitis B, hepatitis C, and/or HIV the risk of transmission to patients increases with the invasiveness of the procedure provided by the student and their viral load. The Society for Healthcare Epidemiology of America (SHEA) has issued guidelines for the above infections in healthcare workers, including students. The full report may be accessed at "Infection Control and Hospital Epidemiology", March 2012, Vol. 31, No. 3. There are three categories of healthcare-associated procedures according to risk of transmission:
  - Procedures with de minimus risk of bloodborne virus transmission.
  - Procedures for which bloodborne virus infection is theoretically possible but unlikely.
  - Procedures for which there is definite risk of bloodborne virus transmission or that have been classified previously as "exposure-prone".

An expert panel may be convened to counsel students who are known to be infected with hepatitis B, hepatitis C and/or HIV if they are performing Category II or Category III procedures, and have viral loads above those recommended in the SHEA guidelines for each infection.

- No person shall be subject to adverse education actions or removed from educational experiences solely because of a non-task related disability. Reasonable accommodations will be made for students with communicable disease consistent with the current state of knowledge on transmission of infection. If the Director of the Student Health Center determines that the safety of a student or the safety of others in contact with the student are at risk, the Director will contact the Dean of the college or school the student

is enrolled in (or their designee). The Dean will then convene a panel to review and recommend educational activities for the student in question that are based on current state of knowledge on the infection.

Student Exposure to Extraordinary Infectious or Environmental Hazards Policy

Purpose

The purpose of this policy is to address student exposure to infectious and environmental hazards and to promote student health and safety during periods when extraordinary outbreaks of infectious disease or environmental hazards may affect the educational program for an individual student, group of students, or all students at SUNY Downstate. This policy specifically includes epidemics, pandemics or extraordinary environmental hazards that potentially threaten the health and safety of students in clinical environments. It does not include infectious or environmental exposure encountered in normal clinical activities. The latter policy regarding the effects of infectious diseases is also included in the Student Handbook (above).

Policy

1. The Dean of the individual school of college, working with the appropriate associate dean, program chair, or clinical coordinators, will determine the extent of student participation in academic and clinical activities when potential exposure to infectious or environmental hazards substantially exceeds expected standards. This may involve individual or small groups of students with potential exposure to a specific high-risk environment or wide spread occurrences such as epidemics or pandemics.
2. The decision of the Dean (or their designee) will be based on the following principles:
    a. While such situations may provide a unique learning experience the potential educational benefits must be weighed against student health and safety concerns, public health concerns and the objectives of the educational program. The first priority for students will be their health and safety.
    b. Students are in an educational role and should not be involved in clinical activities that go beyond the roles performed in the normal clinical environment. Students may participate in clinical activities during periods of significant risk according to the level of clinical competence of the student and the assessment of risk of the clinical environment.
    c. Academic education activities should continue wherever possible regardless of the cancellation of clinical education activities.
    d. Students are not permitted to volunteer for involvement in clinical activities during situations subject to this policy without the approval of the Dean of the school or college they are enrolled in (or their designee).
    e. As a matter of general course, all students will:
        i. Have their immunization record reviewed annually and updated as needed through the Student Health Center
        ii. Be mask-fitted (if appropriate for their academic program) through the Student Health Center
        iii. Be schooled in the concept of universal precautions and techniques for infection control before exposure to clinical activities
3. It is the responsibility of faculty members, staff and students to notify the Dean in a timely manner of the existence of any hazardous environment that might affect students.
4. Any decisions made under this policy will be communicated promptly to students, faculty, and healthcare organizations affected by the decision.
5. The procedures for care and treatment of students after occupational exposure, and any secondary disability, would be addressed through the Student Health Center at Downstate Health Sciences University.

Definitions

Epidemic: epidemic is a classification of a disease that appears as new cases in a given human population, during a given period, at a rate that substantially exceeds what is “expected,” based on recent experience

Pandemic: pandemic is an epidemic that spreads through human populations across a large region (for example a continent), or even worldwide.

Environmental Hazards: “Environmental hazard” is a generic term for any situation or state of events which poses a threat to the surrounding environment.

SECTION III

NON-DISCRIMINATION, SEXUAL VIOLENCE RESPONSE AND TITLE IX POLICIES

NON-DISCRIMINATION NOTICE

SUNY Downstate is committed to fostering a diverse community of outstanding faculty, staff, and students, as well as ensuring equal educational opportunity, employment, and access to services, programs, and activities, without regard to an individual's race, color, national origin, religion, creed, age, disability, sex, gender identity, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction. Employees, students, applicants or other members of the University community (including but not limited to vendors, visitors, and guests) may not be subjected to harassment that is prohibited by law, or treated adversely or retaliated against based upon a protected characteristic

SUNY Downstate's policies are in accordance with federal and state laws and regulations prohibiting discrimination and harassment. These laws include the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 as Amended by the Equal Employment Opportunity Act of 1972, and the New York State Human Rights Law. These laws prohibit discrimination and harassment, including sexual harassment and sexual violence.

Inquiries regarding the application of Title IX and other laws, regulations and policies prohibiting discrimination may be directed to Title IX Director, Basic Sciences Building, AskODI@downstate.edu, 718-270-1738.

Inquiries may also be directed to the United States Department of Education's Office for Civil Rights, 32 Old Slip, 26th Floor, New York, NY 10005-2500; Telephone (646) 428-3800; Email OCRNewYork@ed.gov.

BIAS CRIMES PREVENTION

Hate Crimes and the Law

It is the University Police Department's mandate to protect all members of the Downstate Health Sciences University community by preventing and prosecuting bias or hate crimes that occur within the campus's jurisdiction.

Hate crimes, also called bias crimes or bias-related crimes, are criminal activity motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their race, religion ethnicity, gender, sexual orientation, or disability. Hate/bias crimes have received renewed attention in recent years, particularly since the passage of the federal Hate/Bias Crime Reporting Act of 1990 and the New York State Hate Crimes Act of 2000 (Penal Law Article 485). Copies of the New York Law are available from the Office of Work Place Training and Development, ext. 6745.

Penalties for bias related crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence or previous convictions of the offender. Perpetrators who are students will also be subject to campus disciplinary procedures where sanctions including dismissal are possible.

In addition to preventing and prosecuting hate/bias crimes, the University Police also assist in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and defined by the University as acts of bigotry, harassment, or intimidation directed at a member or group within the Downstate Health Sciences University community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status, may be addressed through the State University's Discrimination Complaint Procedure or the campus conduct code. Bias incidents can be reported to University Police as well as to the Office of Diversity and Inclusion (AA/EEO office).

If you are a victim of or witness to, a hate/bias crime on campus, report it to University Police by calling 2626 in an emergency, or the red campus emergency telephone. University Police will investigate and follow the appropriate adjudication procedures.

Victims of bias crime or bias incidents can avail themselves of counseling services from the Director of Student Counseling at 718 270-1408. Academic support services from the campus are available from the faculty or through the Office of Student Affairs, 718-270-2187.

For general information on Downstate Health Sciences University security procedures, see the University Police Department's web site at: https://www.downstate.edu/about/our-administration/university-police/.

More information about bias-related and bias crimes, including up-to-date statistics on bias crimes is available from the University Police Department at 718-270-3161.

STUDENTS UNABLE BECAUSE OF RELIGIOUS BELIEFS TO ATTEND CLASSES ON CERTAIN DAYS (SECT. 224-A OF NEW YORK STATE EDUCATION LAW)

1. No person shall be expelled from or be refused admission as a student to an institution of higher education for the reason that s/he is unable, because of religious beliefs, to register or attend classes or to participate in any examination, study or work requirements on a particular day or days.
2. Any student in an institution of higher education who is unable, because of his or her religious beliefs, to attend classes on a particular day or days shall, because of such absence on the particular day or days, be excused from any examination or any study or work requirements.
3. It shall be the responsibility of the faculty and of the administrative officials of each institution of higher education to make available to each student who is absent from school, because of his or her religious beliefs, an equivalent opportunity to register for classes or make up any examination, study, or work requirements which he or she may have missed because of such absence on any particular day or days. No fees of any kind shall be charged by the institution for making available to the said student such equivalent opportunity.
4. If registration, classes, examinations, study or work requirements are held on Friday after four o'clock post meridian or on Saturday, similar or makeup classes, examinations, study, or work requirements or opportunity to register shall be made available on other days, where it is possible and practicable to do so. No special fees shall be charged to the student for these classes, examinations, study, or work requirements or registration held on other days.
5. If effectuating the provisions of this section, it shall be the duty of the faculty and of the administrative officials of each institution of higher education to exercise the fullest measure of good faith. No adverse or prejudicial effects shall result to any student because of his or her availing himself or herself of the provisions of this section.
6. Any student, who is aggrieved by the alleged failure of any faculty or administrative officials to comply in good faith with the provisions of this section, shall be entitled to maintain an action or proceeding in the supreme court of the county in which such institution of higher education is located for the enforcement of his or her rights under this section.

6-a. It shall be the responsibility of the administrative officials of each institution of higher education to give written notice to students of their rights under this section, informing them that each student who is absent from school, because of his or her religious beliefs, must be given an equivalent opportunity to register for classes or make up any examination, study or work requirements which he or she may have missed because of such absence on any particular day or days. No fees of any kind shall be charged by the institution for making available to such student such equivalent opportunity.

7. As used in this section, the term "institution of higher education" shall mean any institution of higher education, recognized and approved by the regents of the university of the state of New York, which provides a course of study leading to the granting of a post-secondary degree or diploma. Such term shall not include any institution which is operated, supervised or controlled by a church or by a religious or denominational organization whose educational programs are principally designed for the purpose of training ministers or other religious functionaries or for the purpose of propagating religious doctrines. As used in this section, the term "religious belief" shall mean beliefs associated with any corporation organized and operated exclusively for religious purposes, which is not disqualified for tax exemption under section 501 of the United States Code.

COMPLAINT PROCEDURE PROCESS FOR ISSUES OF DISCRIMINATION OR HARASSMENT

Overview

The State University of New York Downstate Health Sciences University ("SUNY Downstate" or "The University,") in its continuing effort to seek equity in education and employment and consistent with Federal and State anti-discrimination legislation, has adopted a complaint procedure for the prompt and equitable investigation and resolution of allegations of unlawful discrimination on the basis of race, color, national origin, religion, creed, age, gender, sexual orientation, disability, gender identity, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction. Harassment on the basis of the above categories is one form of unlawful discrimination.

Employees, who observe or become aware of sex discrimination, including sexual harassment, sexual assault and sexual violence, should report this information to the campus Title IX Coordinator. Conduct that may constitute harassment is described below (see Definitions and Prohibited Behavior). More detailed information may be obtained from the Office of Diversity and Inclusion.

Jurisdiction of the Office of Diversity and Inclusion

Complaints of discrimination should be made to the Associate Vice President (AVP) of the Office of Diversity and Inclusion or their designee. Complaints of sex discrimination and sexual violence should be made to the Title IX Coordinator. Complaints or concerns that are reported to a University administrator, manager, or supervisor concerning an act of discrimination or harassment or acts of

discrimination or harassment that administrators, managers, or supervisors observe or become aware of shall be immediately referred to the Office of Diversity and Inclusion. As of September 2018, faculty who are members of the University United Professional (UUP) are also deemed mandated reporters. All other employees who observe or become aware of sex discrimination, including sexual harassment and sexual violence, should report this information to the campus Title IX Coordinator. Employees with Title IX compliance responsibilities and/or employees who have the authority to take action to redress the harassment must report any complaints to the Title IX Coordinator. Complaints may also be made directly to the Assistant Vice President and/or Title IX Coordinator by anyone who experiences, observes, or becomes aware of discrimination or harassment. Institutional Equity will also receive initial inquiries, reports, and requests for consultation. Institutional Equity will respond as appropriate and in a timely manner.

SUNY Downstate is committed to providing a learning and working environment free from discrimination. SUNY Downstate, through the Office of Diversity and Inclusion, reserves the right to pursue any complaint of discrimination about which it becomes aware. Based on information received, the Assistant Vice President and/or Title IX Coordinator may exercise their discretion and initiate a complaint on behalf of the SUNY Downstate community, regardless of complainant cooperation or involvement.

In addition, Institutional Equity may determine that a specific complaint of unlawful discrimination or harassment is of such a serious or potentially criminal nature that the investigative steps outlined in the process should be accelerated or eliminated. Such a circumstance will be communicated to the President (or their designee) and to the Vice President of Human Resources and/or the Assistant Vice President r for Employee & Labor Relations for appropriate action, including the initiation of disciplinary action. If the Respondent is a student, the referral will be to the Vice President for Student Affairs.

The Assistant Vice President, or in instances involving sex discrimination, the Title IX Coordinator, is available to assist in preparing the complaint. The Title IX Coordinator will ensure that complainants are aware of their Title IX rights and available resources on and off-campus, and the right, if any, to file a complaint with local law enforcement. SUNY Downstate will comply with law enforcement requests for cooperation and such cooperation may require the campus to temporarily suspend the fact-finding aspect of an investigation while the law enforcement agency is in the process of gathering evidence. In cases of domestic violence, dating violence, intimate partner violence, stalking, or sexual violence, the campus will resume its investigation within 10 business days. In other cases, the campus will resume its investigation as soon as it is notified by the law enforcement agency that it has completed the evidence gathering process. In all cases, SUNY Downstate will implement appropriate interim steps during the law enforcement agency's investigation period to provide for the safety of the victim(s) and the campus community.

SUNY Downstate will take steps to prevent discrimination and harassment, to prevent the recurrence of discrimination and harassment, and to remedy its discriminatory effects on the victim(s) and others, if appropriate. These measures are intended to balance the rights of those bringing complaints of discrimination, harassment, and retaliation (i.e. the "Complainant") with those against whom claims are brought (i.e. the "Respondent"). The Complainant is not required to file an internal complaint with SUNY Downstate before filing a complaint with a State or Federal agency.

This procedure may be used by any SUNY Downstate student or employee, as well as by third parties for incidents that occur on and off campus when the respondent is a Downstate employee or student. Employee grievance procedures established through negotiated collective bargaining agreements, academic grievance review committees, student disciplinary grievance boards, and any other procedures defined by collective bargaining agreements or contracts will continue normal protocol, To reiterate, this procedure does not in any way deprive a Complainant of the right to file with outside enforcement agencies, including but not limited to the New York State Division of Human Rights, the Equal Employment Opportunity Commission, the Office for Civil Rights of the United States Department of Education, the Office of Federal Contract Compliance of the United States Department of Labor. Additionally, the Title IX Coordinator can provide additional information and resources to any complainant that may have been a victim of sexual harassment, sexual violence or sexual assault.

However, after filing with an outside enforcement agency, or upon the initiation of litigation, the complaint shall be referred to the campus Title IX Coordinator for investigation with the Office of Senior Managing Counsel.

Time Limits

Employees. Employees of SUNY Downstate and third parties participating in a University sponsored program or affiliated activity, must file a written complaint with the Office of Diversity and Inclusion within 180 calendar days following the alleged discriminatory act or the date on which the Complainant first knew or reasonably should have known of such act. There is no time limit for complaints of sexual misconduct. All such complaints may be filed in person or submitted in writing to Institutional Equity.

Students. Students must file a complaint within 180 calendar days following the alleged discriminatory act, or 180 calendar days after a final grade is received for the semester during which the discriminatory acts occurred, if that date is later. For alleged discriminatory acts in a spring semester, students will have 180 calendar days from the beginning of the following fall semester to file a complaint.

It is the Complainant›s responsibility to be certain that any complaint is filed within the 180-day period.

Should a complaint of domestic violence, dating violence, stalking, or sexual violence be brought beyond the 180-day period, it will be tracked and investigated to the extent possible consistent with the campus Title IX obligations, including the Title IX Coordinator's duties to spot patterns and address systemic issues.

As soon as reasonably possible after the date of filing of the complaint, the Title IX Coordinator will provide notice of the complaint to the respondent.

Retaliation

Anyone who participates in the procedure has the right to do so without fear of or actual retaliation. It will be made clear to all parties that retaliation against an employee or a student, or third parties participating in a University sponsored program or affiliated activity, who has filed a discrimination complaint, or against any witness or other participant in this process, will result in appropriate sanctions or disciplinary action as covered by SUNY Downstate policies or applicable collective bargaining agreements. These sanctions will be invoked for retaliation regardless of the merits of the original complaint.

Retaliation is an adverse action taken against an individual as a result of complaining about unlawful discrimination or harassment, exercising a legal right, and/or participating in a complaint investigation as a third-party witness. Participants who experience retaliation should contact the Assistant Vice President and/or Title IX Coordinator.

Confidentiality

To the extent practicable or allowable by law, all aspects of the complaint and investigation conducted in accordance with these procedures will be confidential. All affected parties shall cooperate fully in the investigation and shall maintain and preserve the confidentiality of the investigation.

Procedures for Resolving Complaints

Complaint Consultation and Review

Any student or employee of SUNY Downstate, or third party participating in a University sponsored program or affiliated activity, may consult with the Assistant Vice President and/or Title IX Coordinator regarding potential discrimination or harassment. Institutional Equity will assist the individual in understanding the nature of the incident, the complaint process, resources available to the individual, and other options to resolve the issue. The individual need not take any further action.

SUNY Downstate may take interim measures to protect the parties during the investigation process. Interim measures will not disproportionately impact the complainant. Interim measures involving employees in collective bargaining units should be determined in consultation with campus labor relations. Interim measures for students may include, but is not limited to, information about how to obtain counseling and academic assistance in the event of sexual assault, and steps to take if the accused individual lives on campus and/or attends class with the complainant.

Investigation and Mediation of Informal Complaints

The individual may elect to have the matter resolved informally through mediation, if appropriate. If mediation is successful, Institutional Equity will send a written notice to that effect to both parties. The matter will then be closed. Should mediation be unsuccessful Institutional Equity will advise the complainant of her or his right to proceed with a formal complaint.

Complaints of sexual violence will not be resolved by using mediation, but instead must be referred immediately to the campus Title IX Coordinator. The complainant will not be required to resolve the problem directly with the respondent in cases of sex discrimination.

At any time in this process, the Complainant may elect to file a formal complaint, as long as it is within the 180-day time limit. (See "Time Limits" above.)

Investigation of Formal Complaints

If there is a formal complaint filed, Institutional Equity will take all reasonable steps necessary to complete the investigation within 90 calendar days after receipt of the complaint. When appropriate, Institutional Equity may extend this deadline for a reasonable period of time to conclude its investigation. Both the Complainant and the Respondent(s) shall be entitled to submit written statements or other relevant and material evidence and witnesses. An informal investigation will only be used with the consent of both parties and only where its use is deemed appropriate by Institutional Equity (complaints of sexual violence will not be resolved by using mediation, but instead must be referred immediately to the Title IX Coordinator).

The burden of proof in cases of sex discrimination is preponderance of the evidence.

Failure to Cooperate in matters concerning employees: If the Respondent refuses to cooperate and/or responds in an untimely

manner, AVP may terminate any further processing of the complaint and refer the matter to the Office of Labor Relations. Failure to cooperate meaningfully in a review of a complaint of discrimination may be grounds for discipline.

Inaction by Complainant: If at any time during an investigation, a Complainant declines to cooperate with Institutional Equity, or if Institutional Equity determines that the Complainant no longer wishes to pursue her/his complaint, the matter may be considered closed, with appropriate notification. SUNY Downstate reserves the right to pursue any complaint of discrimination about which it becomes aware. Based on information received, the Assistant Vice President/Title IX Coordinator may exercise their discretion and initiate a complaint on behalf of the Downstate campus community, regardless of complainant cooperation or involvement.

In matters involving employees, if legal counsel is retained by a Complainant or Respondent that counsel may not participate or be present at any meeting convened by Institutional Equity. Respondents and Complainants are expected to communicate with the Institutional Equity directly, not through legal counsel or other intermediaries.

Resolution of Formal Complaint

In concluding a formal investigation of a complaint of discrimination or harassment, Institutional Equity's determination may be that:

- The complaint was not substantiated. If Institutional Equity determines that there is insufficient credible evidence to support the allegation of discrimination, the complaint shall be dismissed and SUNY Downstate shall take no further action.
- The complaint was substantiated. For Respondents who are students, Institutional Equity may determine that sufficient information exists to refer the matter to the Vice President for Student Affairs for review and appropriate action under the student conduct code.

For Respondents who are employees (including those in collective bargaining units), Institutional Equity may determine that sufficient information exists to recommend disciplinary action. The matter may then be referred to the Office of Labor Relations for further investigation and appropriate action under the applicable bargaining agreement. Corrective action may include, but is not limited to: reprimand, mandatory counseling, written counseling, probation, suspension, termination of employment, or non-renewal of contract.

The decision of the Office of Diversity and Inclusion is the final decision of the University; there are no internal appeals. However, a complainant may elect to file a complaint with one or more State and Federal agencies.

Contact Information

Office of Diversity and Inclusion

Basic Sciences Building 5-95

Tel: (718) 270-1738 Fax: (718) 270-2276

AskODI@downstate.edu

Definitions and Prohibited Acts and Behaviors

Definitions

Consent/Affirmative Consent - clear unambiguous, knowing, informed and voluntary agreement between all participants to engage in sexual activity. Silence or lack of resistance cannot be interpreted as consent. When consent is withdrawn or cannot be given, sexual activity must stop. Consent cannot be given when a person is incapacitated. Incapacitation occurs when an individual lacks the ability to fully, knowingly choose to participate in sexual activity. Incapacitation includes impairment due to drugs or alcohol (whether such use is voluntary or involuntary), the lack of consciousness or being asleep, being involuntarily restrained, if any of the parties are under the age of 17, or if an individual otherwise cannot consent. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.

Harassment on the Basis of Protected Characteristic(s) other than Sex/Gender – harassment based on race, color, age, religion, national origin, disability, sexual orientation or other protected characteristics is oral, written, graphic or physical conduct relating to an individual's protected characteristics that is sufficiently severe, pervasive, or persistent so as to interfere with or limit the ability of an individual to participate in or benefit from the educational institution's programs or activities.

Sex Discrimination – behaviors and actions that deny or limit a person's ability to benefit from, and/or fully participate in the educational programs or activities or employment opportunities because of a person's sex. This includes but is not limited to sexual harassment, sexual assault, sexual violence by employees, students, or third parties. Employees should report sexual harassment that they observe or become aware of to the Title IX coordinator.

Sexual assault (as defined in the Clery Act and Violence Against Women Act and further defined by the Federal Bureau of Investigation's National Incident-Based Reporting System (NIBRS) to include rape (sodomy and sexual assault with an object),

criminal sexual contact (forcible), and incest and statutory rape (non-forcible) sex offenses) means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Criminal Sexual Contact is defined as "(t)he intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation; or the forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

Sexual Harassment in the Educational Setting – unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment of a student denies or limits, on the basis of sex, the student's ability to participate in or to receive benefits, services, or opportunities in the educational institution's program.

Sexual Harassment in the Employment Setting – unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature when any of the following occurs:

- Submission to such conduct is made a term or condition of an individual's continued employment, promotion, or other condition of employment.
- Submission to or rejection of such conduct is used as a basis for employment decisions affecting an employee or job applicant.
- Such conduct is intended to interfere, or results in interference, with an employee's work performance, or creates an intimidating, hostile, or offensive work environment.

Sexual Violence - physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent.

Preponderance of the Evidence – the standard of proof in sexual harassment and sexual assault cases, which asks whether it is "more likely than not" that the sexual harassment or sexual violence occurred. If the evidence presented meets this standard, then the accused should be found responsible.

General Inquiries

Office of Diversity and Inclusion | 450 Clarkson Avenue, MSC 1220|

Brooklyn, NY 11203 | Tel (718) 270-1738 | Fax (718) 270-2276

ACADEMIC GRIEVANCES**:**

If a campus Academic Grievance Committee has been established to review student complaints concerning grades, it shall continue to hear such complaints. If discrimination is alleged to be the basis for the grade, the campus chief diversity officer may at the request of the Academic Grievance Committee sit with that committee in an advisory capacity during the review.

For more information on filing a grievance alleging discrimination, please see the Office of Diversity and Inclusion's webpage at https://www.downstate.edu/about/our-administration/diversity/.

SEXUAL VIOLENCE RESPONSE POLICY

In accordance with the Students' Bill of Rights, reporters of sexual violence shall have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below:

I. REPORTING:

To disclose *confidentially* the incident to one of the following college officials, who by law may maintain confidentiality, and can assist in obtaining services (more information on confidential reporting is available in the Options for Confidentially Disclosing Sexual Violence Policy:

- Student Counseling Center, 440 Lenox Road Apt 1-M, (718) 270-1408;
- Student Health Center, 440 Lenox Road Apt 1-W, (718) 270-1995/2018;
- Employee Assistance Program, (718) 270-1489

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

- SurvJustice: http://survjustice.org/our-services/civil-rights-complaints/ ;
- Legal Momentum: https://www.legalmomentum.org/ ;
- NYSCASA: http://nyscasa.org/responding ;
- NYSCADV: http://www.nyscadv.org/ ;

- Pandora's Project: http://www.pandys.org/lgbtsurvivors.html ;
- GLBTQ Domestic Violence Project: http://www.glbtqdvp.org/ ; and
- RAINN: https://www.rainn.org/get-help .
- Safe Horizons: http://www.safehorizon.org/ .

(Note that 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. Victims/survivors are encouraged to additionally contact a campus confidential or private resource so that the campus can take appropriate action in these cases).

To disclose the incident to one of the following college officials who can offer privacy and can provide information about remedies, accommodations, evidence preservation, and how to obtain resources. Those 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:

- Title IX Coordinator
- Vice President for Student Affairs; and
- University Police (24 hours/day, 7 days a week).

To file a criminal complaint with University Police and/or with local law enforcement and/or the New York State Police:

- University Police – (718) 270-2626, University Hospital Room A1-339
- New York City Police Department, 67th Precinct – 911 or (718) 287-3211, 2820 Snyder Avenue, Brooklyn, NY 11203 (between Nostrand and Rogers Avenues)
- New York State Police 24-hour hotline to report sexual assault on a NY College Campus: 1-844-845-7269.

To receive assistance by the Office of Student Affairs or the Title IX Coordinator in initiating legal proceedings in family court of civil court.

To file a report of sexual assault, domestic violence, dating violence, and/or stalking, and/or talk to the Title IX Coordinator for information and assistance. Reports will be investigated in accordance with Downstate Health Sciences University policy and the reporting individual's identity shall remain private at all times if said reporting individual wishes to maintain privacy. If a reporting individual wishes to keep their identity anonymous, he or she may call anonymously to discuss the situation and available options:

- Title IX Director, Basic Sciences Building 5-95, AskODI@downstate.edu, 718-270-1738, www.downstate.edu/diversity/title-ix

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

- Office of Labor Relations, (718) 270-3019, 420 Lenox Road

You may withdraw your complaint or involvement from the Downstate Health Sciences University process at any time.

Regardless of which SUNY Downstate representative that the reporting individual contacts or submits a report to, at the first instance of disclosure, the reporting individual shall be informed that, under New York State Law: You have the right to make a report to University Police or 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.

II. RESOURCES

To obtain effective intervention services.

- Student Counseling Center, 440 Lenox Road Apt 1-M, (718) 270-1408. There is no charge for services.
- Student Health Center, 440 Lenox Road Apt 1-W, (718) 270-1995/2018. Some services may be billed to your insurance.

- Kings County Hospital, 451 Clarkson Avenue, (718) 245-5209. Sexual contact can transmit Sexually Transmitted Infections (STI) and may result in pregnancy. Testing for STIs and emergency contraception is available; fees will be charged for services, insurance is accepted. The Kings County Hospital Emergency Department has a Rape Crisis Program with a trained Sexual Assault Response Team (SART).
  - Within 96 hours of an assault, you can get a Sexual Assault Forensic Examination (commonly referred to as a rape kit) at a hospital. 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: http://www.ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf, or by calling 1-800-247-8035. Options are explained here: http://www.ovs.ny.gov/helpforcrimevictims.html.
  - 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.

III. PROTECTION AND ACCOMMODATIONS

- When the accused is a student, to have the college issue a "No Contact Order," consistent with SUNY Downstate Policy and Procedure, meaning that continuing to contact the protected individual is a violation of college policy subject to additional conduct charges; if the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person. Both the accused/respondent and reporting individual may request a prompt review of the need for and terms of a No Contact Order, consistent with SUNY Downstate policies. Parties may submit evidence in support of their request.
- To have assistance from University Police or other college officials in initiating legal proceedings in family court or civil court, including, but not limited to, obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.
- To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a college official who can explain the order and answer questions about it, including information from the Order about the accused's responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).
- To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
- To have assistance from University Police in effecting an arrest when an individual violates an Order of Protection or, if outside of New York State, an equivalent protective or restraining order within the jurisdiction of University Police.
- When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to interim suspension pending the outcome of a conduct process. Parties may request a prompt review of the need for and terms of an interim suspension.
- 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 SUNY Downstate policies and rules.
- When the accused is not a member of the college community, to have assistance from University Police or other college officials in obtaining a persona non grata letter, subject to legal requirements and college policy.
- To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them. While reporting individuals may request accommodations through any of the offices referenced in this policy, the following offices can serve as a point to assist with these measures:
  - Office of Diversity and Inclusion – (718) 270-1738
  - Office of Student Affairs – (718) 270-2187

IV. STUDENT CONDUCT PROCESS

- To request that student conduct charges be filed against the accused. Conduct proceedings are governed by the procedures set forth in the Downstate Health Sciences University Student Handbook, https://www.downstate.edu/education-training/student-affairs/student-handbook.htm l, as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.

- Throughout conduct proceedings, the respondent and the reporting individual will have:
  - The same opportunity to be accompanied by an advisor of their choice who may assist and advise the partied throughout the conduct process and any related hearings or meetings. Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct;
  - The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the respondent, including the right to a presumption that the respondent is "not responsible" until a finding of responsibility is made, and other issues related to sexual assault, domestic violence, dating violence, and stalking.
  - The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest.
  - The right to receive advance written or electronic notice of the date, time, and location of any meeting or hearing they are required to or are eligible to attend. Accused individuals will also be told the factual allegations concerning the violation, a reference to the specific code of conduct provisions alleged to have been violated, and possible sanctions.
  - The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
  - The right to offer evidence during and to review available relevant evidence in the case file (or otherwise held by SUNY Downstate).
  - The right to present evidence and testimony at a hearing where appropriate.
  - The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.
  - The right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in college disciplinary stage that determines responsibility. Past findings may be admissible in the disciplinary stage that determines sanction.
  - The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.
  - The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
  - The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanctions, and the rationale for the decision and any sanctions.
  - The right to know the sanction(s) that may be imposed on the accused based upon the outcome of the conduct proceeding and the reason for the actual sanction imposed. For students found responsible for sexual assault, the available sanctions are suspension with additional requirements and expulsion/dismissal.
  - 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.
  - The right to have access to a full and fair record of a student conduct hearing, which shall be preserved and maintained for at least five years.
  - Contact the Office of Student Affairs for more information about the student conduct process = (718) 270-2187, Basic Sciences Building, Room 1-112.
  - The right to choose whether to disclose or discuss the outcome of a conduct hearing.
  - 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.

DEFINITION OF AFFIRMATIVE CONSENT

Under New York State Law, Affirmative Consent is defined as follows:

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.

Please note that to comply with the above definition of Affirmative Consent, you should remember the following:

- 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 any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

POLICY FOR ALCOHOL AND/OR DRUG USE AMNESTY IN SEXUAL AND INTERPERSONAL VIOLENCE CASES

The health and safety of every student at the State University of New York and its State-operated and community colleges is of utmost importance. SUNY Downstate 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. SUNY Downstate strongly encourages students to report incidents of 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 SUNY Downstate officials or law enforcement will not be subject to SUNY Downstate'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 policy applies to students and refers to the student conduct code, not to academic or external policies and requirements. Further, students in clinical programs may also be subject to professional standards beyond the campus conduct code. In a clinical setting, being under the influence of alcohol or drugs while performing patient care cannot be overlooked.*]

STUDENTS' BILL OF RIGHTS

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

All Students Have The Right To:

1. Make a report to local law enforcement and/or the New York 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 from the institution.
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 institution courteous, fair, and respectful health care and counseling services, where available.
6. Be free from any suggestions 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 institutional representatives as practicable and not to be required to unnecessarily repeat a description of the incident.

8. Be free from retaliation by the institution, the accused and/or the respondent, and/or their friends, family, and acquaintances within the jurisdiction of the institution.
9. Access to at least one level of appeal of a determination.
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process.
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the University.

Options in Brief

Survivors have many options that can be pursued simultaneously, including one or more of the following:

- Receive resources, such as counseling and medical attention;
- Confidentially or anonymously disclose a crime or a violation (for detailed information on confidentiality and privacy visit downstate.edu/diversity/title-ix.html
- Make a report to:
  - **The Title IX Coordinator**

    718-270-1738
  - **Office of Student Affairs**

    718-270-2187
  - **Office of Labor Relations**

    718-270-3019
  - **University Police Department**

    718-270-2626
  - **Local Law Enforcement - 67th Police Precinct**

    718-287-3211
  - **Family Court or Civil Court**

    347-401-9610 Family Court

    347-404-9123 Civil Court

Copies of this Bill of Rights shall be distributed annually to students, made available on every college's website, and posted in each campus residence hall, dining hall and student union or campus center and shall include links or information to access the Sexual Violence Response Policy and the Options for Confidentially Disclosing Sexual Violence.

OPTIONS FOR CONFIDENTIALLY DISCLOSING SEXUAL VIOLENCE

The State University of New York and SUNY Downstate Health Sciences University (Downstate) want you to get the information and support you need regardless of whether you would like to move forward with a report of sexual violence 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 sexual violence. A conversation where questions can be answered is far superior to keeping something to yourself. Confidentiality varies, and this document is aimed at helping you understand how confidentiality applies to different resources that may be available to you.

In this Policy:

- Privileged and Confidential Resources
- Privacy versus Confidentiality
- Requesting Confidentiality: How the College/University Will Weigh the Request and Respond
- Public Awareness/Advocacy Events
- Anonymous Disclosure
- Institutional Crime Reporting

PRIVILEGED AND 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. At Downstate, this includes:

- Downstate Student Counseling Center: counseling@downstate.edu, (718) 270-1408
- Employee Assistance Program, Dr. Magda Alliancin, Director, (718) 270-1489
- Individuals serving in a pastoral role under SUNY Downstate's Department of Pastoral Care: Reverend Sharon Codner-Walker, Sharon.Walker@downstate.edu, (718) 270-2594
- SUNY Downstate physicians, licensed medical professionals or supervised interns when they are engaged in a physician/patient relationship: Student Health Center, 440 Lenox Road, Apt 1-W, (718) 270-1995/2018 (Please note that this does not include physicians, licensed medical professionals or supervised interns who are engaged with the reporting individual in a faculty/student relationship or supervisor/supervisee relationship. Physicians, licensed medical professionals or supervised interns working within the Student Health Center do not serve in a faculty role.)

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

- Off-campus counselors and advocates. Crisis services offices will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agency.
- **Crisis Centers**

  Safe Horizon Brooklyn – 320 Schermerhorn St, 1st Fl, Brooklyn, NY (718) 330-5400 (toll free 800-621-4673)

  CAMBA – 885 Flatbush Avenue, Brooklyn, NY (718) 282-5575 (toll free 800-310-2449)

  Safe Horizon NYC– 2 Lafayette Street, 3rd FL, NY, NY (718) 943-8655 (hotline 212-227-3000)

- **Hospital SAFE/SANE Programs**

  These local facilities are staffed by professionals trained to provide compassionate, knowledgeable assistance and support for sexual assault victims.

  Kings County Hospital Center – 451 Clarkson Avenue, Brooklyn, NY (718) 245-3131

  Coney Island Hospital – 2601 Ocean Parkway, Brooklyn, NY (718) 616-4400

  Woodhull Medical Center – 760 Broadway, Brooklyn, NY (718) 963-8442

- Off-campus healthcare providers

  Note that medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found here: http://www.ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf, or by calling 1-800-247-8035. Options are explained here:
  http://www.ovs.ny.gov/helpforcrimevictims.html.

Note that even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to him or herself or others and the mandatory reporting of child abuse.

PRIVACY VERSUS CONFIDENTIALITY

Even Downstate 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. Downstate 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 DOWNSTATE WILL WEIGH THE REQUEST AND RESPOND

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

We will assist you with academic, housing, transportation, employment, and other reasonable and available accommodations regardless of your reporting choices. While reporting individuals may request accommodations through several college offices, the following office can serve as a primary point of contact to assist with these measures Title IX Coordinator, Office of Diversity and Inclusion, (718) 270-1738. 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 Downstate's failure to act does not adequately mitigate the risk of harm to you or other members of the Downstate 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 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 violence or sexual harassment, but wish to maintain confidentiality, Downstate will consider many factors to determine whether to proceed despite that request. These factors include, but are not limited to:

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

If SUNY Downstate determines that it must move forward with an investigation, the reporting individual or victim/survivor will be notified and SUNY Downstate will take immediate action as necessary to protect and assist them.

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 University is not obligated to begin an investigation. SUNY Downstate may use the information you provide to inform the need for additional education and prevention efforts.

ANONYMOUS DISCLOSURE:

The New York State Hotline is for crisis intervention, resources and referrals and is not a reporting mechanism.

- New York State Hotline for Sexual Assault and Domestic Violence: 1-800-942-6906

INSTITUTIONAL CRIME REPORTING

Reports of certain crimes occurring in certain geographic locations will be included in the SUNY Downstate 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. (Title IX Coordinator, Office of Diversity and Inclusion, (718) 270-1738)

Downstate 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. The 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, Downstate will not share information about a report of sexual violence with parents without the permission of the reporting individual.

[Note: for crisis intervention, resources and referrals, you may call the New York State Hotline for Sexual Assault and Domestic Violence, (800) 942-6906; this is not a reporting mechanism.]

STUDENT ONBOARDING AND ONGOING EDUCATION

The State University of New York and its State-operated and community colleges believe that sexual violence prevention training and education cannot be accomplished via a single day or a single method of training. To that end, SUNY campuses will continue to educate all new and current students using a variety of best practices aimed at educating the entire college community in a way that decreases violence and maintaining a culture where sexual assault and acts of violence are not tolerated.

SUNY Downstate is committed to providing this training to all new students, employees, and to all student organization leaders. For a listing of the trainings conducted in this regard contact the Title IX Coordinator or the Office of Student Affairs.

NO CONTACT ORDERS

A No Contact Order is a formal directive issued by SUNY Downstate requiring parties to have no direct or indirect interaction, including but not limited to written or electronic communication (i.e. letters, social media, text messages, etc.), telephone, recordings, or third party contact (i.e. friends, family members, acquaintances, etc.). A No Contact Order remains in effect until it is officially removed in writing.

No Contact Orders differ from court-imposed restraining/protective orders and do not guarantee that parties will avoid sightings or passing interactions.

Requesting a No Contact Order:

A No Contact Order (NCO) may be requested, in writing, to the Office of Student Affairs. NCO's may be issued for the following: harassment, threats, physical assault, stalking, domestic violence, dating violence, sexual assault, retaliation or intimidation, or other behavior as outlined in the Student Code of Conduct. Your request for an NCO must contain the reason you are requesting the NCO (one of the reasons listed). If you are requesting a NCO related to dating violence, domestic violence, sexual assault or stalking, you will also be referred to campus advocacy services. The Office of Student Affairs is not a confidential resource, and outreach by other offices, such as the campus advocacy services at the Counseling Center or the Office of Title IX and Affirmative Action may occur. If you do not wish to provide any information regarding your request or are unsure about obtaining a No Contact Order, please access campus advocacy services such as the Counseling Service.

When requested, the Office of Student Affairs will review your request and a determination will be made regarding the issuance of a No Contact Order. Also note that any further action taken to review your request will require details such as dates of specific events, information to support your request (i.e. text messages, etc.), and the identity of the individual of who you are requesting the No Contact Order with. This information will be requested by the Office of Student Affairs prior to reviewing or processing your request.

Please note that requesting a No Contact Order may or may not result in disciplinary action against the individual whom you are requesting the order be issued against. If you are unsure about this, you should request a meeting with a Student Affairs Dean prior to requesting a No Contact Order.

No Contact Orders and the Campus:

- If a No Contact Order is issued between on-campus roommates/suitemates/apartment-mates, both parties will be moved. There will be situations where certain accommodations or spacing issues will not allow for student moves to occur. The Office of Residence Life and Services will evaluate and decide the final outcome/relocation at its discretion.
- If students have common courses, clinical sites, or other academic activities, every effort will be made to accommodate separating the individuals, but that may not be possible. These situations will be discussed with the individuals and Dean or the appropriate school.

SUNY Downstate's Sexual Violence Prevention and Response policies and procedures provides additional information pertaining to No Contact Orders in cases involving allegations of sexual misconduct, sex discrimination, domestic violence, dating violence, and/or stalking.

A violation of a No Contact Order should be reported to either the Office of Student Affairs or University Police. A violation of a No Contact Order is subject to disciplinary action.

Any student that has a No Contact Order can:

- request to challenge the application of a No Contact Order by providing information/evidence to support that the order should not be in place
- provide information/evidence that supports an alteration or modification of the No Contact Order
- present information/evidence that supports that the No Contact Order should remain in place

If you have questions, or wish to have a review of the No Contact Order, please contact the Office of Student Affairs.

SEXUAL ASSAULT PREVENTION

Sexual Assault and the Law

The State University of New York at Downstate Health Sciences University has programs in place to protect all members of the Downstate community from sexual assault, including programs for prevention and prosecution of these crimes that occur within the jurisdiction of SUNY at Downstate Health Sciences University Police.

NYS Law contains the following legal provisions defining the crimes related to sexual assault:

Section 130.20 - Sexual Misconduct. This offense includes sexual intercourse without consent and deviate sexual intercourse without consent. The penalty for violation of this section includes imprisonment for a definite period to be fixed by the court up to one year.

Section 130.25/.30/.35 - Rape. This series of offenses includes sexual intercourse with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes sexual intercourse with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to 25 years.

Section 130.40/.45/.50 - **Criminal Sexual Act.** This series of offenses includes oral or anal sexual conduct with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes oral or anal sexual conduct with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to imprisonment for a period not to exceed 25 years.

Section 130.52 - Forcible Touching. This offense involves the forcible touching of the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. Forcible touching includes the squeezing, grabbing, or pinching of such other person's sexual or other intimate parts. The penalty for violation of this section includes imprisonment for a period of up to one year in jail.

Section 130.55/.60/.65 - Sexual Abuse. This series of offenses includes sexual contact with a person by forcible compulsion, or with a person who is incapable of consent due to physical helplessness, or due to the person being under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed three months up to imprisonment for a period not to exceed seven years.

Section 130.65.a/.66/.67/.70 - Aggravated Sexual Abuse. This series of offenses occurs when a person inserts a finger or foreign object in the vagina, urethra, penis or rectum of another person by forcible compulsion, when the other person is incapable of consent by reason of being physically helpless, or when the other person is under the age of consent. The level of this offense is enhanced if the insertion of a finger or foreign object causes injury to the other person. The penalties for violation of these sections range from imprisonment for a period not to exceed seven years up to imprisonment for a period not to exceed 25 years.

If you are sexually or otherwise assaulted on campus:

- Get to a safe place as soon as you can.
- Try to preserve all physical evidence; do not bathe, douche, or change your clothes.
- Contact State University of New York at Downstate Health Sciences University Police immediately (call 2626 in an emergency, or use a red emergency phone).
- Follow-up services are available from Student Health and the Director of Student Counseling

Remember, assaults - sexual or otherwise - are crimes; they are not the victim's fault. Victims have the right to pursue adjudication of crimes that occur on the Downstate Health Sciences University campus through criminal courts and/or through the University's internal disciplinary process (under the Campus Code of Conduct). SUNY at Downstate Health Sciences University Police are trained to assist with prosecution in both systems.

Disciplinary Action

Where there is probable cause to believe the college's regulations prohibiting sexual misconduct have been violated, the college will pursue strong disciplinary action through its own channels. This discipline includes the possibility of suspension or dismissal from the college.

An individual charged with sexual misconduct will be subject to college disciplinary procedures, whether or not prosecution under New York State Criminal Statutes is pending.

The college will make every effort to be responsive and sensitive to the victims of these serious crimes. Protection of the victim and prevention of continued trauma is the college's priority. When the victim and the accused live in the same residence hall, an immediate hearing with the Director of Residential Life and Services will be held to determine the need for modifying the living arrangements.

Assistance for any other personal or academic concerns will be reviewed and options provided.

During the disciplinary process, the rights of the respondent and reporting individual are enumerated in "Section IV: Student

Conduct Process" as listed above.

Information and Support

If you are the victim of sexual assault or sexual misconduct, you may seek support services as well as the assistance described above. If you need help, call the following:

The New York City Police Department maintains a Rape Hotline - Female Detective)
24 hours
212-267-7273 (267-RAPE)

University Police
24 hours
(718) 270-2626

Director of Student Counseling
718 270-1408

Educational Programs

Educational programs to promote awareness of rape, acquaintance rape, and sex offenses are presented to the campus community. University Police and Student Development staff provide programs in the Residence Halls. Orientation/informational packets are also distributed at each orientation.

POLICY ON SEXUAL HARASSMENT

Colleges and universities have a dual responsibility in the prevention of sexual harassment. As employees, we must meet the obligations imposed by the 1980 guidelines issued by the Equal Employment Opportunity Commission (EEOC). In addition, institutions of higher education also must provide protection from and access to redress for sexual harassment against students, as recommended in Title IX of the 1972 Educational Amendments. SUNY Downstate Health Sciences University, as employer and as educator, remains committed to providing an environment free from harassment for its employees and students.

I. POLICY

It is the policy of SUNY Downstate Health Sciences University, in keeping with efforts to establish an environment in which the dignity and worth of all members of our community are respected, that sexual harassment of employees and students is unacceptable conduct and will not be tolerated. Sexual Harassment situations that are brought to management's attention will be dealt with immediately, and appropriate corrective action will be taken promptly. Sexual Harassment may involve the behavior of a person of the opposite or same sex, when that behavior falls within the definition outlined below.

DEFINITION

Sexual harassment of employees and students at SUNY Downstate Health Sciences University is defined as any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature, as well as gender-based harassment that need not include sexual advances, when: submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or status as a student; submission to or rejection of such conduct is used as the basis for decisions affecting the employment or academic status of that individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational experience, or creates an intimidating, hostile or offensive work or educational environment. A hostile environment is created by, but not limited to, discriminatory intimidation, ridicule or insult. It need not result in an economic loss to the affected person.

These guidelines define sexual harassment and recognize it as a violation of Title VII of the Civil Rights Act of 1964. There are many types of conduct that could constitute sexual harassment. Some examples include, but are not limited to; demanding sexual favors in exchange for a promotion or raise, changing performance expectations after a subordinate refuse repeated requests for a date, comments about body parts or sex life, leering, offensive e-mail, off-color jokes, touching inappropriately, gestures, suggestive pictures, and/or personal gifts.

SUNY Downstate Health Sciences University Title IX Grievance Procedures (Effective August 14, 2026)

Title IX Grievance Policy

Policy Statement

What is the purpose of the Title IX Grievance Procedure?

The U.S. Department of Education and other federal agencies that provide financial assistance, including the U.S. Department of Health and Human Services, enforce Title IX and have long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of Sexual Harassment and sexual violence that interfere with a student's or employee's ability to equally access our education programs and opportunities.

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

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

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

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

SUNY Downstate Health Sciences University remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule.

Specifically, our campus has: 2 SUNY Downstate Health Sciences University Title IX Grievance Procedures

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

To the extent that alleged misconduct falls outside the Title IX Grievance Policy, or misconduct falling outside the Title IX Grievance Procedure is discovered in the course of investigating covered Title IX misconduct, the institution retains authority to investigate and adjudicate the allegations under the policies and procedures defined within the Code of Conduct and Sexual Misconduct policy through a separate grievance proceeding. (This policy is published annually in the Student Handbook).

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

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

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

The Title IX Grievance Procedure

General Rules of Application

Effective Date

This Title IX Grievance Procedure is effective as of August 14, 2026, and will only apply to sexual harassment alleged to have occurred on or after August 14, 2020. Incidents of sexual harassment alleged to have occurred before August 14, 2020, will be investigated and adjudicated according to the process in place at the time the incident allegedly occurred.

Revocation by Operation of Law

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this procedure, or the invalidated elements of this procedure, those elements will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the Procedure that occur after that date if a case is not complete by that date of opinion or order publication. Should the Title IX Grievance Procedure be revoked in this manner, any conduct 3 SUNY Downstate Health Sciences University Title IX Grievance Procedures covered under the Title IX Grievance Procedure shall be investigated and adjudicated under the existing Student Code of Conduct, the Discrimination Complaint Procedure, any other appropriate Downstate policy and/or procedure, or the employee disciplinary process as described in the collective bargaining agreement, as appropriate.

Non-Discrimination in Application

The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or state law. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant, Respondent, or Witness. Individuals who wish to file a complaint about the institution's policy or process may contact the U.S. Department of Education's Office for Civil Rights ("ED OCR"):

Office for Civil Rights

U.S. Department of Education

400 Maryland Avenue, SW

Washington, D.C. 20202-1475

Telephone: 202-453-6020

Fax: 202-453-6021;

TDD: 800-877-8339

Email: OCR.DC@ed.gov

For complaints involving health care services, hospitals, or other programs or activities subject to the jurisdiction of the U.S. Department of Health and Human Services, including complaints that may fall under Title IX, individuals may also contact the Office for Civil Rights, U.S. Department of Health and Human Services ("HHS OCR"):

Office for Civil Rights

U.S. Department of Health and Human Services

200 Independence Avenue, SW

Room 509F, HHH Building

Washington, D.C. 20201

Telephone: 1-800-368-1019

TDD: 1-800-537-7697

Email: OCRMail@hhs.gov

Reports and Complaints Involving Employee Respondents

All cases involving employee Respondents will be evaluated, investigated, and adjudicated under Section II of SUNY Procedure (6501), as applicable.

Definitions

Capitalized terms used in this Procedure have the meanings assigned to them below. Terms may be used in the singular or plural, as context requires.

Covered Sexual Harassment or Sexual Harassment: For the purposes of this Title IX Grievance Procedure, "Covered Sexual Harassment" includes any conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning the provision of an aid, benefit, or service of the institution on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo);

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution's education program or activity (i.e., hostile environment harassment). In evaluating whether a hostile environment exists, the institution will consider a number of factors, including, but not limited to: the frequency, nature, and severity of the conduct; whether the conduct was physically threatening; the effect of the conduct on the Complainant's mental or emotional state; how the conduct affected the terms, conditions or privileges of employment or education; whether the conduct was directed at more than one person; whether the conduct arose in the context of other discriminatory conduct; whether there is a power differential between the parties; and whether the conduct implicates concerns related to academic freedom or protected speech;

3. Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving Consent. This includes the forcible sex offenses of rape and criminal sexual contact and the non-forcible sex offenses of incest and statutory rape. The applicable offenses are defined below:

a. Rape: the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim, and

b. Criminal Sexual Contact: the intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation, or the forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation;

c. Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law;

d. Statutory rape: sexual intercourse with a person who is under the age of consent in New York State.

4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or 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: (i) The length of the relationship; (ii) The type of relationship; and (iii) The frequency of interaction between the persons involved in the relationship.

5. Domestic violence (as defined in the VAWA amendments to the Clery Act and the Violence Against Women Act Reauthorization of 2022), which includes any felony or misdemeanor crimes of violence committed by a person who: (A) is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of New York, (B) who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, (C) shares a child in common with the victim; or (D) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of New York.

6. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

Note that conduct that does not meet one or more of these criteria may still be prohibited and subject to discipline under the Student Code of Conduct, action under the Discrimination Complaint Procedure, action under SUNY Downstate Health Sciences University's policies and/or procedures, or the employee disciplinary process as described in the collective bargaining agreement.

Actual Knowledge: Notice of sexual harassment or allegations of sexual harassment to the institution's Title IX Coordinator or any official of the institution who has authority to institute corrective measures on behalf of the recipient constitutes Actual Knowledge. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute Actual Knowledge. This standard is not met when the only official of the institution with Actual Knowledge is also the Respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the institution.

Consent: For the purposes of this Title IX Grievance Procedure, "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.

Additionally:

- 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 a 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 any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

Education Program or Activity: For the purposes of this Title IX Grievance Procedure, Downstate "Education Program or Activity" includes:

• Any on-campus premises

• Any off-campus premises that Downstate has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.

• Activity occurring within computer and internet networks, digital platforms and computer hardware or software owned or operated by or used in the operations of SUNY Downstate Health Sciences University's programs and activities over which Downstate has substantial control. Cases outside of the United States do not fall within the jurisdiction of the Grievance Procedure. Refer to the section on jurisdiction below.

Formal Complaint: For the purposes of this Grievance Procedure, "Formal Complaint" means a document — including an electronic submission — filed by a Complainant/Reporting Individual with a signature or other indication that the Complainant/Reporting Individual is the person filing the Formal Complaint, or signed by the Title IX Coordinator, alleging Covered Sexual Harassment by a Respondent within SUNY Downstate Health Sciences University's Education Program or Activity and requesting initiation of the Title IX Grievance Procedure to investigate the allegation of Covered Sexual Harassment.

Complainant: For the purposes of this Title IX Grievance Procedure, Complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute Covered Sexual Harassment.

Relevant Evidence and Questions: "Relevant" evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true. Relevant evidence is evidence that is available in a particular case that can be evaluated objectively. Relevant evidence includes, without limitation, the parties' own statements, statements of witnesses, or other available evidence, including documentary and video evidence provided. "Relevant" evidence and questions do not include the following types of evidence and questions, which are deemed "irrelevant" at all stages of the Grievance Procedure:

• • Evidence and questions about the Complainant's sexual predisposition or prior sexual behavior unless: o They are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or

• o They concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove Consent.

• Evidence and questions that constitute, or seek disclosure of, information protected under a legally recognized privilege.

• Any Party's medical, psychological, and similar records unless the Party has given voluntary, written Consent.

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Respondent: For the purposes of this Title IX Grievance Procedure, Respondent means any individual who has been reported to be the perpetrator of conduct that could constitute Covered Sexual Harassment as defined under this Procedure. Reports and complaints regarding employees are handled under the separate procedure, which is identified above.

Reporting Individual: An individual who brings forward a report of conduct that may violate this Procedure. A Reporting Individual may, but need not, be the Complainant.

Student: Individuals registered for courses at SUNY Downstate, either full time or part time, pursuing undergraduate, graduate, professional studies, certificates, or non-degree programs; individuals who confirm their intent to enroll in programs; individuals who have gained admission; individuals attending orientation sessions, taking online classes, auditing classes, residing in the residence halls, enrolled on the date of an alleged incident, active but not enrolled at the Campus, or enrolled in a dual enrollment program with the Campus and another institution, all of the foregoing during the academic terms or between academic terms.

Supportive Measures: Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to SUNY Downstate Health Sciences University's Education Program or Activity without unreasonably burdening the other Party, including measures designed to protect the safety of all Parties or SUNY Downstate Health Sciences University's educational environment, or deter Sexual Harassment. Supportive Measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. SUNY Downstate Health Sciences University's must maintain as confidential any Supportive Measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide the Supportive Measures. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.

Confidentiality

This grievance procedure is intended to protect the confidentiality of Parties and witnesses during the Title IX process, while also promoting SUNY Downstate Health Sciences University's ability to meet its Title IX obligations, consistent with constitutional and other due process protections. Downstate will keep confidential the identity of any individual who has made a report or complaint of Sexual Harassment, including any individual who has made a report or filed a Formal Complaint of Sexual Harassment, any Complainant, any individual who has been reported to be the perpetrator of Sexual Harassment, any Respondent, and any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g, or its implementing regulations, 34 C.F.R. Part 99; as required by law; or as necessary to carry out the purposes of 34 C.F.R. Part 106, including the outcome of any investigation, hearing, or judicial proceeding arising thereunder. Downstate will limit the sharing of information to the extent permitted by law. Federal and state laws, rules and regulations, including New York's Freedom of Information Law, may require disclosure in some circumstances.

Downstate will take reasonable steps to protect the privacy of the Parties and witnesses during the pendency of the grievance procedure, provided that the steps do not restrict the abilities of the Parties to obtain and present evidence, including by speaking to witnesses (as long as such does not result in Retaliation), consult with their family members, confidential resources, or advisors, or otherwise prepare for or participate in this grievance procedure. A Formal Complaint will require that the institution share the identity of a Complainant with the Respondent and the Parties' advisors, as well as relevant institutional employees who are assisting with the investigation or adjudication of the Formal Complaint.

Privacy vs. Confidentiality

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

Below are the institutional offices/officials identified as confidential for Title IX purposes, who will not report to law enforcement or Downstate officials without a Complainant or Reporting Individual's permission, except for extreme circumstances:

Confidential Reporting/Resources

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

- Title IX Coordinator or designee
- Student Affairs, Deans or Academic Deans or Faculty
- NYS University Police Department

The following Officials may provide confidentiality:

- Counseling Center
- Student Health Services
- Campus Clergy

All other institutional offices and employees will maintain the *privacy* of reports of Covered Sexual Harassment to the greatest extent possible but cannot guarantee confidentiality. Privacy generally means that information related to a report of Covered Sexual Harassment will be shared only with a limited circle of individuals, including individuals who need to know in order to assist in the review, investigation, or resolution of the report or to deliver resources or support services. While not bound by confidentiality or privilege, these individuals will be discreet and respect the privacy of all individuals involved in the process. Information disclosed to these private resources will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and identifying systemic issues.

Making a Report Regarding Covered Sexual Harassment to the Institution

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

Contact Information for the Title IX Coordinator:

Name: Bolaji Olasokan

Title: Title IX Director

Office Address: Basic Sciences Building, 5-095

Email Address: AskODI@downstate.edu

Telephone: 718-270-1738

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

For confidential reporting resources that will not forward a report to the Title IX Coordinator, please reference the preceding section, titled "Private vs. Confidential Resources."

Non-Investigatory Measures Available Under the Title IX Grievance Procedure

Supportive Measures

Complainants who report allegations that could constitute Covered Sexual Harassment under this Procedure, and Respondents, have the right to receive Supportive Measures from SUNY Downstate Health Sciences University regardless of whether a Complainant desires to file a Formal Complaint. Supportive Measures are non-disciplinary and non-punitive.

Emergency Removal

Downstate retains the authority to impose emergency removals on a student Respondent on an emergency basis, where Downstate:

(1) undertakes an individualized safety and risk analysis and

(2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Covered Sexual Harassment justifies a removal.

If SUNY Downstate Health Sciences University determines an emergency removal is necessary, the Respondent will be provided notice and an opportunity to challenge the decision immediately following the notification. The Respondent may challenge the emergency removal in writing to the Vice President for Academic and Student Affairs or their designee within three (3) business days of the receipt of the emergency removal notification.

If SUNY Downstate Health Sciences University determines such removal is necessary, the respondent will be provided notice and an opportunity to challenge the decision immediately following the removal. The procedure for doing so is defined under the "Change in Student Status/Interim Suspension Policy as defined in the Code of Conduct, Other Administrative Actions, (C).

Alcohol and/or Drug Use Amnesty

The health and safety of every student at SUNY Downstate Health Sciences University is of utmost importance. SUNY Downstate Health Sciences University 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. SUNY Downstate Health Sciences University strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to institution officials.

A bystander or a Reporting Individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to SUNY Downstate Health Sciences University officials or law enforcement will not be subject to SUNY Downstate Health Sciences University'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.

Disability Accommodations

This grievance procedure does not alter any institutional obligations under applicable federal and state disability laws including the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, and the New York State Human Rights Law. Parties may request reasonable accommodations for disclosed disabilities from the Title IX Coordinator at any point before or during this Title IX grievance procedure. Requests will be evaluated in consultation with the appropriate Campus office, and accommodations may be provided where they do not fundamentally alter the process. Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

The Title IX Grievance Procedure

Filing a Formal Complaint

The timeframe for this Title IX grievance procedure begins with the filing of a Formal Complaint. This grievance procedure will be concluded within a reasonably prompt timeframe after the filing of the Formal Complaint, provided that the process may be extended for a good reason, including but not limited to the absence of a Party, a Party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

To file a Formal Complaint, a Complainant must provide the Title IX Coordinator with a written, signed Formal Complaint describing the facts alleged. Complainants may file a Formal Complaint under this Procedure only if they are currently participating in, or attempting to participate in, SUNY Downstate Health Sciences University's Education Programs or Activities, including as an employee. For Complainants/Reporting Individuals who do not meet these criteria, SUNY Downstate Health Sciences University will utilize existing policy in the Student Code of Conduct, the Discrimination Complaint Procedure, other applicable SUNY Downstate Health Sciences University policies and/or procedures, or the employee disciplinary process as described in the applicable collective bargaining agreement, as appropriate.

If a Complainant does not wish to file a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary and sign one. If so, SUNY Downstate Health Sciences University will inform the Complainant of this decision in writing. The Complainant need not participate further in the process but will receive all notices issued under this Procedure. When the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator does not become a Complainant or Party to this Procedure.

Nothing in the Title IX Grievance Procedure, Student Code of Conduct or SUNY Discrimination Complaint Procedure prevents a Complainant or Reporting Individual from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

Initial Assessment

Upon receipt of a report of alleged prohibited conduct, the Title IX Coordinator will make an initial assessment of the reported information and respond to any immediate health or safety concerns raised by the report. The steps in an initial assessment vary based on whether the identity of the Complainant is known.

In the initial assessment and meeting or correspondence with the Complainant, the Title IX Coordinator will:

• Assess the Complainant's safety and well-being and offer SUNY Downstate Health Sciences University's support and assistance through available resources;

• Inform the Complainant that the Title IX Coordinator will maintain the Complainant's privacy to the greatest extent possible and disclose information only as necessary pursuant to this Procedure;

• Inform the Complainant of their right to seek medical treatment (including a sexual assault forensic examination) and explain the importance of obtaining evidence and preserving forensic and other evidence;

• Inform the Complainant of their right to contact law enforcement, be assisted by SUNY Downstate Health Sciences University officials in contacting law enforcement, or decline to contact law enforcement, and their right to seek a protective order;

• Inform the Complainant that the criminal justice system uses different standards of proof and evidence than this Procedure and that any questions about whether the reported prohibited conduct constitutes a penal law violation should be addressed by law enforcement;

• Inform the Complainant about SUNY Downstate Health Sciences University and community resources, including counseling, health, and mental health services; victim advocacy; procedural advocacy; legal resources; visa and immigration assistance; student financial aid; and other resources both on campus and in the community, and how to request or contact such resources;

• Inform the Complainant of the right to seek appropriate and available Supportive Measures and how to request such measures and consider the Complainant's wishes with respect to Supportive Measures with or without the filing of a Formal Complaint;

• Ensure the Complainant is aware of their right to an advisor of their choice, who may be, but is not required to be, an attorney;

• Inform the Complainant of the right to file a Formal Complaint and seek resolution under this grievance procedure; provide the Complainant with an overview of this procedure, including Supportive Measures; and inform the Complainant of the right to withdraw a Formal Complaint at any time prior to resolution and to decline or discontinue resolution under this procedure at any time, including that declining to participate in an investigation and/or hearing under these procedures may limit SUNY Downstate Health Sciences University's ability to investigate meaningfully and respond to a report of prohibited conduct;

• As possible and appropriate, ascertain the Complainant's preference for pursuing a Formal Complaint, Supportive Measures, or neither under this Procedure, and discuss with the Complainant any concerns or barriers to participating in any investigation and resolution process under this Procedure;

• Explain that SUNY Downstate Health Sciences University prohibits retaliation, that retaliation constitutes prohibited conduct under these procedures, and that SUNY Downstate Health Sciences University will take appropriate action in response to any act of retaliation;

• Inform the Complainant of their rights afforded under the Student Bill of Rights; and

• Communicate with appropriate SUNY Downstate Health Sciences University officials to determine whether the report triggers any Clery Act obligations, including the issuance of a timely warning or emergency notification, and take steps to meet those obligations.

Determining Jurisdiction

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

1. The conduct is alleged to have occurred on or after August 14, 2020;

2. The conduct is alleged to have occurred in the United States;

3. The conduct is alleged to have occurred in SUNY Downstate Health Sciences University's education program or activity; and

4. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

If all of the elements are met, SUNY Downstate Health Sciences University will investigate the allegations according to the Grievance Process.

Jurisdiction at Academic Medical Centers

SUNY includes a number of hospitals and Academic Medical Centers ("AMCs"), which are covered by this grievance procedure when the reported conduct falls within SUNY's Education Program or Activity and otherwise meets the jurisdictional requirements of this Procedure.

There are some activities and operations at an AMC that are likely to be outside the scope of an Education Program or Activity (e.g., purely clinical employment matters with no meaningful education nexus and no "substantial control" in an education context). Allegations of Covered Sexual Harassment occurring at an AMC outside the scope of its Education Program or Activity may be processed under Section I of SUNY Procedure 6501, as applicable.

Multi-Party Situations and Consolidation of Complaints

SUNY Downstate Health Sciences University may consolidate Formal Complaints alleging Covered Sexual Harassment against more than one Respondent, by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of Covered Sexual Harassment arise out of the same facts or circumstances.

Allegations Potentially Falling Under Two Policies

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process will be applied to investigation and adjudication of only the allegations that constitute covered sexual harassment.

Mandatory Dismissal

SUNY Downstate Health Sciences University will investigate the allegations in a Formal Complaint. If the conduct alleged in the Formal Complaint would not constitute Covered Sexual Harassment as defined in federal law, even if proved; did not occur in SUNY Downstate Health Sciences University's Education Program or Activity; or did not occur against a person in the United States, then SUNY Downstate Health Sciences University must dismiss the Formal Complaint regarding that conduct for purposes of Sexual Harassment under Title IX. Such a dismissal does not preclude action under another provision of the institution's Student Code of Conduct, the Discrimination Complaint Procedure, any other appropriate SUNY Downstate Health Sciences University policy and/or procedure, or the employee disciplinary process as described in the applicable collective bargaining agreement. Each Party may appeal a dismissal using the procedure outlined in "Appeals" below.

Discretionary Dismissal

The Title IX Coordinator or designee may dismiss a Formal Complaint brought under the Title IX Grievance Procedure, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
- The Respondent is no longer enrolled or employed by SUNY Downstate Health Sciences University; or,
- If specific circumstances prevent SUNY Downstate Health Sciences University from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

Any party may appeal a dismissal determination using the process set forth in "Appeals," below.

Notice of Dismissal

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

When a Formal Complaint is dismissed, SUNY Downstate Health Sciences University will, at a minimum, offer Supportive Measures to the Complainant as appropriate and to the Respondent as appropriate (if the Respondent has been notified of the allegations), and take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within SUNY Downstate Health Sciences University's Education Program or Activity.

Notice of Removal

Upon dismissal for the purposes of Title IX, SUNY Downstate Health Sciences University retains discretion to utilize the SUNY Downstate Code of Conduct, the Discrimination Complaint Procedure, another applicable SUNY Downstate Health Sciences University policy or procedure, or the employee disciplinary process, as appropriate. . If SUNY Downstate Health Sciences University refers the allegations to another process, it will promptly provide written notice that the Formal Complaint has been dismissed under this Title IX grievance procedure and that the allegations have been removed from that procedure and referred to the other applicable process.

Notice of Allegations

The Title IX Coordinator will draft and provide the Notice of Allegations to each Party. Such notice will occur as soon as practicable upon receipt of a Formal Complaint, if there are no extenuating circumstances.

The Parties will be notified through their institutional email accounts if they are a student or employee and by other reasonable means if they are neither.

SUNY Downstate Health Sciences University will provide sufficient time for the Parties to review the Notice of Allegations and prepare a response before any initial interview.

The Title IX Coordinator or designee may determine that the Formal Complaint will be dismissed on the grounds identified above and will issue a Notice of Dismissal. If such a determination is made, any Party identified in the Formal Complaint will receive the Notice of Dismissal in conjunction with, or in separate correspondence after, the Notice of Allegations.

Contents of Notice

The Notice of Allegations will include the following:

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

Ongoing Notice

If, in the course of an investigation, the institution decides to investigate allegations about the Complainant or Respondent that are not included in the Notice of Allegations and would otherwise constitute covered sexual harassment falling within the Title IX Grievance

Procedure, the institution will notify the parties whose identities are known of the additional allegations by their institutional email accounts or other reasonable means.

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

Advisor of Choice and Participation of Advisor of Choice

SUNY Downstate Health Sciences University will provide the parties equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

The SUNY Downstate Health Sciences University has a long-standing practice of requiring students to participate in the process directly and not through an advocate or representative. Individuals participating as Complainant or Respondent in this process may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice shall not participate directly in the process as per standard policy and practice of SUNY Downstate Health Sciences University, except for required cross-examination by such advisor during a live hearing. SUNY Downstate Health Sciences University may establish Rules of Decorum and otherwise establish restrictions regarding the extent to which advisors may participate in the proceedings

SUNY Downstate Health Sciences University will not intentionally schedule meetings or hearings on dates where the Advisors of Choice for all parties are not available, provided that the Advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules within a reasonable timeframe.

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

Notice of Meetings and Interviews

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

Delays

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

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

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

Investigation

General Rules of Investigations

The Title IX Coordinator or designee will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations. The investigation will generally include individual interviews of the Complainant/Reporting Individual, the Respondent, and relevant witnesses. The Parties may submit in writing the names of witnesses they would like the investigator to interview and proposed questions or topics for the investigator to address with witnesses, themselves, and the other Party. The investigator has the discretion to determine the relevance of any proffered witnesses and, accordingly, will determine which witnesses to interview.

SUNY Downstate Health Sciences University and not the parties, has the burden of proof and the burden of gathering evidence, i.e., the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from SUNY Downstate Health Sciences University and does not indicate responsibility.

SUNY Downstate Health Sciences University cannot access, consider, or disclose medical records without a waiver from the party (or

parent, if applicable) to whom the records belong or of whom the records include information. SUNY Downstate Health Sciences University will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e., evidence that tends to prove and disprove the allegations) as described below.

All deadlines and time requirements in this procedure may be extended for good cause as determined by the Title IX Coordinator or their designee. The Respondent and the Complainant, as well as their advisors, will be notified in writing of the delay, the reason for the delay, and the date of the new deadline or event. Extensions requested by one Party will not typically be longer than five (5) business days.

Inspection and Review of Evidence

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Evidence that will be available for inspection and review by the parties will be any evidence that is Relevant and directly related to the allegations raised in the Formal Complaint. It will include any:

1. Evidence that is relevant, even if that evidence does not end up being relied upon by the institution in making a determination regarding responsibility;

2. inculpatory or exculpatory evidence (i.e., evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

All parties must submit any evidence they would like the investigator to consider prior to when the parties' time to inspect and review evidence begins.

The institution will send the evidence made available for each party and each party's advisor, if any, to inspect and review through either an electronic format or a hard copy. The Institution is not under an obligation to use any specific process or technology to provide the evidence and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The parties will have ten (10) business days to inspect and review the evidence and submit a written response by email to the investigator. The investigator will consider the parties' written responses before completing the Investigative Report. Parties may request a reasonable extension to the Title IX Officer or designee to be granted at the discretion of the Title IX Officer or designee.

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

The parties and their advisors must sign an agreement not to disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX grievance process.

The parties and their advisors agree not to photograph or otherwise copy the evidence.

Inclusion of Evidence Not Directly Related to the Allegations

Evidence obtained in the investigation that is determined, in the reasoned judgment of the Title IX Coordinator or their designee, not to be directly related or Relevant to the allegations in the Formal Complaint will not be disclosed, or may be appropriately redacted before the parties' inspection to avoid disclosure of personally identifiable information of a student. Any evidence obtained in the investigation that is kept from disclosure or appropriately redacted will be documented in a "privilege log" that may be reviewed by the parties and their advisors, if any. Such evidence will be included in the appendices to the investigative report. These appendices will be made available exclusively to both Parties unless an appeal is filed. .

Investigative Report

The Title IX Coordinator or designee will create an Investigative Report that fairly summarizes Relevant evidence.

The Title IX Coordinator or designee will submit the Investigative Report at least ten (10) business days prior to a hearing, in electronic format or hard copy, to each Party and the Party's advisor.

The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only Relevant evidence (including both inculpatory and exculpatory – i.e., tending to prove and disprove the allegations - relevant evidence) will be referenced in the Investigative Report.

The Title IX Coordinator or their designee may redact irrelevant information from the Investigative Report when that information is contained in documents or evidence that is/are otherwise relevant.

Hearing

General Rules of Hearings

SUNY Downstate Health Sciences University will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at SUNY Downstate Health Sciences University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through an appropriate remote video-conferencing option (such as Zoom or Microsoft Teams). This technology will enable participants simultaneously to see and hear each other. At its discretion, SUNY Downstate Health Sciences University may delay or adjourn a hearing based on technological errors not within a party's control.

All proceedings will be recorded through an audio recording. That recording will be made available to the parties for inspection and review.

Prior to obtaining access to any evidence, the Parties and their advisors must sign an agreement not to disseminate any of the testimony heard or evidence obtained in the hearing or use such testimony or evidence for any purpose unrelated to the Title IX Grievance Process. Once signed, this Agreement may not be withdrawn.

Continuances or Granting Extensions

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

Newly Discovered Evidence

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

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

The Decision-maker will consider this request and make a determination regarding:

(1) whether such evidence or witness testimony was unavailable despite reasonable efforts prior to the hearing; and

(2) whether such evidence or witness testimony could affect the outcome of the matter.

The Party offering the newly discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence.

If the Decision-maker answers in the affirmative to both questions, then the Parties will be granted a reasonable pause in the hearing to review the evidence and/or prepare for questioning of the witness.

Participants in the live hearing

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

Complainant and Respondent (The Parties)

• The parties cannot waive the right to a live hearing, though they are not required to participate.

• The institution may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence.

• SUNY Downstate Health Sciences University will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the Party's participation.

• If a party does not submit to cross-examination, the decision-maker cannot rely on any prior statements made by that party in reaching a determination regarding responsibility, but may reach a determination regarding responsibility based on evidence that does not constitute a "statement" by that party.

• The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a Party's absence from the live hearing or refusal to answer cross examination or other questions.

• The Parties shall be subject to SUNY Downstate Health Sciences University's Rules of Decorum, which can be found on the institution's website and will be distributed to all parties in advance of any live hearing.

The Decision-maker

• The Decision-maker shall be a hearing body that shall be members of the SUNY Downstate Health Sciences University community.

• No member of the hearing body will also have served as the Title IX Coordinator, Title IX investigator, or advisor to any party in the case, nor may any member of the hearing body serve on the appeals body in the case.

• No member of the hearing body will have a conflict of interest or bias in favor of or against Complainants or Respondents generally, or in favor or against the Parties to the particular case.

• The hearing body will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.

• The Parties will have an opportunity to raise any objections regarding a Decision-maker's actual or perceived conflicts of interest or bias at the commencement of the live hearing.

Advisor of choice

• The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.

• If a Party does not have an advisor present at the live hearing, SUNY Downstate Health Sciences University will provide, without fee or charge to that Party, an advisor of SUNY Downstate Health Sciences University's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that Party.

• The advisor of choice may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party, except for the purpose of cross-examination.

• The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the institution will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.

• If a Party does not attend the live hearing, the party's advisor may appear and conduct cross-examination on their behalf.

• If neither a party nor their advisor appear at the hearing, SUNY Downstate Health Sciences University will provide an advisor to appear on behalf of the non-appearing party.

• Advisors shall be subject to and must follow SUNY Downstate Health Sciences University's Rules of Decorum which shall be distributed to all parties prior to the live hearing.

Witnesses

• Witnesses cannot be compelled to participate in the live hearing, and have the right not to participate in the hearing free from retaliation.

• Witnesses shall be subject to SUNY Downstate Health Sciences University's Rules of Decorum, which shall be distributed to all parties prior to the live hearing.

Hearing Procedures

Title IX hearings are not civil or criminal proceedings and are not designed to mimic formal trial proceedings. They are primarily educational in nature, and SUNY Downstate Health Sciences University will not permit any advisor or Decision-maker to question witnesses or Parties in an abusive, intimidating, or disrespectful manner. All Parties, advisors of choice, institutional staff, and witnesses must treat others who are engaged in the process with respect. These standards apply equally to all Parties and their advisors regardless of sex, gender, or other protected class, and regardless of whether they are in the role of Complainant or Respondent.

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

• The Decision-maker will open and establish rules and expectations for the hearing;

• The Parties will each be given the opportunity to provide opening statements;

• The Decision-maker will ask questions of the Parties and Witnesses;

• Parties will be given the opportunity for live cross-examination after the Decision-maker conducts the initial round of questioning; During the Parties' cross-examination, the Decision-maker will have the authority to pause cross-examination at any time for the purposes of asking their own follow up questions; and any time necessary in order to enforce the established rules of decorum.

• Should a Party or the Party's Advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the Decision-maker. A Party's waiver of cross-examination does not eliminate the ability of the Decision-maker to use statements made by the Party.

• Questioning of the Parties and witnesses will occur according to the procedures below.

Live Cross-Examination Procedure

Each Party's advisor will conduct live cross-examination of the other Party or parties and witnesses. During this live-cross examination the advisor will ask the other Party or Parties and witnesses Relevant questions and follow-up questions, including those challenging credibility

directly, orally, and in real time.

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

If the Decision-maker determines that an advisor's question is Relevant and not otherwise impermissible, then the question will be asked unless such question is unclear or harassing of the Party or witness being questioned.

The Decision-maker must give an advisor an opportunity to clarify or revise a question that the Decision-maker has determined is unclear or harassing and, if the advisor sufficiently clarifies or revises a question so that it is no longer unclear or harassing, the question will be asked.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not Relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Rules of Decorum

When a Party's advisor is removed from a hearing due to violation(s) of the Rules of Decorum, the hearing will continue in the absence of that advisor. The Party may select a different advisor of their choice, or accept an advisor provided by SUNY Downstate Health Sciences University for the limited purpose of cross-examination at the hearing. Reasonable delays, including the temporary adjournment of the hearing, may be anticipated should an advisor be removed. A Party cannot serve as their own advisor in this circumstance.

Where an advisor asks a relevant question in a manner that violates the Rules, such as yelling, screaming, badgering, or leaning-in to the witness or Party's personal space, the question may not be deemed irrelevant by the Decision-maker simply because of the manner it was delivered. Under that circumstance, the Decision-maker will notify the advisor of the violation of the Rules, and, if the question is Relevant, will allow the question to be re-asked in a respectful, non-abusive manner by the advisor (or a replacement advisor, should the advisor be removed for violation of the Rules).

Review of Transcript/Recording

The institution will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the Parties for inspection and review, within five (5) business days, unless there are any extenuating circumstances.

Determination Regarding Responsibility

Standard of Proof

SUNY Downstate Health Sciences University presumes that the Respondent is not responsible for the alleged Covered Sexual Harassment until a determination is made at the end of this Procedure.

Downstate Health Sciences University uses the preponderance of the evidence standard for investigations and determinations regarding responsibility of formal complaints covered under the Title IX Grievance Procedures. This means that the investigation and hearing determines whether it is more likely than not that a violation of the Procedure occurred.

General Considerations for Evaluating Testimony and Evidence

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

The Decision-maker shall not draw inferences regarding a Party's or witness's credibility based on the Party's or witness's status as a Complainant, Respondent, or witness, nor shall the Decision-maker base their judgments in stereotypes about how a Party or witness would or should act under the circumstances.

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

Still, credibility judgments should not rest on whether a Party's or witness's testimony is non-linear or incomplete, or whether the Party or witness is displaying stress or anxiety.

The Decision-maker will afford the highest weight relative to other testimony to first-hand testimony by Parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e., tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by the Title IX Final Rule, a witness's testimony regarding third-party knowledge of the facts at issue will be allowed but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

The Decision-maker cannot draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

The Final Rule requires that SUNY Downstate Health Sciences University allow Parties to call expert witnesses and character witnesses and present testimony regarding polygraph tests and other procedures that are outside of standard use in academic and non-academic conduct processes. While these witnesses, testimony, and evidence are allowed by the Title IX Final Rule, the Decision-maker will be instructed to afford lower weight to such evidence relative to the testimony of fact witnesses.

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

Components of the Determination Regarding Responsibility

The written Determination Regarding Responsibility will be issued simultaneously to all parties through their institution email account, or other reasonable means as necessary. The Determination will include:

1. Identification of the allegations potentially constituting covered sexual harassment;

2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

3. Findings of fact supporting the determination;

4. Conclusions regarding the application of the Code of Conduct or other applicable policy to the facts;

5. For each allegation:

    1. A statement of, and rationale for, a determination regarding responsibility;

    2. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and

    3. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to SUNY Downstate Health Sciences University's education program or activity will be provided by SUNY Downstate Health Sciences University to the complainant; and

6. SUNY Downstate Health Sciences University's procedures and the permitted reasons for the complainant and respondent to appeal (described below in "Appeal").

Timeline of Determination Regarding Responsibility

For cases involving student Respondents, if there are no extenuating circumstances, the determination regarding responsibility will be issued by SUNY Downstate Health Sciences University within ten (10) business days of the completion of the hearing.

Sanctions for Students

For cases with a student Respondent who was determined to be responsible, the written Determination Regarding Responsibility will also include a statement of the sanctions. In determining sanctions, the Panel will consider the severity of the prohibited conduct; the circumstances of the prohibited conduct; the impact of the prohibited conduct and sanctions on the Complainant and remedies for the Complainant; the impact of the prohibited conduct and sanctions and remedies on the community; the impact of the prohibited conduct and sanctions and remedies on the Respondent; prior misconduct by the Respondent, including the Respondent's previous school disciplinary record, both at the institution and elsewhere, and any criminal convictions; the goals of this policy and procedure; and any other mitigating, aggravating, or compelling factors.

The possible sanctions for student Respondents are as follows, in accordance with SUNY Downstate Health Sciences University's Student Code of Conduct:

- Sexual Harassment o Quid pro quo harassment —range of possible disciplinary sanctions and remedies include disciplinary warning letter through possible expulsion/dismissal
- Hostile environment harassment—range of possible disciplinary sanctions and remedies include disciplinary warning letter through possible expulsion or dismissal
- Sexual Assault: suspension with additional requirements and expulsion/dismissal

Any student who has been found responsible through this procedure or the student conduct process for committing the act of Rape shall be issued the sanction of suspension or expulsion from SUNY Downstate Health Sciences University. For any such Respondent, if the Rape

was forcible, meaning that the Rape was accomplished by physical force, threat, or drugging by the Respondent, the Respondent shall be issued the sanction of expulsion from SUNY Downstate Health Sciences University. All decisions must be in writing and must include the rationale for findings of responsibility and sanctions imposed in accordance with this procedure.

- Dating Violence – range of possible disciplinary sanctions and remedies include disciplinary warning letter through possible expulsion or dismissal
- Domestic Violence – range of possible disciplinary sanctions and remedies include disciplinary warning letter through possible expulsion or dismissal
- Stalking – range of possible disciplinary sanctions and remedies include disciplinary warning letter through possible expulsion or dismissal

Appeals

Parties may appeal (1) the dismissal of a formal complaint or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal to the Title IX Coordinator within five (5) business days after receiving the written decision, indicating the grounds for the appeal. For student Respondents, appeals will be heard by the Title IX Appeals Panel. Except as required to explain the basis of new evidence, an appeal shall be limited to review of the verbatim record of the proceedings and/or supporting documents.

Such appeals shall be in writing and shall be delivered to the Vice President of Academic and Student Affairs/Title IX Coordinator, or designee. Each Party may appeal the dismissal of a Formal Complaint or any included allegations and/or a determination regarding responsibility on the following bases:

The limited grounds for appeal available are as follows:

A. Procedural irregularity that affected the outcome of the matter (i.e., a failure to follow the institution's own procedures);

B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;

C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.

The other Party will be notified in writing when an appeal is filed, and SUNY Downstate Health Sciences University will implement appeal procedures equally for both Parties.

The [Title IX Coordinator will administer the appeal process, including notifying the Parties, transmitting the appeal materials to the Appeals Panel, and coordinating applicable deadlines. The Title IX Coordinator will not participate in the Appeals Panel's deliberations or decision. If an appeal alleges that the Title IX Coordinator has a conflict of interest or bias that affected the outcome, another qualified campus official will administer the appeal process and appoint or coordinate the Appeals Panel, as appropriate. The Decision-maker for the appeal will not be the same person as the Decision-maker that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator. Both Parties will be provided a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The submission of appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal.

If a Party appeals, the institution will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals may be no longer than 25 pages (including attachments). Appeals should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12-point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Appeals will be decided by a three-member panel to serve as the Appeal Board/Panel. Members of the Appeal Board/Panel will be selected from faculty who are not in the same program as the involved parties and may include up to one student, all of whom shall be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or Decision-maker in the same matter.

Outcome of appeal will be provided in writing simultaneously to both parties, within fourteen (14) business days or receipt of all appeal materials, and include rationale for the decision.

Composition of Panel

The Title IX Appeals Panel will review all student appeals brought forward by either Party in cases involving Title IX. It shall be composed of

at least two individuals appointed by Title IX Coordinator and/or Office of Student Affairs who have been trained in accordance with state and federal law. The Panel shall be trained annually on Title IX processes and decision-making.

In the event that a member of the Title IX Appeals Panel cannot hear the case or must recuse themselves, the Vice President for Academic and Student Affairs, Title IX Coordinator, or other appropriate designee may appoint another panel member to review the case.

Finality

The determination regarding responsibility becomes final either on the date that the SUNY Downstate Health Sciences University provides the Parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in "Appeals" above, or if an appeal is not filed, the date on which the opportunity to appeal expires.

Transcript Notations

For crimes of violence, including, without limitation, sexual violence, defined as crimes that meet the reporting requirements pursuant to the Clery Act (20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII)), SUNY Downstate Health Sciences University is required to make a notation on the transcript of a student found responsible for suspension or expulsion, per SUNY Downstate Health Sciences University's Transcript Notation Policy.

Retaliation

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

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

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

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or Formal Complaint of sexual harassment. SUNY Downstate Health Sciences University has an amnesty policy on other offenses as enumerated in the Code of Conduct and/or Sexual Misconduct Policy.

Complaints alleging Retaliation involving a student may be filed according to SUNY Downstate Health Sciences University's Student Code of Conduct and/or Sexual Misconduct Policy; complaints involving an employee may be referred to the Title IX Coordinator/Office of Diversity and Inclusion, or Office of Employee and Labor Relations (OELR).

SEXUAL HARASSMENT COMPLAINT PROCEDURES

Please also refer to the Complaint Procedure Process for Issues of Discrimination or Harassment later in this section.

For those who have a complaint concerning sexual harassment that they wish to make during off-hours (5:00 p.m. – 9:00 a.m.), the following procedures are available:

For incidents that take place within University Hospital, employees or students or members of the public may contact University Police at extension 2626 to notify them of the complaint. A University Police Supervisor will arrange to take the complaint and will simultaneously notify the Hospital Administrator on Duty (A.O.D.) or the Nursing Supervisor on Duty. The A.O.D. or the Nursing Supervisor will have the responsibility to take any immediate steps that may be necessary to protect the complainant until the next business day, when the Office of Diversity (O.D.) initiates contact with the complainant. University Police and the A.O.D. will transmit the information to O.D. by hand by 9:00 a.m. the next business day.

If, for any reason, the complainant chooses not to report the incident(s) to University Police (if, for example, the alleged harasser may be a member of that Department), then the complainant should call extension 2121, the Page Operator, and page the Hospital Administrator on Duty (A.O.D.), or, in the A.O.D.'s absence, the Nursing Supervisor on Duty. The A.O.D. or the Nursing Supervisor will respond by contacting the complainant, meeting with her/him and taking a brief statement.

In this instance, the A.O.D. or the Nursing Supervisor will be solely responsible for an administrative response that protects the complainant until the O.D. initiates contact with the complainant and has an opportunity to investigate. The A.O.D. or the Nursing Supervisor will transmit the report to O.D. at 9:00 a.m. the next business day.

For incidents that occur outside University Hospital proper [for example, in the Basic Science Building or the Health Science Education Building, or a satellite clinic], persons should contact University Police at extension 2626 to report any complaint of sexual harassment. A University Police Supervisor will respond, take the complaint and have the responsibility to take any immediate steps that may be necessary to protect the complainant until the next business day, when the Office of Diversity and Inclusion initiates contact with the complainant and has an opportunity to investigate. University Police will transmit the report to O.D. at 9:00 a.m. the next business day.

The person who believes that she/he has experienced sexual harassment may also leave a telephone message at extension 1738, the Office of Diversity and Inclusion, if the caller believes an administrative response to the report can wait until the next day. The caller should leave a clear message as to how to contact her/him the next morning. Institutional Equity will respond to the complaint during the next business day.

The person who believes she/he has experienced sexual harassment is strongly encouraged to promptly give a written statement to Institutional Equity. This procedure provides a better opportunity to investigate and expeditiously remedy any misconduct.

Retaliation of any kind will not be tolerated. This prohibition includes any retaliation against a person who has filed a complaint of sexual harassment as well as anyone who assists in an investigation or in good faith provides information on behalf of a party.

To affect this policy, every student and employee should consider it a civic and moral obligation to report knowledge of any illegal discrimination to the Office of Diversity and Inclusion.

Therefore, we strongly encourage students and employees to offer support to anyone who believes he or she is a recipient of illegal discrimination. Part of that support should consist of urging the person to report such an incident to the Office of Diversity and Inclusion, to one's supervisor, to Labor Relations or, if appropriate, to University Police.

Recent decisions of the United States Supreme Court make it clear that aggrieved persons may forfeit their opportunity to successfully litigate cases if they unreasonably fail to bring matters of discrimination to the attention of the in-house officer responsible for investigating those matters. SUNY Downstate Health Sciences University's Office of Diversity and Inclusion stands ready to thoroughly and objectively examine every formal complaint, which is brought to its attention.

CONSENSUAL RELATIONSHIPS POLICY

The State University of New York Downstate Health Sciences University (Downstate) is committed to providing a work and educational environment for its faculty, staff, visitors and students free of intimidation and harassment. Downstate's Sexual Misconduct Policy states that such conduct is unacceptable and will not be tolerated. Further, incident of sexual harassment will be addressed promptly and the appropriate corrective action will be taken. Faculty, staff, visitors and students may use Institutional Equity's EEO Complaint Form to file a complaint of discrimination with the Downstate Office of Diversity and Inclusion.

Downstate encourages the development of mentoring and collegial relationships characterized by professional and ethical behavior that is free of discriminatory actions. Consensual sexual relationships between a faculty member and a student or between a supervisor and an employee exceed what is believed to be a collegial business or academic partnership and may compromise the objectivity and integrity of the individuals in positions of influence and power. Downstate recognizes that the decision to engage in such relationships is a personal one. Nonetheless, to fulfill its obligation and commitment to equal employment and educational opportunity and to prevent questionable standards of professional conduct, Downstate strongly discourages consensual sexual relationships between faculty and students, and between supervisors and subordinate employees.

Consensual sexual relationships are considered problematic by Downstate for two major reasons: conflict-of-interest and the power differential. Students depend upon professors for grades, recommendations and opportunities for teaching and research. Employees rely upon supervisors for promotions, raises, job assignments, overtime, and other terms and conditions of employment. Conflict-of-interest inevitably arise when individuals have responsibility for evaluating the work or academic performance, or for hiring or making salary or other personnel decisions involving those with whom they have intimate romantic relationships.

The parties in a consensual sexual relationship must recognize that the reasons for entering, maintaining or terminating such a relationship may be a function of the power differential, and that the relationship may not be truly welcome or consensual. With an academic or employment career at stake, a student or employee may find it difficult or threatening to refuse a request from a professor or supervisor, no matter how casual the request. Such relationships may also be inappropriate in that they may create a negative or uncomfortable working or learning environment for others who may perceive preferential treatment.

Further, even in a seemingly consensual sexual relationship, consent cannot be considered a defense in a complaint of sexual harassment or retaliation. In addition, it is almost always the individual in the relationship with greater power who bears the burden of accountability. Thus, as the person in authority, it is the faculty member's or supervisor's responsibility to refrain from initiating and to discourage such behavior, and to maintain appropriate professional boundaries at all times.

<u>GUIDELINES</u>:

Persons entering a consensual sexual relationship should seriously consider the problems and issues such a dual relationship can create. Faculty members and supervisors who develop a sexual relationship and who are also involved in a work or academic relationship should act immediately to remove themselves from the mentoring or supervisory role.

Consensual sexual relationships between faculty members and students or between supervisors and employees outside the instructional or supervisory context may also lead to difficulties, particularly when the parties involved are in the same academic unit or work department. Problems may occur from the student's or employee's perspective and can affect not only the individuals involved directly, but also the overall academic or work environments. Therefore, Downstate encourages faculty and administrators in positions of influence to remove themselves

from personal relationships or situations in which they will be perceived as making academic or personnel decisions that are based on favoritism rather than merit. It shall be the responsibility of the individual with the power or status advantage to eliminate or mitigate a conflict situation, the consequences of which might prove detrimental to either party in the relationship.

The Office of Diversity and Inclusion, x1738, is available to answer questions regarding this policy and to consult if problems occur or when individuals are uncertain about how to manage boundaries in a dual relationship.

Accommodating Pregnant and Parenting Students Policy

Policy

In compliance with the Department of Education's (DOE) regulation implementing Title IX of the Education

Amendments of 1972, SUNY Downstate Health Sciences University (Downstate) "shall not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom."

SUNY Downstate will engage pregnant students in need of medically necessary reasonable accommodation in an interactive process to develop and implement a plan that: allows the student to continue in (or resume) their academic program and is not an undue burden on the University or a fundamental alteration to the curriculum. This interactive process will involve two or more of the following: the student, the student's medical provider(s), applicable faculty or academic departments, the Office of Accessibility Resources & Services, and the Office of Diversity and Inclusion (ODI).

After the interactive process is complete, appropriate and individualized accommodations may be provided including but not limited to:

- Access to on-campus lactation rooms;
- Flexible clinical scheduling where possible
- Frequent/reasonable breaks during class time to attend to health needs associated with pregnancy or related conditions, (food, hydration, restroom), or to express breast milk
- Allowing a student to sit or stand, or carry or keep water nearby, and

Provision of any particular accommodation is intended to facilitate continued participation in academic and other activities and is not solely governed by an academic department or program or individual faculty member's class rules or policies, but by the nature of the work or program.

When medical leave is necessary, pregnant students will be granted leave for so long a period of time as is deemed medically necessary by the student's medical provider. To the extent practicable and pedagogically possible, students returning from medically necessary pregnancy leave will be placed in the same position of academic progress that they were in when they took leave.

In situations where the inherent structure of the program, activity or task do not allow for extended absence, such as clinical rotations, large performances, and certain lab or group work, Downstate will work with the student to, whenever practicable, devise an alternative path to completion.

Applicability

This policy applies to SUNY Downstate students

Definitions:

- **Accommodations:** Changes in the environment or typical operations of the university that enable pregnant students, students with pregnancy-related conditions including, but not limited to, temporary disabilities caused by pregnancy, to continue to pursue their education.
- **Pregnancy or Pregnancy-Related Condition:** Conditions include pregnancy, childbirth, pseudo-pregnancy, termination of pregnancy, conditions that arise in connection with pregnancy, and recovery from any of these conditions.
- **Pregnant Student:** Refers to the student who is or was pregnant. This policy and its pregnancy-related protections apply to all pregnant persons, regardless of gender identity or expression.

Contact:

Additional information about this policy is available here:

Nick Cromie

Director of Accessibility Resources & Services

Basic Science Building 1-111C Brooklyn, NY 11203

Phone: 718.270.1156

Email: Nicholas.Cromie@downstate.edu

Office of Diversity and Inclusion Basic Science Building 5-95 Brooklyn, NY 11203

Phone: 718.270.1738

Email: AskODI@Downstate.edu

Bolaji Olasokan, Esq.

Title VI and IX Director/Chief Diversity Officer

Basic Science Building 5-95 Brooklyn, NY 11203

Phone: 718.270.1738

Email: AskODI@Downstate.edu

Procedures/Guidelines

- A pregnant or postpartum student may contact the Director of Accessibility Resources & Services, or the Title IX Director/Office of Diversity and Inclusion (ODI) to request an accommodation from the onset and at any point during the student's pregnancy and pregnancy-related condition. Students are encouraged to contact the Director of Accessibility Resources & Services directly about their need for a pregnancy or pregnancy-related reasonable accommodation.
- Faculty members, teaching assistants and all other academic staff must document all requests for pregnancy-related accommodations and submit them to the Director of Accessibility Resources & Services.
- If a pregnancy accommodation is denied on the basis of insufficient information, the student may submit additional medical documentation or information and request additional reviews from the Director of Accessibility Resources & Services.

A student who believes that they have experienced discrimination due to their pregnancy and/or related

condition should contact the Title IX Director/Office of Diversity and Inclusion (ODI) via telephone (718-270-1738) or email, AskODI@Downstate.edu, to report the issue.

Relevant Standards, Codes, Rules, Regulations, Statutes and References:

- U.S. Department of Education. (2013, June). Supporting the academic success of pregnant and parenting students under Title IX of the Education Amendments of 1972. Office for Civil Rights. https://www2.ed.gov/about/offices/list/ocr/docs/pregnancy.pdf
- U.S. Government Publishing Office. (2024). Nondiscrimination on the basis of sex in education programs or activities receiving federal financial assistance, 34 C.F.R. §106.40(b). https://www.ecfr.gov/current/title-34/part-106/section-106.40

SECTION IV

Federal, State and Other Regulations

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Definitions

For the purposes of this policy, SUNY Downstate Health Sciences University (DHSU) has used the following definition of terms.

Student - any person who attends or has attended SUNY DHSU.

Education Records - any educational record directly related to the student and maintained by SUNY DHSU or by a party acting for SUNY DHSU except:

1.

    1. A personal record kept by a staff member if it is kept in the sole possession of the maker of the record and is not accessible or revealed to other persons except a temporary substitute for the maker of the record.

    2. Records created and maintained by SUNY DHSU's Public Safety Department for law enforcement purposes.

    3. An employment record of an individual, whose employment is not contingent on the fact that he or she is a student, provided the record is used only in relation to the individual's employment.

    4. Records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional if the records are used only for the treatment of a student and made available only to those persons providing the treatment.

    5. Alumni records which contain information about a student after he or she is no longer in attendance at the University and which do not relate to the person as a student.

FERPA – The Family Educational Rights and Privacy Act

Annual Notification

Students will be notified of their FERPA rights annually by publication in the Student Handbook.

Procedure to Inspect Education Records

Students may inspect and review their education records upon request to the appropriate record custodian.

Students should submit to the record custodian or an appropriate SUNY DHSU staff person a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

The record custodian or an appropriate SUNY DHSU staff person will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Requests from active current students are normally responded to within 24-48 hours (during business days). For former students, or in the rare circumstances where information has already been archived, we make every effort to respond as soon as possible, but access may take up to 45 days or less from the receipt of the request. When a record contains information about more than one student, the student may inspect and review only the records which relate to him or her.

Right of SUNY DHSU to Refuse Access

SUNY DHSU reserves the right to refuse to permit a student to inspect the following records:

1. The financial statement of the student's parents.

2. Letters and statements of recommendation for which the student has waived his or her right of access, or which were placed in his or her file before January 1, 1975.

3. Records connected with an application to attend SUNY DHSU if that application was denied.

4. Those records which are excluded from the FERPA definition of education records.

Refusal to provide copies

SUNY DHSU reserves the right to deny transcripts or copies of educational records not required to be made available by FERPA in any of the following situations:

1. The student has an unpaid financial obligation to SUNY DHSU.

2. There is an unresolved disciplinary action against him or her.

Fees for Copies of Records

The fee for copies of educational records will be $.10 per page. If the document is to be mailed, the cost of mailing will also be charged.

Disclosure of Education Records

SUNY DHSU will disclose information from a student's education records only with the written consent of the student, except:

1. To University officials who have a legitimate educational interest in the records.

A university official is: a person employed by the University in an administrative, supervisory, academic or research, or support staff position; a person elected to the Board of Trustees; a person employed by or under contract to the University to perform a special task, such as the attorney or auditor.

A University official has a legitimate educational interest if the official is: performing a task that is specified in his or her position description or by a contract agreement; performing a task related to a student's education; performing a task related to the discipline of a student; providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid.

2. To officials of another school, upon request, in which a student seeks or intends to enroll.

3. To certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities, in connection with certain state or federally supported education programs.

4. In connection with a student's request for or receipt of financial aid as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.

5. If required by a state law requiring disclosure that was adopted before November 19, 1974.

6. To organizations conducting certain studies for or on behalf of the University.

7. To accrediting organizations to carry out their functions.

8. To parents of an eligible student who claim the student as a dependent for income tax purposes.

9. To comply with a judicial order or a lawfully issued subpoena.

10. To appropriate parties in a health or safety emergency.

11. Directory information so designated by the University.

12. The results of any disciplinary proceeding conducted by the University against an alleged perpetrator of a crime of violence to the alleged victim of that crime.

Record of Requests for Disclosure

SUNY DHSU will maintain a record of all requests for and/or disclosure of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom it may be re-disclosed, and the legitimate interest the party has in requesting or obtaining the information. The record may be reviewed by the eligible parents or student.

Directory Information

FERPA allows an institution to release student "directory information" without a student's consent, unless the student has requested such information be kept confidential. SUNY Downstate designates the following as directory information:

Name, address, telephone number, date of birth and place of birth, Downstate e-mail address, Downstate SID, student photos, school of attendance, dates of attendance, major field of study, class year, current credit load, credit hours earned, degrees received, dates of degrees, participation in officially recognized activities, honors and awards received, internships, residency or other post-completion placements (applies only to College of Medicine and School of Graduate Studies), and the most recent previous educational agency or institution attended. SUNY DHSU may disclose any of these items without prior written consent, unless notified in writing to the contrary during the fall registration period.

To opt out of directory information disclosures, you will complete a Family Educational Rights and Privacy Act (FERPA) Opt In/Opt Out form found in the Office of the Registrar. You may do this at the time of fall registration only.

Correction of Education Records

Students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. The following are the procedures for the correction of records:

1. The student must ask the appropriate official of SUNY DHSU to amend a record in writing. The student should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of their privacy or other rights.

2. That office must reach a decision and inform the student of this decision, in writing, within a reasonable time after receipt of the request. If it decides not to comply, that office will notify the student of the decision and advise him/her of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.

3. Upon request, SUNY DHSU will arrange for a hearing, and notify the student, reasonably in advance, of the day, place, and time of the hearing.

4. The hearing will be conducted by a person or persons appointed by the Vice President for Student Affairs, who do not have a direct interest in the outcome of the hearing. The student will be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by one or more individuals, including an attorney. If the student is represented by an attorney, SUNY Legal Counsel must also be present.

5. The hearing officer/panel will prepare a written decision based solely on the evidence presented at the hearing, within a reasonable time period after the conclusion of the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.

6. If the hearing officer/panel decides that the information is inaccurate, misleading, or in violation of the student' right of privacy, the record will be amended and the student will be notified, in writing, that the record has been amended.

7. If the hearing officer/panel decides that the challenged information is not inaccurate, misleading or in violation of the student' s right of privacy, the student will be notified that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement will be maintained a part of the student' education records as long as the contested portion is maintained. If SUNY DHSU discloses the contested portion of the record, it must also disclose the statement.

Note:

1. Former students are not given a right to inspect records which only contain information about them after they left school.

2. Notification of student rights under the Act need not be sent to former students.

3. Students may give consent for disclosures of their education records to a "class of parties" as well as a specific individual or institution.

4. Schools need only make a "reasonable effort" to notify students of a subpoena in advance of compliance.

5. Parents of students attending the University are not given a right to inspect student records (e.g. receive grades) without student consent.

6. The opportunity for a hearing as specified in 99.21 of the regulations should not be construed to apply to questions concerning the underlying reasons for the granting of a particular grade. Instead, a hearing to determine the accuracy of any grade should be confined to the issue of whether or not the recorded grade corresponded to the grade reported by the faculty member.

Alleged failures to comply with the requirements of FERPA may be filed by students with the U.S. Department of Education. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office

U.S. Department of Education

600 Independence Avenue, SW

Washington, D.C. 20202-4605

Types, Locations, and Custodians of Education Records

Types	Location	Custodian
Admissions Records	Office of Admissions	Admissions
Academic Records (active students)	Office of the Registrar	Registrar
Academic Records (former students)	Archives	Registrar
Health Records (current students)	Student Health	Director, Student Health
Health Records (former students)	Archives	Director, Student Health
Financial/Financial Aid Records	Financial Aid/Bursar	Financial Aid/Bursar
Progress Records	Dean's Office at each college or dept./Instructor	Dean
Disciplinary Records	Student Affairs Office	VP for Student Affairs

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records—including your Social Security Number, grades, or other private information—may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and Personally Identifiable Information without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and Personally Identifiable Information without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your Personally Identifiable Information, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent Personally Identifiable Information from your education records, and they may track your participation in education and other programs by linking such Personally Identifiable Information to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

NOTIFICATION OF PARENT, GUARDIAN, OR EMERGENCY CONTACT FOR ALCOHOL AND CONTROLLED SUBSTANCE VIOLATIONS

New York State Education Law §6438-d (Beau's Law)

Policy Summary: Notification of Parent, Guardian, or Emergency Contact for Alcohol and Controlled Substance Violations

SUNY Downstate is committed to protecting student health and safety while respecting student privacy.

In accordance with FERPA and New York State Education Law §6438-d (Beau's law), SUNY Downstate maintains the following policy regarding when a parent, guardian, or designated emergency contact may be notified if a student under the age of 21 is involved in certain alcohol- or controlled substance-related incidents.

Purpose

Effective July 1, 2026, and in accordance with FERPA and New York State Education Law §6438-d, this policy establishes the framework under which SUNY Downstate may notify a student's parent(s), guardian(s), or designated emergency contact(s) when a student under the age of 21 is involved in certain alcohol- or controlled substance-related violations or incidents.

The purpose of this policy is to:

- Promote student health and safety;
- Ensure transparency regarding notification practices; and
- Clarify how SUNY Downstate exercises its discretion under FERPA and applicable New York State law.

Scope

This policy applies to:

- All students enrolled at SUNY Downstate who are under the age of 21; and
- Involved in alcohol and controlled substance-related incidents, whether occurring on or off campus, which are addressed through institutional processes.

Policy Statement

SUNY Downstate maintains a policy regarding the notification of a student's parent(s), guardian(s), or emergency contact(s) when a student under the age of 21 is involved in certain alcohol- or controlled substance-related violations or incidents.

Notification decisions are made by authorized institutional offices and are guided by considerations of student health, safety, and welfare, as well as compliance with applicable federal and state laws.

Incidents Subject to Notification

A parent, guardian, or emergency contact may be notified when a student under the age of 21 is involved in one or more of the following, including but not limited to:

- Violations of institutional rules or policies related to the use or possession of alcohol or a controlled substance;
- Violations of federal, state, or local laws involving alcohol or controlled substances; and
- Alcohol or controlled substance-related medical emergencies, including:
    - Hospitalization;
    - Overdose; or
    - Other situations presenting a serious risk to the student's health or safety.

Notification Authority and Process

- Notification determinations are made only by designated institutional offices, which may include Student Affairs, Residence Life, University Police, Health Services, Counsel's Office, or other authorized
- Individual faculty or staff members do not contact parents, guardians, or emergency contacts unless specifically
- Notifications are made on a case-by-case basis, considering the totality of the circumstances.

FERPA and New York State Education Law Considerations

FERPA permits institutions of higher education to disclose Personally Identifiable Information (or "PII") without consent if there is an articulable and significant threat to the health or safety of the student or others, and the disclosure is to parties who need to know to respond.

New York State Education Law §6438-d (Beau's Law) requires transparency in NYS institutions of higher education on its policies involving notice to a parent, guardian, or emergency contact when a student under the age of 21 is involved in one or more of the following, including but not limited to:

- Violations of institutional rules or policies related to the use or possession of alcohol or a controlled substance;
- Violations of federal, state, or local laws involving alcohol or controlled substances; and
- Alcohol or controlled substance-related medical emergencies, including:
    - Hospitalization;
    - Overdose; or
    - Other situations presenting a serious risk to the student's health or safety.

SUNY Downstate exercises its authority under FERPA and New York State Education Law in a manner that limits disclosures to information reasonably necessary to address the circumstances presented.

Student Notification

When feasible and appropriate, students will be informed that a parent, guardian, or emergency contact has been or may be notified, unless such notification compromises health or safety or interferes with an ongoing investigation.

Confidentiality and Privacy

All notifications under this policy are handled with sensitivity and respect for student privacy. Information shared is limited to what is necessary to address health, safety, or welfare concerns. All disclosures made pursuant to this policy are documented.

Training and Awareness

SUNY Downstate provides regular training to employees regarding:

- FERPA requirements and exceptions;
- This notification policy; and
- Appropriate reporting and escalation procedures.

Questions

Questions regarding this policy or its implementation should be directed to:

- SUNY Downstate Division of Student Affairs
- Email: studentaffairs@downstate.edu
- Phone: 718-270-2187

FERPA and New York State Education Law Considerations

FERPA permits institutions of higher education to disclose PII without consent if there is an articulable and significant threat to the health or safety of the student or others, and the disclosure is to parties who need to know to respond.

New York State Education Law §6438-d (Beau's Law) states: "Consistent with FERPA's above health and safety exception, this law requires institutions to publicly display their policy for contacting a student's parent(s), guardian(s), or emergency contact(s) of a violation by a student under the age of 21 for the use or possession of alcohol or a controlled substance.

Violations include but are not limited to:

- rule infractions
- violations of federal, state, or local law, or
- controlled substance or alcohol related hospitalizations or overdoses

HEALTH REGULATIONS

As required by the 1982 resolution of the SUNY Board of Trustees, and as a condition of registration, all students must submit a fully completed medical history form and a physician's report to the Student Health Center. Effective August 1, 1990, New York State Public Health Law 2165 requires students born since January 1, 1957, to show immunity against measles, mumps, and rubella. In addition, all students in the clinical setting must be in compliance with the New York State Health Department regulations and comply with an annual health assessment. Students not in compliance will have a "health clearance hold" placed on their registration, and will not be eligible to register for the subsequent semester until they are in compliance. OSHA regulations also require TB mask fitness and fit testing prior to any patient contact.

ACCEPTABLE USE POLICY FOR COMPUTING AND NETWORK RESOURCES

The computer network at SUNY Downstate Health Sciences University provides a virtually unlimited supply of resources and information to the community, but the system also places an enormous responsibility on all users. All SUNY Downstate rules are applicable to all uses of computers and related technologies. This document is intended to clarify those rules as they apply specifically to network and computer usage.

Any user must adhere to the same code of ethics that governs all other aspects of life within the bounds of our learning community. Any actions performed or initiated through the network must reflect the integrity, honesty, and compliance with SUNY Downstate's rules of conduct, which are required of all representatives of SUNY Downstate. Policies protecting the privacy of a user's work on the network are built from the premise that an unlocked computer does not give an outsider legitimate access to an individual's files, just as an unlocked door does not give an outsider legitimate access to the personal belongings contained within a room. The following policies exist to ensure the ethical use of the network at SUNY Downstate:

1. **Accessing the accounts and files of others is prohibited**.

   This rule protects all users on the network, not just the SUNY Downstate community. Taking advantage of a user who inadvertently leaves a computer without logging out is no different than entering an unlocked room and stealing, reading a personal letter, or destroying someone's personal property.

2. **Attempting to subvert network security, to impair functionality of the network, or to bypass restriction set by the administrators is prohibited.**

   Assisting others in violating these rules by sharing information or passwords, the loading of unauthorized software onto public computers and the overloading of network capacity are also considered unacceptable behavior. It is the responsibility of the user to become familiar with any additional specific policies posted by the administrator of a lab, unit or department prior to using its computer resources.

3. **Improper use or distribution of information is prohibited.** Educational materials placed on online learning management systems and lecture podcasts are for SUNY Downstate student use. They are not to be distributed outside of Downstate. This includes copyright violations such as software piracy as well as plagiarism, harassment and fraud. The network is a valid academic resource, and use thereof is governed by the same rules as library resources.

4. **Using the network for commercial purposes or in support of illegal activities is prohibited.**

   SUNY Downstate maintains the network for academic purposes as well as for school related and personal communication. If you are in doubt about the definition of "illegal activity" talk to a network administrator.

5. **Legitimate use of a computer or network system does not extend to whatever an individual is capable of doing with it.** Although some rules are built into the system itself, these restrictions cannot limit completely what an individual can do or can see. In any event, each member of the community is responsible for their actions whether or not rules are built in, and whether or not they can be circumvented.

6. **Users accessing the network are representatives of SUNY Downstate, and are expected to behave accordingly**.

   Those who are unsure of what constitutes appropriate behavior should ask themselves the question: "Will my actions reflect well on the SUNY Downstate community?"

Those who violate the above standards of behavior will be denied use of SUNY Downstate computers or network systems. In addition to the policy described in this document, as a user of Downstate resources you are subject to applicable New York State and Federal laws. Violations will be referred to the appropriate SUNY Downstate body adjudicating academic integrity or disciplinary actions, and/or to the appropriate local, State, and Federal authorities, at SUNY Downstate's discretion. SUNY Downstate reserves the right to investigate suspected violations using all appropriate means. Furthermore, SUNY Downstate may terminate or restrict any person's access to its resources, without prior notice, if such action is necessary to maintain availability, security, and integrity of operations for other users of its resource.

Peer to Peer File Sharing

As stated in #3 above, unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject students to civil and criminal liabilities:

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than $750 and not more than $30,000 per work infringed. For "willful" infringement, a court may award up to $150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to $250,000 per offense.

For more information, please see the Web site of the U.S. Copyright Office at www.copyright.gov , especially their FAQ's at www.copyright.gov/help/faq .

GUIDELINES FOR THE STUDENT USE OF ARTIFICIAL INTELLIGENCE (AI)

At SUNY Downstate Health Sciences University, we prepare health professionals to uphold the highest standards of academic integrity, clinical judgment, and ethical reasoning. These guidelines outline expectations for the responsible use of artificial intelligence (AI) tools in support of student learning, academic inquiry, and professional development.

AI tools, including generative systems such as, but not limited to, ChatGPT and CoPilot, image generators like DALL-E, code assistants, transcription software, and research summarizers like Elicit, are rapidly evolving. Used responsibly, they can serve as helpful tools in multi-step writing, research, or the clinical preparation process. However, indiscriminate use of AI can impede learning, obscure authorship, and violate ethical and legal obligations. These guidelines help ensure AI use aligns with the University's mission, values, and academic policies.

Because AI systems can produce inaccurate, incomplete, or biased output, its use requires critical evaluation. All AI use must comply with SUNY Downstate's Academic Integrity Policy, the specific college or school's policies, and course-specific instructions and learning objectives. These guidelines apply to all students across all SUNY Downstate academic programs and may be supplemented by additional guidance from specific schools, colleges, departments or programs, or specific course-level policies.

These guidelines will be reviewed annually to ensure they remain relevant in a rapidly evolving landscape.

Scope of Applicability

These guidelines apply to all SUNY Downstate students across all schools, programs, and levels of study. Faculty members and departments may issue additional, discipline-specific guidance. Students must always defer to course-specific instructions set by course faculty/instructors.

General Expectations for Students

1. **Determine Whether AI Use is Permitted**
   Check your course syllabus and institutional policies for statements about AI use. If no statement is present, email your instructor for clarification before using AI. When in doubt, assume that AI use is **not** permitted until explicitly approved.

2. **Disclose and Document AI Use**
   If permitted, you must submit the following with your assignment: Name and URL of the AI tool(s) used; date accessed; your original prompt(s) or query; the AI-generated output; A brief explanation of why you used the tool and how you evaluated its results. Failure to disclose AI use as required will be treated as a violation of the academic integrity policy. Instructors may use plagiarism detection software and other tools that identify AI-generated content to verify the originality of submitted work. Students should assume that their submissions will be reviewed with these tools to ensure compliance with academic integrity standards.

3. **Critically Review AI Output**
   AI tools can produce inaccurate or fabricated information ("hallucinations"); questionable or invented sources; or biased, offensive, or discriminatory content. Consider the following when AI use is permitted:
   - Does the output meet the assignment's learning objectives?
   - Is the information verifiable, complete, and supported by credible sources?
   - What biases or assumptions may be embedded in the tool's responses?
   - How did you revise or improve the AI-generated text?

4. **Avoid Inappropriate Uses of AI**
   Students may not use AI to generate entire assignments or fulfill core academic tasks without explicit instructor permission; fabricate citations, data, or research findings; paraphrase or reword another's work to evade plagiarism detection; submit AI-generated work as their own without proper attribution; generate content that misrepresents knowledge, skills, or clinical decision-making.

5. **Use Caution with Tools That Incorporate AI**
   Tools like Grammarly, transcription services, and browser extensions may use AI components. Always check with your instructor before using writing aids, summarizers, or auto-transcription platforms. Be mindful of tools that might passively capture sensitive content without disclosure.

6. **Use Downstate Issued Accounts When Possible**
   When possible and available, use Downstate issued products and Downstate-issued credentials when completing assignments or doing projects related to Downstate.

Data Privacy, Confidentiality, and Security
Never enter Protected Health Information (PHI), student records, clinical cases (even fictionalized), or sensitive data into AI tools, even if anonymized. AI must not be used for clinical documentation (e.g., patient notes), including when running scenarios with standardized patients and hypothetical scenarios, except where explicitly authorized. Even anonymized or hypothetical patient cases may include elements of PHI and should not be processed with AI systems without approval. Using AI platforms that store, train on, or share submitted content may violate HIPAA, FERPA, New York State Privacy laws, or institutional privacy standards. Check the terms of service and data handling policies of any AI system before using it for coursework or research.

The State of New York has issued a directive specifically banning the use of the AI tool DeepSeek on government-managed devices or networks due to national security and privacy risks. SUNY Downstate likewise prohibits use of DeepSeek, even on personal devices, for coursework, research or other purposes. Students must ensure any AI tool they use complies with relevant SUNY, New York State, and federal policies, especially when those devices connect to the SUNY Downstate network.

Clinical, Research, and Presentation Contexts
Do not use AI tools to create content for OSCEs, patient case notes, clinical assessments, or board preparation materials unless specifically authorized. If AI is permitted in group work or presentations, clarify whether disclosure must be collective or individual. Use of AI in lab reports, abstracts, posters, or oral presentations must be fully disclosed and aligned with academic integrity standards.

Ethics and Professionalism
Students are expected to demonstrate personal accountability and uphold the ethical principles of their professions. Responsible use of AI includes:

- Maintaining transparency about how content is created.
- Ensuring that technology supports—not replaces—critical thinking.
- Avoiding reliance on AI tools for tasks requiring original analysis or clinical judgment.
- Upholding values of equity, objectivity, and scholarly rigor.
- Maintaining appropriate confidentiality of non-public/sensitive information.

Support and Reporting
For questions about AI use in a course, consult your instructor. For broader academic integrity concerns, contact your program chair, dean, or the Office of Student Affairs. Suspected misuse of AI may be reported through the existing channels for academic misconduct.

SOCIAL MEDIA POLICY

Social networking offers the opportunity to develop and maintain longstanding professional and social interactions. Along with offering the potential to interact with a worldwide audience, social media provides the potential for significant lapses in professional behavior. As a student going into medicine, nursing, healthcare, research, or public health, you must be aware of your special obligations and the public and potentially permanent nature of your postings in these forums. Although social media platforms may appear to be private, all online content should be considered public and potentially permanent and viewable throughout your future career.
On social media, the lines between public and private, personal and professional are significantly blurred. Just by identifying as a SUNY Downstate student, you create an association between your online presence and the University in the eyes of the public. It is best practice to be mindful that all content you share is consistent with your role as a student and with SUNY Downstate's values and professional standards.
As such, the following policy should be used when interacting with social media as a student, whether using the networks personally or professionally or whether using personal or college-owned equipment. (Note: These policies apply only to students. For policy guidelines for faculty, staff, and for use of official SUNY Downstate Social Media accounts, contact the Office of Communications and Marketing.)

1. Social network postings are subject to professionalism standards. For a definition of professionalism, see the appropriate school or college Honor Code or Policy on Professionalism. The permanence and written nature of these postings make them subject to scrutiny well beyond the timeframe of the posting. Students are subject to disciplinary action within the school for postings that violate professionalism standards and/or patient privacy.
2. Representation of the University and the Profession: Students should not present themselves as official representatives of SUNY Downstate Health Sciences University, University Hospital at Downstate, or any affiliated institution unless specifically authorized to do so. Students who identify themselves as SUNY Downstate students on social media should recognize that members of the public may associate their online conduct with the University and with the healthcare professions. You are prohibited from using SUNY Downstate logos or logos of our clinical affiliates without permission from the Office of Communications & Marketing (at SUNY Downstate) or the appropriate office at an affiliate. Unless expressly authorized by the University, students may not use their status as a SUNY Downstate student to imply University endorsement of commercial products, services, businesses, educational programs, consulting services, or other ventures.
3. Avoid providing specific medical or health care related advice on-line. Medically related sites or sites that contain medically related opinions should contain the disclaimer that "The posts on this site are my own and do not represent the position or opinion of SUNY Downstate." Always differentiate between medical opinions and medical facts.
4. Use of social media can have legal ramifications. Content that portrays you, colleagues, or a SUNY Downstate department in a manner that violates professionalism standards and/or patient privacy may be used in court or other disciplinary proceedings.

5. Always be aware of what others post on your social media sites and how they may reflect on you. It is recommended that students use controls that either block or require your approval before others can post directly onto your social media. You may be held responsible for photos or content which others post about you, especially if you are “tagged” in them.
6. Statements and photos posted on Social Media sites are potentially viewable by future employers, and even if deleted may be recovered under certain circumstances. Images may be downloaded by and forwarded to others. It is common for potential employers to search for the social network profiles of potential hires, and withhold job offers because of findings on social networking sites.
7. Be mindful of your privacy settings and check them often. It is best practice to use settings which optimize your privacy and security and avoid sharing personal information about yourself such as addresses, phone numbers, or data (such as license numbers or identification numbers) which may be used to gain access to your records.
8. Students must maintain patient privacy and may not record, photograph, livestream, transmit, distribute, or otherwise share content from clinical settings, patient care environments, laboratories, simulation centers, standardized patient encounters, instructional activities, examinations, research environments, or other educational settings without appropriate authorization. Students must comply with all applicable federal and state laws, University policies, affiliate site requirements, confidentiality obligations, and professional standards. When multiple standards apply, students are expected to comply with the most restrictive applicable requirement.

   Posting pictures of patients (including photos depicting the body parts of patients), patient names, or any information about patients is NEVER permitted under any circumstance. Violations of HIPAA may subject you to disciplinary action and violate local, state, and federal law.
9. Maintain the privacy of fellow students, colleagues, medical professionals, and other hospital or clinical employees unless they have given you permission for their name or likeness to be used.
10. Interaction with patients (including former patients, research participants, and their family members) on social media is prohibited (unless the person was known in another capacity prior to them becoming a patient and the posting is unrelated to the patient’s care). Students should maintain appropriate professional boundaries in all online interactions.
11. Relationships online with faculty, preceptors, attending physicians, fellows, supervising residents, interns, and other medical students are all governed by the SUNY Downstate policy against sexual harassment and violations of that policy are not tolerated. Cyber stalking, requests from those who supervise you to engage in activities outside of work, and inappropriate postings to social networking sites may all be considered forms of sexual harassment and should be reported immediately to the Office of Student Affairs or to the Title IX Coordinator.
12. Commercial Use of Educational and Clinical Experiences: SUNY Downstate Health Sciences University provides educational, clinical, research, laboratory, simulation, and professional development opportunities for the purpose of learning, scholarship, service, and patient care. These experiences are not provided for private commercial exploitation. Students may not commercially exploit educational, clinical, laboratory, simulation, research, or patient-care experiences obtained through the University for personal financial gain. For purposes of this policy, "commercially exploit" means using University-related educational, clinical, research, simulation, laboratory, patient care, or professional experiences to obtain compensation, advertising revenue, sponsorships, affiliate income, gifts, discounts, commissions, or other financial benefit.

Prohibited activities include, but are not limited to:

- Receiving compensation, sponsorships, affiliate income, advertising revenue, gifts, discounts, commissions, or other remuneration associated with content derived from University educational or clinical experiences, including any that create actual or perceived conflicts with their educational responsibilities, professional obligations, or the reputation of the University.
- Participating as a paid influencer, brand ambassador, affiliate marketer, product promoter, or commercial spokesperson where the student's University affiliation, educational activities, or healthcare-professions status contributes to the commercial value of the content.
- Creating monetized content depicting University facilities, classrooms, laboratories, simulation centers, clinical environments, educational activities, or research activities without authorization.
- Students may not post, distribute, monetize, or otherwise use for commercial purposes examinations, instructional materials, simulation scenarios, course content, research materials, or other proprietary materials without authorization.
- Using the University's name, trademarks, logos, programs, affiliations, or resources in a manner that implies endorsement of a commercial product, service, or business venture.

Nothing in this policy prohibits students from discussing their educational experiences, engaging in personal expression, participating in scholarly activities, or creating non-commercial content consistent with University policies and applicable law.

13. Professional Responsibility and Digital Footprint: Students should recognize that social media content may be reviewed by residency programs, employers, licensing boards, credentialing organizations, professional associations, clinical affiliates, and future colleagues. Online conduct that violates professional standards, confidentiality obligations, University policies, or applicable laws may result in disciplinary action and may have long-term professional consequences.
14. Artificial Intelligence: This policy applies equally to content that is created, modified, enhanced, or generated using artificial intelligence technologies.

This policy should be interpreted in conjunction with the *SUNY Downstate Student Handbook*. Activities conducted through social media remain subject to all applicable provisions of the *SUNY Downstate Student Handbook*, including policies governing business and commercial activities, use of institutional resources, student conduct, and professionalism. Violations of this policy may be subject to disciplinary action as defined in the Rules of Student Conduct as published in the current *SUNY Downstate Student Handbook*. To avoid future indiscretions, students are strongly encouraged to alert colleagues to comments made online that may violate professional standards and refer colleagues to this policy.

Students assigned to affiliated clinical sites are required to comply with all applicable site policies. Where an affiliate's requirements are more restrictive than University requirements, the more restrictive standard shall apply.

INVOLUNTARY LEAVE OF ABSENCE POLICY

Requiring a student to take a leave of absence is rare and only happens when current medical knowledge and/or the best available objective evidence indicates to the designee of the President of SUNY Downstate Health Sciences University that there is a significant risk to the student's health or safety, or the health or safety of others in the SUNY Downstate community, or the student's behavior severely disrupts the educational environment, where no reasonable accommodations can adequately reduce that risk or disruption. The designee of the President of SUNY Downstate Health Sciences University, for the purpose of this policy, shall be the Vice President for Student Affairs or their designee.

Consistent with The State University of New York's Nondiscrimination Policy, SUNY prohibits unlawful discrimination on the basis of any type of disability or any other characteristic protected by applicable Federal and/or State law in the administration of SUNY's programs and activities. SUNY Downstate is in full compliance with this requirement.

SUNY institutions offer a range of resources, support services, and accommodations to address the physical and mental health needs of students. However, on rare occasions, a student's needs may require a level of care that exceeds the care that SUNY Downstate can appropriately provide. Where current knowledge about the individual's medical condition and/or the best available objective evidence indicates that a student poses a significant risk to their own safety not based on mere speculation, stereotypes, or generalizations, or the health and safety of others in the SUNY Downstate community, or where a student's behavior severely disrupts the learning environment at SUNY Downstate Health Sciences University and the student does not take a voluntary leave of absence, the Vice President for Student Affairs or their designee has the authority to place a student on an involuntary leave of absence, after the appropriate procedural due process, outlined below, has occurred according to this policy.

Before placing any student on an involuntary leave of absence, SUNY Downstate will conduct an individualized assessment, consulting with the Office for Accessibility Services to determine if there are reasonable accommodations that would permit the student to continue to participate in the SUNY Downstate learning environment without taking a leave of absence.

The Vice President for Student Affairs or their designee may be notified about a student who may meet the criteria for an involuntary leave of absence from a variety of sources, including, but not limited to, the student, the student's academic advisor, Residential Life staff, an academic department, or a member of the University's behavioral intervention team. If the Vice President for Student Affairs or their designee deems it appropriate, the procedures under this policy can be initiated.

I. Process for Placing a Student on an Involuntary Leave of Absence

1. The Vice President for Student Affairs or their designee at SUNY Downstate Health Sciences University will consult with the appropriate office that provides accessibility services prior to making a decision to impose an involuntary leave of absence.
2. The Vice President for Student Affairs or their designee will issue a notice to the student in writing that an involuntary leave of absence is under consideration. The written notice will include the reason(s) why the student is being considered for an involuntary leave of absence, contact information for the Office of Accessibility Services which can provide information about potential accommodations, and a copy of this policy.
3. SUNY Downstate will provide clear information about their accessibility services office, including the location of office, whom to contact, services provided, information about how to request reasonable accommodations and supports, and any other pertinent information SUNY Downstate deems necessary. The notice will also provide contact information (including

the name and position) for a neutral or impartial Advisor outside of the decision-making process under this policy (the "Advisor"), with knowledge of SUNY Downstate's involuntary leave of absence process who will serve as a resource to answer any student questions about the process from referral to return to SUNY Downstate. The Advisor will work with the student throughout the involuntary leave of absence process and any appeals. The Advisor shall be copied on all notices to the student after the student provides consent to have the Advisor as part of their process. In the written notice, the student will be encouraged to respond, and to contact the Advisor before a decision regarding an involuntary leave of absence is made and will be given a specified time period within which to do so. SUNY Downstate may train one or more employees to serve as an Advisor for when this policy is initiated. If a student utilizes an Advisor as part of this process, the Advisor cannot speak for the student and all administrative procedural rules apply. The student is responsible for self-advocacy and consults with the Advisor.

4. To the extent required by applicable law, the Vice President for Student Affairs or their designee must consider potential reasonable accommodations and/or modifications that could eliminate the necessity for an involuntary leave of absence. These may include, without limitation, a voluntary leave of absence and/or academic/housing/dining accommodation(s). SUNY Downstate must document all such considerations, accommodations, and related decisions.
5. The student may be asked to execute a Consent Form providing certain Campus personnel with temporary authority to obtain information from the student's health care provider(s) regarding issues relevant and appropriate to the consideration of an involuntary leave of absence when there is a need for SUNY Downstate to have access to that information as part of the interactive process and individualized assessment. Any direct communication with a student's medical provider shall be done through the appropriate medical office at SUNY Downstate, which will relay that information to the designee(s) responsible for assessing all information regarding a potential involuntary leave of absence. Access to these records, if SUNY Downstate is given authority, shall be limited to personnel directly involved in the deliberation and decision-making process under this policy. SUNY Downstate shall establish procedures for the secure storage of confidential health information that is received at any point in the leave and return processes. If a student refuses to execute this document or to respond within the timeframe set by the Vice President for Student Affairs or their designee, the Vice President for Student Affairs or their designee may proceed with assessment based on the information in the Vice President for Student Affairs or their designee's possession at that time.
6. The Vice President for Student Affairs or their designee may also confer, as feasible and when appropriate depending upon the matter, with individuals regarding the need for an involuntary leave of absence. Each case may vary, but conferring individuals can include:
    - Representatives from Residence Life;
    - Faculty members;
    - Academic advisors;
    - Department head for programs that lead to professional licensure, as appropriate;
    - Representatives from the Student Health Center (with appropriate authorization for any providers who have provided services to the student);
    - The student's treatment provider(s) or other health care professionals (with appropriate authorization for any providers who have provided services to the student);
    - Representatives from the Student Counseling Center (with appropriate authorization for any providers who have provided services to the student);
    - Member(s) of SUNY Downstate's behavioral intervention team or equivalent personnel that serves the function of assessing and monitoring students of concern; and/or
    - Other individuals who may be appropriate in an individual matter.
7. When evaluating whether an involuntary leave of absence is appropriate, SUNY Downstate will consider specific criteria, such as:
    - Whether current knowledge about the individual's medical condition and/or the best available objective evidence indicates that a student poses a significant risk to the health or safety of a member of the SUNY Downstate community;
    - Whether a student is unable or unwilling to carry out substantial self-care obligations and poses a significant risk to their own safety, not based on mere speculation, stereotypes, or generalizations; and/or
    - Whether a student's behavior severely disrupts the SUNY Downstate campus environment.

8. The individualized assessment for each factor, based on reasonable judgment that relies on current medical knowledge to the extent that information is available, or the best available objective evidence, should capture:
    - the nature, duration, and severity of the risk or disruption;
    - the probability that the risk or disruption will actually occur; and
    - whether reasonable modifications of policies, practices, or procedures will appropriately mitigate risk or disruption, thereby eliminating the need for an involuntary leave of absence.
9. The Vice President for Student Affairs or their designee for SUNY Downstate will give significant weight to the opinion of the student's treatment provider(s) identified by the student (with appropriate authorization) regarding the student's ability to function academically and safely at SUNY Downstate with or without reasonable accommodations. If the Vice President for Student Affairs or their designee determines that the information provided by the treatment provider(s) is incomplete, requires further explanation or clarification, or is inconsistent with the other information in the student's record, the Vice President for Student Affairs or their designee for SUNY Downstate (with appropriate authorization) may contact the treatment provider(s) to obtain additional information. In certain circumstances, SUNY Downstate may request the student to undergo an additional evaluation by an independent and objective professional designated by SUNY Downstate, if the Vice President for Student Affairs or their designee believes it will facilitate a more informed decision. SUNY Downstate should appropriately document the reasoning for such a decision, if warranted.
10. Following the Vice President for Student Affairs or their designee's consultations and review of the relevant documentation and information available, the Vice President for Student Affairs or their designee shall make a decision regarding whether the student should be placed on an involuntary leave of absence, and shall provide written notice of the decision to the student. This written notice of decision shall include information about the student's right to appeal the decision and information about reasonable accommodations available during the appeal process (see "Appeals" under Section III). The review and notice of decision shall be performed in a reasonable and timely manner.
11. In emergency situations involving an imminent threat of harm to the student or any other member of the SUNY Downstate community, the Vice President for Student Affairs or their designee, in the exercise of their reasonable judgment, may require a student to be immediately prohibited from entering SUNY Downstate or related facilities utilized for campus-related programs or activities while such individualized assessment and review under this policy is taking place. This may include facilities owned or operated by SUNY Downstate partners who are providing educational, clinical or related activities for students. Such students shall receive written notice to this effect as quickly as possible and/or practicable. While this individualized assessment and review is being conducted, every effort shall be made by the Vice President for Student Affairs or their designee to reach a decision within seven (7) calendar days, provided that the student responds in a timely manner to requests for information, and if appropriate, evaluation. If there are delays, SUNY Downstate shall document the reason for such delays in writing.

II. Decisions on Involuntary Leaves of Absence

If an Involuntary Leave of Absence is Imposed: The written notice of any decision concerning the student shall set forth the basis for the decision; a timeframe for when the student must leave the campus; the student's right to appeal the decision; and information about reasonable accommodations available during the appeal process. This notice shall also set forth when the student may be eligible to return to the campus and the conditions and/or requirements the student will need to satisfy to be eligible for return. This written notice shall also inform the student of their right to reasonable accommodations in the return process and will provide contact information for the appropriate office at SUNY Downstate that provides accessibility services for students requiring reasonable accommodations. The length of the student's leave will be determined on an individualized basis. The student's Advisor shall be copied on all notices concerning all decisions related to the student if the student so designates and consents.

If an Involuntary Leave of Absence is Not Imposed: The Vice President for Student Affairs or their designee may impose conditions and/or requirements under which the student is allowed to remain at SUNY Downstate using the least restrictive appropriate means possible.

III. Appeals

1. Within seven (7) calendar days of receiving the written notice of a decision from the Vice President for Student Affairs or their designee at SUNY Downstate, the student may submit an appeal of the decision in writing to the Vice President for Student Affairs who shall initiate the appeal process.
2. The appeal shall be heard by a three (3) person Board of Appeals. The decisionmaker who imposes an involuntary leave of absence shall not hear appeals or render decisions on appeals. The individuals chosen to oversee appeals cannot have been involved in the original decision-making process. The written request for appeal must specify the particular substantive

and/or procedural basis for the appeal, and must be made on grounds other than general dissatisfaction with the decision of the Vice President for Student Affairs or their designee. While the appeal is pending and being heard by the Board of Appeals, the original decision will remain in place. All appeals decisions will be issued within seven (7) calendar days of submission.

3. The criteria for appeal will be limited to the following:
   - ***Disproportionate Findings or New Information***: if there is any information not previously considered that would allow the student to remain with a reasonable accommodation or if there is any new information not previously available to the student that may change the outcome of the decision-making process;
   - ***Procedural irregularities***: if there were any procedural irregularities that materially affected the outcome of the matter to the detriment of the student who appealed the decision.
4. After reviewing the matter fully, the Board of Appeals will issue a written decision affirming, modifying, or reversing the decision to place the student on an involuntary leave of absence. The Board of Appeals' decision shall be final, and no other appeals or grievance procedures are available at the campus level.

IV. Implications of an Involuntary Leave of Absence

1. ***Student status*****:** Students on a leave of absence generally retain their admitted student status during the period of the student's leave based on SUNY Downstate's local enrollment policies; however, they are not registered and therefore, do not have the rights and privileges of registered students.

   Some academic programs limit the time a student has to complete their degree which is required by their accreditor or professional licensing boards. These limits ***may*** include the time spent on a leave of absence, including an involuntary leave of absence. If there is a specific time limit to degree, this requirement is listed in the school/college section of the Student Handbook and/or the Program Handbook under degree requirements.

   During the time of the leave of absence, SUNY Downstate may set a minimum of time that a student may not enroll in coursework, which includes online, arranged or independent study classes, or internship/research/clinical experiences. SUNY Downstate may also allow a student to enroll in online or independent study courses, or a limited re-enrollment, during a time prior to allowing the student to return to in-person classes or internship/research/clinical experiences. These restrictions and their implications on the student status shall be communicated to the student as part of the involuntary leave process.

2. ***Housing*****:** Consistent with the SUNY Downstate Residential Life policies and procedures, students assigned to a SUNY Downstate residence are subject to the terms and conditions of the Housing License. Students who leave SUNY Downstate before the end of a term may be eligible to receive refunds of portions of their housing charges, per SUNY Policy. Information on eligibility criteria are for housing refunds for students in accordance with SUNY Downstate policy are listed in the Housing License Agreement.
3. ***Effective date(s) of leave*****:** A student must leave the campus within the timeframe set forth by the Vice President for Student Affairs or their designee or Board of Appeals, as applicable, in the decision to impose an involuntary leave of absence. The leave will remain in effect until:
   - The Vice President for Student Affairs or their designee has determined after an individualized assessment the parameters of which shall be set forth in the written decision of the Vice President for Student Affairs or their designee or the Board of Appeals, as applicable, that the student is able to return to the campus with or without reasonable accommodations, and
   - The student has complied with any Campus requirements applicable to all students returning from a leave and all conditions mandated by the Vice President for Student Affairs or their designee or Board of Appeals, as applicable.

   SUNY Downstate must clearly and prominently display the requirements applicable to all students returning from a leave on the same page as this Policy.

   Students are not permitted to return mid-semester if placed on a leave of absence. SUNY Downstate will clearly identify and state deadlines for all requests to return, which will align with the start of each academic term per year. This includes short or late-start sessions within the semester. This also includes online, arranged classes, and internships.

4. ***Notification***: At any time while the student is on leave, the Vice President for Student Affairs or their designee may notify a student's parent, guardian, emergency contact, or other individual, consistent with the law, if notification is deemed appropriate under the circumstances.

5. ***Association with SUNY Downstate while on leave***: Unless expressly permitted by the Vice President for Student Affairs or their designee, in writing, or the Board of Appeals, as applicable, students on an involuntary leave of absence are not permitted to be present on the SUNY Downstate campus or on the campus or facilities managed by partner entities or agencies where students receive educational or clinical experiences and are not permitted to engage in any SUNY Downstate-related activities, including on-Campus and/or remote employment opportunities.
6. ***Coursework taken while on leave***: Consistent with SUNY Downstate's policies and procedures, academic credit for work done elsewhere may be allowed toward a SUNY Downstate degree. However, students must consult with the Office of their Program Chair, Academic Dean, and/or the Registrar's Office prior to taking any coursework while on an involuntary leave of absence and must receive permission for the courses taken on leave to be transferred to SUNY Downstate prior to commencing the course. An official transcript showing successful completion of the course must be submitted to the Office of the Registrar for the course to be applied to the SUNY Downstate degree.
7. ***Access to Student Accounts while on leave***: Unless expressly prohibited in writing by the Vice President for Student Affairs or their designee, or the Board of Appeals, as applicable, students on leave generally may retain some SUNY Downstate student privileges, including their SUNY Downstate email account.
8. ***Tuition and Fees***: Consistent with SUNY's and SUNY Downstate's local policies and procedures, students who leave SUNY Downstate before the end of a term may be eligible to receive refunds of portions of their tuition. See the SUNY Downstate Tuition Refunds Policy for a schedule of refunds.
9. ***Financial Aid*****:** SUNY Downstate shall provide information on any effect an involuntary leave of absence decision may have on that student's financial aid.
10. ***Visa Status***: International students (especially F-1 and J-1 Visa holders) placed on an involuntary leave of absence must speak with the International Student Advisor at SUNY Downstate regarding their Visa status and the effect an involuntary leave of absence may have on that status.

V. Request for Return

1. In addition to the general requirements all students must meet when returning to SUNY Downstate after a leave of absence, as well as any conditions imposed by the Vice President for Student Affairs or their designee or Board of Appeals, as applicable, for return from an involuntary leave of absence as outlined in the decision, students seeking to return from an involuntary leave of absence imposed for reasons of personal or community health and safety may be required to submit additional documentation related to the factors set forth in Section I as part of an individualized assessment. SUNY Downstate's Office of Accessibility Services will work with students to provide reasonable accommodations in the return process as appropriate.
2. A student must make a written request to the Vice President for Student Affairs or their designee to return to SUNY Downstate. Generally, a student shall not be allowed to return until at least one full semester has elapsed or until the leave period in the involuntary leave of absence notification has elapsed, and all conditions and/or requirements have been met.
3. The Vice President for Student Affairs or their designee may require the student to provide evidence that the student, with or without reasonable accommodations, has sufficiently addressed the issues that previously established the criteria for imposing an involuntary leave of absence as set forth in Section I, above. The Vice President for Student Affairs or their designee may also ask, confer with, or seek information from others to assist in making this determination. The information sought may include:
    - At the student's discretion, documentation of efforts by the student to address the issues that led to the leave;
    - Release of academic records to inform treating clinicians (with appropriate authorization);
    - Release of treatment information to the extent necessary to determine if the student has sufficiently reduced the risk or disruption that led to the leave (with appropriate authorization);
    - Consultation with SUNY Downstate's Student Health Center and/or Student Counseling Center to the extent necessary to determine if the student has sufficiently reduced the risk or disruption that led to the leave (with appropriate authorization); and/or
    - Consultation with SUNY Downstate's office for accessibility services.
4. All returning students must meet the essential eligibility requirements and any technical standards of SUNY Downstate and their academic program and, if applicable, the relevant school or department, with or without reasonable accommodations. If the Vice President for Student Affairs or their designee determines that the student is ready to return to SUNY

Downstate, the student will be notified in writing of the decision, including the reason for the decision, within a reasonable time after the student has submitted a request for return and required documentation per this Policy.

5. A student not permitted to return may appeal the decision to the Board of Appeals under this Policy, following the procedures in Section III.
6. Based on SUNY Downstate's enrollment policies, a student may be disenrolled after a certain period of inactivity.

VI. Scope of the Policy and Relationship to Other College Policies

A leave of absence is an administrative process; it is not a disciplinary process.

This Policy is not intended to be punitive and does not take the place of disciplinary actions that are in response to violations of SUNY Downstate's Student Code of Conduct, or other policies and directives, nor does it preclude the removal or dismissal of students from SUNY Downstate or SUNY Downstate related programs as a result of violations of other SUNY Downstate policies or school or department protocols.

This policy does not limit SUNY Downstate's ability to place enrollment holds on students for reasons beyond the scope of this Policy.

This Policy does not relieve a student of any financial obligations to SUNY Downstate that were incurred prior to the time the involuntary leave of absence was imposed. SUNY Downstate will notify students if there might be an effect on the student's financial aid, including returning aid, outstanding balances, potential effects on future aid, and any effects on the New York State Tuition Assistance Program (TAP), the Excelsior Scholarship Program, and any other scholarship, if applicable.

Nothing in this Policy limits the power of SUNY Downstate to take administrative action to ensure the safety of the SUNY Downstate community in accordance with all appropriate laws and policies.

Nothing in this policy prevents SUNY Downstate from engaging in a temporary suspension under its policies if necessary under the circumstances. Any such cases shall be appropriately reviewed under SUNY Downstate policy.

CAMPUS EVENTS AND DEMONSTRATIONS STANDARDS AND PROCEDURES

See also "Policy on Campus Disorder," below in this section

The guidelines below consolidate, organize, and clarify current SUNY Downstate guidelines and policies specific to events and demonstrations. With these guidelines, we reinforce and reaffirm our commitment to open expression and, at the same time, ensure that protests, demonstrations, and other expressions of free speech are appropriately managed. These guidelines are not about speech content. The guidelines aim to enable free expression while allowing SUNY Downstate to deliver its core missions of teaching, research, service, and patient care without disruption.

These Standards and Procedures are sourced from numerous existing policies and guidelines which will be referenced herein.

I. Guiding Principles

a. SUNY Downstate affirms, supports and cherishes its commitment to freedom of thought, inquiry, speech, and lawful assembly.
b. SUNY Downstate aims to foster open and rigorous debate, to protect academic freedom and free speech, and to promote constructive discussion, even on the most challenging, sensitive, and controversial issues. Indeed, central to our mission is providing a platform upon which various viewpoints are expressed and encouraged.
c. While fostering the free exchange of ideas, SUNY Downstate must also be able to pursue its core missions - to teach, engage in research and scholarship, take care of our patients, convene the community, and generally perform its everyday operations. This includes ensuring that members of the community are protected from physical injury and that SUNY Downstate facilities are protected from property damage.
d. SUNY Downstate affirms the right of members of the University community to assemble and demonstrate peaceably in University locations. The University affirms that the substance or the nature of the views expressed is not an appropriate basis for any restriction upon or encouragement of a lawful assembly or a demonstration except as described herein.
e. A highly permissive stance toward open expression is an essential part of how a University fulfills its role in society, but it does not extend to activities that impede other University functions. In order to achieve this balance, clarity about free expression is essential to protect the entire community, demonstrators, or potential demonstrators from concerns about unclear rules or inconsistent enforcement.
f. The safety and security of the SUNY Downstate community remains a foundational commitment to all students, faculty, staff, and patients, and the University will prioritize this commitment in all matters.

II. Applicability of these Guidelines

a. Any member of the SUNY Downstate community or SUNY Downstate-affiliated organization wishing to schedule an event, such as a demonstration, protest, rally, or guest speaker on campus, must review these guidelines and adhere to them.

b. Any event, meeting, demonstration, protest, or rally is governed by these guidelines, regardless of how it is characterized or labeled.

c. These guidelines apply to all community members and organizations hosting events at SUNY Downstate.

III. Scheduling Events

a. The facilities of SUNY Downstate, both indoor and outdoor, exist for the primary purpose of University-related education, research, and patient care. Priority for the use of facilities is given first to those academic and patient care activities and then to programs of University-recognized groups.

b. Events are presumed to be private, that is, limited to members of the SUNY Downstate community, unless specifically stated otherwise.

c. The procedure for scheduling events varies for different venues. Organizers should research and determine the process necessary for their venues of choice. Student Life assists students in managing space reservations for many University locations and may serve as a resource for student event organizers who are seeking to reserve space. Requests for use of campus space or facilities is through the relevant offices.

d. Events must be scheduled at least 5 business days in advance. Scheduling is important to allow planning, coordination with other campus events, and community safety. As the event is being planned, organizers must provide notice about their space needs and/or requests. Of note: most spaces on campus, including outdoor spaces, may require additional notice and/or documentation to be filed before space can be approved.

e. Events that require a security assessment from the NYS University Police Department may result in the implementation of additional safety/security measures. Depending on the nature of the event, SUNY Downstate reserves the right to ask University Police to perform a security assessment prior to allowing the event to be scheduled.

f. Events must occur during the stated business hours of the location.

IV. Access to SUNY Downstate Spaces and Event Contracting

a. Schools, departments, institutes, individual faculty, students, and staff may not serve as "individual fronts" or “proxies” for non-SUNY Downstate affiliated organizations who may solicit them in order to gain access to or use of SUNY Downstate venues to organize or host an event on their behalf.

b. The use of standardized templates in contracting for space is preferred. If the templates are not used, or there are meaningful deviations, the organizers must consult the Office of University Counsel to determine what is permissible.

c. No individual student, faculty, or staff member may sign a contract on behalf of SUNY Downstate unless specifically authorized to do so by the President of SUNY Downstate (or his/her designee). All contracts for lectures, performing arts activities, programs, services, or other events sponsored by student organizations must be reviewed by the Office of Student Life and approved prior to the event being scheduled.

d. Any contract for an event must be reviewed and executed by an individual administrator authorized to do so by the President.

V. Amplified Sound

a. On weekdays when classes are in session, amplified sound (including, but not limited to bullhorns, musical instruments, and amplified speakers) is only permitted with prior approval and may not occur during times or locations that classes are in session. Requests for amplified sound must be submitted for approval during the space reservation process.

b. Use of amplified sound is not permitted after 10:00pm on any day.

c. Regardless of time of day, amplified sound is not permitted in or surrounding University Hospital of Downstate, or during scheduled University events (including, but not limited to Orientation, Convocation, Awards Days, or Commencement), or during exam periods.

d. At all times any noise must be kept at a level that does not disrupt classes in session or faculty, staff, and administrators working in surrounding buildings.

e. If noise resulting from an event in an outdoor space may at times interfere or conflict with library, office, patient care and classroom activities, the continued use of that outdoor space can be rescinded.

VI. Posters, Signs, Banners, and Chalking

a. Temporary Signage: Temporary Signage may include temporary event signage, posters or signs, banners, chalking or light projections
    i. All proposed temporary signage must be submitted for approval and then only posted in authorized locations.
    ii. Posters, signs, and banners should be removed, at the latest, after two weeks of being posted or within 24 hours of an advertised event's completion.
    iii. No signage, posters, or other materials can be stuck to any glass surfaces on the campus without the permission of the Office of Communications and Marketing.
    iv. Non-water soluble, semi-permanent, and permanent substances, including spray-chalk, is not permitted on any surface, including vertical surfaces, lampposts, informational and directional blades, and public art on the campus.
    v. Light projections may not be displayed on any University building or structure without seeking express written permission from the Office of Communications and Marketing.

b. Inside buildings, postings can only be put on approved bulletin boards on campus and cannot be attached to walls or doors.

c. To protect open expression, signs posted in compliance with these guidelines will not be removed, and it is a violation of these guidelines if an unauthorized individual removes them or posts over them.

d. Non-compliant signage, including posters, banners, and chalking, will be removed immediately.

VII. Demonstrations

a. In addition to the Guidelines articulated through the *Rules for the Maintenance of Public Order*, demonstrations must follow these procedures as well:
    i. To ensure the safety of the SUNY Downstate community and to protect the health and property of individuals, encampments and overnight demonstrations are not permitted in any University location, regardless of space (in-door or outdoor). Unauthorized overnight activities will be considered trespassing and a violation of the law and University policy.
    ii. Individuals and groups may not erect structures, walls, barriers, sculptures, or other objects on University property without prior permission. Any structure erected without permission is subject to immediate removal.
    iii. Demonstrations are not permitted to occur in or on any of these University locations:
        1. Private offices, private residences, research laboratories and associated facilities, any patient care area, and computer centers.
        2. Offices, libraries, and other facilities that normally contain valuable or sensitive materials, collections, equipment, records protected by law or by existing University policy such as educational records, student-related or personnel-related records, patient or medical-related records, or financial records.
        3. Classrooms, seminar rooms, auditoriums or meeting rooms in which classes or private meetings are being held or are immediately scheduled.
        4. Hospitals, emergency facilities, communication systems, utilities, or other facilities or services vital to the continued functioning of the University.
        5. University sculptures and statues. To preserve these structures and to reduce the risk of injury, University statues and sculptures may not be climbed on or covered with any material.
    iv. Participants are expected to be respectful to SUNY Downstate employees involved in ensuring the safety of the community and compliance with these guidelines.
    v. Demonstrations violate these guidelines if they threaten or advocate violence, create violence, or harass or intimi-date SUNY Downstate-affiliated individuals or groups on the basis of race, religion, national origin or ancestry, identity, sexual orientation, disability, or any other protected class.

VIII. Interference with the Speech of Others

a. Protecting free speech includes not interfering with the free speech rights of others, as well as protecting the rights of the speaker.

b. Community members may protest speakers on campus with whom they disagree, but they may not do so in a way that prevents the speaker from expressing their views or prevents other members of the community from hearing or seeing the speaker.

c. Individuals or groups may not suppress the speech of another individual – they may not have a "heckler's veto" over speech with which they disagree.

IX. Use of Social Media

a. Community members have the right to use social media to express themselves. However, this right is also circumscribed by principles of respect, civility, and local, state, or federal law. Online harassment, bullying and the doxing of students, faculty or staff is not permitted in that they undermine open expression, academic freedom, and physical safety.

b. Posting pictures of patients (including photos depicting the body parts of patients), patient names, or any information about patients is never permitted under any circumstance, and can, in addition to disciplinary action, subject participants to legal ramifications as a violation of HIPAA.

c. To the extent that SUNY Downstate organizations or community members can be identified as perpetrators of such online harassment, bullying and doxing, the University may take action as appropriate.

X. Livestreaming, Filming, and Media Access

a. Live streaming or using any app to distribute an event live or the recording of an event is not permitted except in limited circumstances where reaching a wider audience is appropriate and approved by the Office of Communications and Marketing. University Police may also be consulted when reviewing any requests.

b. Any third-party who wishes to film on campus for non-news purposes is required to work with the Office of Communications and Marketing.

c. News media are required to produce credentials when requested by Office of Communications and Marketing and may be asked to limit filming to specific areas of campus and hospital, especially during demonstrations, to allow the University Police Department to maintain campus security.

d. Filming is never permitted inside University Hospital of Downstate without specific protections for patients arranged through the Office of Communications and Marketing. When permitted, film crews must abide by the rules issued by the Office of Communications and Marketing. Failure to abide by these rules will result in the immediate revocation of access to the Hospital.

XI. Use of University Name

a. SUNY Downstate regulates use of its name, the names of its schools and programs, its emblem and shield and related insignia, trademarks, and logos ("insignia") to ensure that such use is related to SUNY Downstate's educational, service, healthcare and research missions and promotes its objectives. Responsibility for overseeing use of the University's names and insignia lies with the Office of the Communications and Marketing.

b. University faculty, staff and students may refer to their affiliation or status with the University in connection with personal activities, including consulting, provided that the affiliation or status is accurately represented, and any title or position is accurately identified, and provided that such use does not imply University endorsement of the activity, as further described below.

c. Use of University insignia in connection with personal activities is prohibited. The University's name must not be used in any announcement, advertising matter, publication, correspondence, or report in connection with personal or non-University activities if such use in any way could be construed as implying University endorsement of, or responsibility for, any person, project, product, or service.

XII. Non-University Persons

a. The University reserves the express right to request University identification from participants engaged in events and demonstrations on campus for the sole purpose of determining whether an individual is affiliated with SUNY Downstate.

b. Non-University affiliated persons may have less expansive rights of open expression or rights to access space in University locations than those who are members of the SUNY Downstate community.

c. Non-University persons who participate in meetings, events, and demonstrations in a SUNY Downstate location are required to comply with these guidelines and any additional instructions from other University officials, including the University Police Department.

XIII. Enforcement

a. Each member of the University community is expected to know and follow these guidelines. Disrupting SUNY Downstate operations is not permitted. This includes conduct that interferes unreasonably with the activities of other persons; causes injury to persons or property or threatens to cause such injury; holding meetings, events, or demonstrations under circumstances where health or safety is endangered; or knowingly interfering with unimpeded movement in a SUNY Downstate location or with SUNY Downstate operations.

b. Given the nature of SUNY Downstate's campus, any individual may be asked to show SUNY Downstate ID at any time while present on the campus. Members of the SUNY Downstate community are required to wear their ID card visibly on their person at all time while on campus.

c. The Office of Communications and Marketing or another individual designated by the Office has the authority to determine if the guidelines are being violated by any member of the University community.

d. The Office of Communications and Marketing, the University Police Department, or other University administrators may intervene to address in real time any conduct that it has declared to be in violation of the guidelines. Intervention may include instructions to participants to modify or terminate their behavior.

e. If a member of the SUNY Downstate community is believed to have violated University policies or guidance or fails to comply with instructions from a University official acting within their authority, the individual (or organization) will be subject to SUNY Downstate disciplinary policies as applicable to students, faculty, and staff.

   i. Students who are believed to have violated these Standards, upon the filing of a complaint and preliminary review of the allegations, shall be referred to the Office of Student Affairs. If a charge is pursued, SUNY Downstate will follow the normal disciplinary process, as appropriate.

   ii. Faculty who are believed to have violated these Standards will be referred to their School Dean and/or the Office of Labor Relations for further action.

   iii. Employees who are believed to have violated these Standards will be referred to the Office of Labor Relations.

f. Reports of online harassment, bullying and threatening behavior of any kind should be reported to the NYS University Police at 718-270-2626.

POLICY ON CAMPUS DISORDER

See also "Campus Events and Demonstrations Standards and Procedures,"

§535.2 CHAPTER V - STATE UNIVERSITY

Part 535

Rules of the Board of Trustees

(Statutory authority: Education Law, §6450)

Sec. Sec.
535.1 Statement of Purpose 535.5 Penalties
535.2 Application of Rules 535.6 Procedure
535.3 Prohibited conduct 535.7 Enforcement program
535.4 Freedom of speech and assembly;
535.8 Communication, picketing and demonstrations
535.9 Notice, hearing, determination

Historical Note

Part added and filed October 14, 1969

1. Applicability

Held that Part 535 et seq. of the rules and regulations of the Board of Trustees of the State University relating to the maintenance of public order (8 NYCRR Part 535 et. seq.) are applicable not only to campus disorders which involve militant students demonstrating against national policy, racial discrimination, the Vietnam War, etc., but also to apply to a situation where, after having engaged in a

heated intramural basketball game, a student allegedly took part in assaulting and injuring several players on opposing team, an official, and other students. Matter of Hanger v. State University of New York at Binghamton, 39 AD 2nd 253 (1972).

Section 535.1 Statement of Purpose. The following rules are adopted in compliance with section 6450 of the Education Law and shall be filed with the Commissioner of Education and the Board of Regents on or before July 20, 1969, as required by that section. Said rules shall be subject to amendments or revisions thereof shall be filed with the Commissioner of Education and the Board of Regents within 10 days after adoption. Nothing herein is intended, nor shall it be construed, to limit or restrict the freedom of speech or peaceful assembly. Free inquiry and free expression are indispensable to the objectives of a higher educational institution. Similarly, experience has demonstrated that the traditional autonomy of the educational institution (and the accompanying institutional responsibility for the maintenance of order) is best suited to achieve these objectives. These rules shall not be construed to prevent or limit communication between and among faculty, students and administration, or to relieve the institution of its special responsibility for self-regulation in the preservation of public order. Their purpose is not to prevent or restrain controversy and dissent but to prevent abuse of the rights of others and to maintain that public order appropriate to a college or university campus without which there can be no intellectual freedom and they shall be interpreted and applied to that end.

Historical Note

Sec. added and. filed Oct. 14, 1969

Section 535.2 Application of rules. These rules shall apply to all State operated institutions of the State University except as provided in Part 550 as applicable to the State University Maritime College. These rules may be supplemented by additional rules for the maintenance of public order heretofore or hereafter adopted for any individual institution, approved and adopted by the State University Trustees and filed with the Commissioner of Education and Board of Regents, but only to the extent that such additional rules are not inconsistent herewith.

The rules hereby adopted shall govern the conduct of students, faculty and other staff, licensees, invitees, and all other persons, whether or not their presence is authorized, upon the campus of any institution to which such rules are applicable and also upon or with respect to any other premises or property, under the control of such institution, used in its teaching, research, administrative, service, cultural, recreational, athletic and other programs and activities, provided however, that charges against any student for violation of these rules upon the premises of any such institution other than the one at which he is in attendance shall be heard and determined at the institution in which he is enrolled as a student.

Historical Note

Sec. added, filed Oct. 14, 1969, amds. 1973

Amended 1st sentenced filed: Oct. 14 1969, Apr. 10, 1979, Jan. 9

Section 535.3 Prohibited conduct. No person, either singly or in concert with others, shall:

(a) Willfully cause physical injury to any other person, nor threaten to do so for the purpose of compelling or inducing such other person to refrain from any act which he has a lawful right to do or to do any act which he has a lawful right not to do.

(b) Physically restrain or detain any other person, not remove such person from any place where he is authorized to remain.

(c) Willfully damage or destroy property of the institution or under its jurisdiction, nor remove or use such property without authorization.

(d) Without permission, expressed or implied, enter into any private office of an administrative officer, member of the faculty or staff member.

(e) Enter upon and remain in any building or facility for any purposes other than its authorized uses or in such manner as to obstruct its authorized use by others.

(f) Without authorization, remain in any building or faculty after it is normally closed.

(g) Refuse to leave any building or facility after being required to do so by an authorized administrative officers.

(h) Obstruct the free movement of persons and vehicles in any place to which these rules apply.

(i) Deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures and meetings or deliberately interfere with the freedom of any person to express his views, including invited speakers.

(j) Knowingly have in his possession upon any premises to which these rules apply, any rifle, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the chief administrative officer whether or not a license to possess the same has been issued to such a person.

(k) Willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so.

(l) Take any action, create, or participate in the creation of any situation which recklessly or intentionally endangers mental or physical health or which involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization.

Historical Note

Sec. added filed Oct. 14, 1969

Section 535.4 Freedom of Speech and assembly; picketing and demonstrations.

(a) No student, faculty or other staff member or authorized visitor shall be subject to any limitation or penalty solely for the expression of his views not for having assembled with others for such purpose. Peaceful picketing and other orderly demonstrations in public areas of ground and building will not be interfered with. Those involved in picketing and demonstrations may not, however, engage in specific conduct in violation of the provisions of the preceding section.

(b) In order to afford maximum protection to the participants and to the institutional community, each State-operated institution of the State University shall promptly adopt and promulgate, and thereafter continue in effect as revised from time to time, procedures appropriate to such institution for the giving of reasonable advance notice to such institution of any planned assembly, picketing or demonstration upon the ground of such institution, its proposed locale and intended purpose, provided, however, that the giving of such notice shall not be made a condition precedent to any such assembly, picketing or demonstration and provided, further, that this provision shall not supersede nor preclude the procedures in effect at such institution for obtaining permission to use the facilities thereof.

Historical Note

Sec. added, filed Oct. 14, 1969; and. filed Apr. 10, 1979 effective immediately.

New sec. substituted.

Decisions

1. Use of campus meeting facilities-union organizing efforts. Held that although its collective bargaining agreement with petitioner employee organization precluded it from granting "meeting space in State facilities" to outside organizations, respondent State University of New York at Stony Brook nevertheless validly gave permission to members or rival hospital union to speak at campus meeting sponsored by student organizations. Respondent could not constitutionally preclude use of its facilities to outside organizations for purposes unrelated to union organizing efforts. Civil Service Employees Association, Inc. V. State University of New York, 82 Misc 2d 334 (1974)

Section 535.5 Penalties. A person who shall violate any of the provisions of these rules (or of the rules of any individual institution supplementing or implementing these rules) shall:

(a) if he is a licensee or invitee, have his authorization to remain upon the campus or other property withdrawn and shall be directed to leave the premises. In the event of his failure or refusal to do so he shall be subject to ejection.

(b) If he is a trespasser or visitor without specific license or invitation, be subject to ejection.

(c) If he is a student, be subject to expulsion to such lesser disciplinary action as the facts of the case may warrant, including suspension, probation, loss of privileges, reprimand or warning.

(d) If he is a faculty member having a term or continuing appointment, be guilty of misconduct and be subject to dismissal or termination of his employment or such lesser disciplinary action as the facts may warrant including suspension without pay or censure.

(e) If he is a staff member in the classified service of the civil service, described in Section 75 of the Civil Service Law, be guilty of misconduct, and be subject to the penalties prescribed in said section.

(f) If he is a staff member other than one described in subdivisions (d) and (e) be subject to dismissal, suspension without pay or censure.

Historical Note

Sec. added, filed Oct. 14, 1969; and. filed Apr. 10, 970 effective immediately. Inserted parenthetical material in first sentence.

Section 535.6 Procedure.

(a) The chief administrative officer or his designee shall inform any licensee or invitee who shall violate any provisions of these rules (or of the rules of any individual institution supplementing or implementing these rules) that his license or invitation is withdrawn and shall direct him to leave the campus or other property of the institution. In the event of his failure or refusal to do such officer shall cause his ejection from such campus or property.

(b) In the case of any other violator, who is neither a student or faculty or other staff member, the chief administrative officer or his designee shall inform him that he is not authorized to remain on the campus or other property of the institution and direct him to leave such premises. In the event of his failure or refusal to do so such officer shall cause his ejection from such campus or property. Nothing in this subdivision shall be construed to authorize the presence of any such person at any time prior to such violation or to affect his liability to prosecution for trespass or loitering as prescribed in the Penal Law.

(c) In the case of a student, charges for violation of any of these rules (or of the rules of any individual institution supplementing or implementing these rules) shall be presented and shall be heard and determined in the manner hereinafter provided in Section

535.9 of this Part.

(d) In the case of a faculty member having a continuing or term appointment, charges of misconduct in violation of these rules (or of the rules of any individual institution supplementing or implementing these rules) shall be made, heard and determined as prescribed in that section.

(e) In the case of any staff member who holds a position in the classified Civil Service, described in Section 75 of the Civil Service law, charges of misconduct in violation of these rules (or of the rules of any individual institution supplementing or implementing these rules) shall be made, heard and determined as prescribed in that section.

(f) Any other faculty or staff member who shall violate any provision of these rules (or of the rules of any individual institution supplementing or implementing these rules) shall be dismissed, suspended, or censured by the appointing authority prescribed in the policies of the Board of Trustees.

Historical Notes

Sec. added, filed Oct. 14, 1969; and filed Apr. 10, 1970 effective immediately. Substituted new (a), (c), (d), (e), (f)

Section 535.7 Enforcement Program.

(a) The chief administrative officer shall be responsible for the enforcement of these rules (or of the rules of any individual institution supplementing or implementing these rules) and he shall designate the other administrative officers who are authorized to take action in accordance with such rules when required or appropriate to carry them into effect.

(b) It is not intended by a provision herein to curtail the right of student, faculty, or staff to be heard upon any matter affecting them in their relations with the institution. In the case of any apparent violation of these rules (or of the rules of any individual institution supplementing or implementing these rules) by such persons, which in the judgment of the chief administrative officer or his designee, make reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein to desist and to resort to permissible methods for the resolution of any issues which may be presented. In doing so such officer shall warn such persons of the consequences of persistence in the prohibited conduct, including their ejection from any premises of the institution where their continued presence and conduct is in violation of these rules (or of the rules of any individual institution supplementing or implementing these rules).

(c) In any case where violation of these rules (or of the rules of any individual institution supplementing or implementing these rules) does not cease after such warning and in other cases of willful violation of such rules, the chief administrative officer or his designee shall cause the ejection of the violator from any premises which he occupies in such violation and shall initiate disciplinary action as herein before provided.

(d) The chief administrative office or his designee may apply to the public authorities for any aid which he deems necessary in causing the ejection of any violator of these rules (or of the rules of any individual institution supplementing or implementing these rules) and he may request the State University Counsel to apply to any court of appropriate jurisdiction for an injunction to restrain the violations or threatened violation of such rules.

Historical Notes

Sec. added, filed Oct. 14, 1969; and. filed Apr. 10, 1970 effective immediately. New sec. substituted

Section 535.8 Communication

In matters of the sort to which these rules are addressed, full and prompt communication among all components of the institutional community, faculty, students and administration, is highly desirable. To the extent that time and circumstances permit, such communications should precede the exercise of the authority, discretion and responsibilities granted and imposed in these rules. To these ends each State-operated institution of the State University shall employ such procedures and means, formal and informal, as will promote such communication.

Historical Notes

Sec. added, filed Apr. 10, 1970 effective, immediately

Section 535.9 Notice, hearing and determination of charges against student.*

* Applies to charges for violation of the rules prescribed by or referred to in this Part heretofore served which have not been finally determined within 60 days after the adoption hereof, which charges shall be referred to the committee constituted pursuant to said Section 535.9 for determination in accordance therewith, and said section shall apply to all charges for violation of such rules hereafter made, whether for violations heretofore or hereafter committed.

(a) The term chief administrative officer, as used in these rules, shall be deemed to mean and include any person authorized to exercise the powers of that office during a vacancy therein or during the absence or disability of the incumbent, and for purposes of this

section shall also include any designee appointed by said officer.

(b) Whenever a complaint is made to the chief administrative officer of any State-operated institution of the University of a violation by a student or students of the rules prescribed in this Part (or of any rules adopted by an individual institution supplementing or implementing such rules) or whenever he has knowledge of the facts reduced to writing. If he is satisfied from such investigation and statements that there is reasonable ground to believe that there has been such a violation he shall prepare or cause to be prepared charges against the student or students alleged to have committed such violation which shall state the provision prescribing the offense and shall specify the ultimate facts alleged to constitute such offense.

(c) Such charges shall be in writing and shall be served on the student or students named therein by delivering the same to him or them personally, if possible, or if not, by mailing a copy of such charges by registered mail to such student or students at his or their usual place or places of abode while attending college and also to his or their home address or addresses, if different.

(d) The notice of charges so served shall fix a date for hearing thereon not less than 10 nor more than 15 days from the date of service which shall be the date of mailing where necessary to effect service by mail. Failure to appear in response to the charge on the date fixed for hearing, unless there has been a continuance for good cause shown, shall be deemed to be an admission of the facts stated in such charges and shall warrant such action as may then be appropriate thereon. Before taking such action, the hearing committee, herein after referred to, shall give notice to any student, who has failed to appear, in the manner prescribed in subdivision (c), of its proposed findings and recommendations to be submitted to the chief administrative officer and shall so submit such findings and recommendations 10 days thereafter unless the student has meanwhile shown good cause for his failure to appear, in which case a date for hearing shall be fixed.

(e) Upon demand at any time before or at the hearing the student charged or his representative, duly designated, shall be furnished a copy of statements taken by the chief administrative officer in relation to such charges and with the names of any other witnesses who will be produced at the hearing in support of the charges, provided however, that this shall not preclude the testimony of witnesses who were unknown at the time of such demand.

(f) The chief administrative officer may, upon the service of charges, suspend the student named therein, from all or any part of the institution's premises or facilities pending the hearing and determination thereof, whenever, in his judgment, the continued presence of such student would constitute a clear danger to himself or to the safety of persons or property on the premises of the institution or would pose an immediate threat of disruptive interference with the normal conduct of the institution's activities and functions, provided however that the chief administrative officer shall grant an immediate hearing on request of any student so suspended with respect to the basis for such suspension.

(g) There shall be constituted at each State-operated institution a hearing committee to hear charges against students of violation of the rules for maintenance of public order prescribed by or referred to in this Part. Such committee shall consist of three members of the administrative staff and three members of the faculty, designated by the chief administrative officer, and three students who shall be designated by the members named by the chief administrative officer. Each such member shall serve until his successor replacement has been designated. No member of the committee shall serve in any case where he is a witness or is or has been directly involved in the events upon which the charges are based. In order to provide for cases where there may be such a disqualification and for cases of absence or disability, the chief administrative officer shall designate an alternate member of the administrative staff and an alternate member of the faculty, and his principal designees shall designate an alternate student member, to serve in such cases. Any five members of the committee may conduct hearings and make findings and recommendations as hereinafter provided. At any institution where the chief administrative officer determines that the number of hearings which will be required to be held is, or may be, so great that they cannot otherwise be disposed of with reasonable speed, he may determine that the hearings committee shall consist of six members of the administrative staff and six members of the faculty to be designated by him and of six students who shall be designated by the members so designated by him. In such event the chief administrative officer shall designate one of such members as chairman who may divide the membership of the committee into three divisions each to consist of two members of the administrative staff, two faculty members and two students and may assign charges among such divisions Any four members of each such division may conduct hearings and make recommendations as hereinafter provided.

(h) The hearing committee shall not be bound by the technical rules of evidence but may hear or receive any testimony or evidence which is relevant and material to the issues presented by the charges and which will contribute to a full and fair consideration thereof and determination thereof. A student against whom the charges are made may appear by and with representatives of his choice. He may confront and examine witnesses against him and may produce witnesses and documentary evidence in his own behalf. There may be present at the hearing; the student charged and his representatives and witnesses; other witnesses; representatives of the institutional administration; and, unless the student shall request a closed hearing, such other members of the institutional community or other persons, or both, and may be admitted by the hearing committee. A transcript of the proceedings shall be made.

(i) Within 20 days after the close of a hearing the hearing committee shall submit a report of its findings of fact and recommendations for disposition of the charges to the chief administrative officer, together with a transcript of the proceedings, and shall at the same time transmit a copy of its report to the student concerned or his representative. Within 10 days thereafter the chief

administrative officer shall make his determination thereon. Final authority to dismiss the charges or to determine the guilt of those against whom they are made to expel, suspend or otherwise discipline them shall be vested in the chief administrative officer. If he shall reject the findings of the hearing committee in whole or in part he shall make new findings, which must be based on substantial evidence in the record and shall include them in the notice of his final determination which shall be served upon the student or students with respect to whom it is made.

Historical Note

*Sec. added, filed Apr. 10, 1970; and filed May 7, 1970. Added "At any ****hereinafter provided.*

Section 535.10

(a) Organizations which operate upon campus of any State-operated institution or upon the property of any State-operated institution used for educational purposes shall be prohibited from authorizing the conduct described in subdivision (1) of Section 535.3 herein.

(b) Procedure. The chief administrative officer at each state-operated institution shall be responsible for the enforcement of this section, and, as used herein, the term chief administrative officer, shall include any designee appointed by said officer.

(1) Whenever the chief administrative officer has determined on the basis of a complaint or personal knowledge that there is reasonable ground to believe that there has been a violation of this section by any organization, the chief administrative officer shall prepare or cause to be prepared written charges against the organization which shall state the provision proscribing the conduct and shall specify the ultimate facts alleged to constitute such violation.

(2) Such written charges shall be served upon the principal officer of the organization by registered or certified mail, return receipt requested, to the organization's current address and shall be accompanied by a notice that the organization may respond in writing to the charges within ten (10) days of receipt of said notice. The notice of the charge so served shall include a statement that the failure to submit a response within ten (10) days shall be deemed to be an admission of the facts stated in such charges and shall warrant the imposition of the penalty described in subdivision (c) herein. The response shall be submitted to the chief administrative officer and shall constitute the formal denial or affirmation of the ultimate facts alleged in the charge. The chief administrative officer may allow an extension of the ten (10) days response period.

(3) Upon written request, by an authorized representative of the organization, the chief administrative officer shall provide the representative organization an opportunity for a hearing. A hearing panel designated by the chief administrative officer shall hear or receive any testimony or evidence which is relevant and material to the issues presented by the charge and which will contribute to a full and fair consideration thereof and determination thereon. The organization's representative may confront and examine witnesses against it and may produce witnesses and documentary evidence on its behalf. The hearing panel shall submit written findings of fact and recommendations for disposition of the charge to the chief administrative officer within twenty (20) days after the close of the hearing.

(4) Final authority to dismiss the charges or to make a final determination shall be vested in the chief administrative officer. Notice of the decision shall be in writing; shall include the reasons supporting such decision; and shall be served on the principal officer of the organization by mail in the manner described in paragraph (2) above within a reasonable time after such decision is made.

(c) Penalties. Any organization which authorizes the prohibited conduct described in subdivision (1) of Section 535.3 shall be subject to the rescission of permission to operate upon the campus or upon the property of the State operated institution used for educational purposes. The penalty provided in this subdivision shall be in addition to any penalty which may be imposed pursuant to the Penal Law and any other provision of law, or to any penalty to which an individual may be subject to this Part.

(d) Bylaws Section 6450 (1) of the Education Law requires that the provisions of this Part which prohibit reckless or intentional endangerment to health or forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization shall be deemed to be part of the bylaws of all organizations which operate upon the campus of any State-operated institution or upon the property of any State-operated institution used for educational purposes. The statute further requires that each such organization shall review these bylaws annually with individuals affiliated with the organization.

(e) Distribution of the provisions of this Part which prohibit reckless or intentional endangerment to health or forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization shall be given to all students enrolled in each State-operated institution.

Freedom of Expression & Assembly Policy & Procedures

PURPOSE

The State University of New York (SUNY) respects and fully supports the rights of free speech guaranteed by the constitutions of the United States and the State of New York. SUNY values the free expression of ideas and supports individuals' right to assemble.

SUNY Downstate Health Sciences University (SUNY Downstate) promulgates this Policy to provide meaningful opportunities for members of our community to express their views and to ensure that the time, place, and manner of such expression does not interfere with the safety and security of our campus community or disrupt the regular operations of the campus.

SCOPE

This content-neutral Policy is applicable to all SUNY Downstate students.

This policy operates in concert with the ***SUNY Downstate Campus Events and Demonstrations Standards and Procedures***, located on our web site.

POLICY

SUNY Downstate students are guaranteed the rights of free inquiry and expression. Subject to applicable content-neutral policy, students are guaranteed the right to hold public meetings and engage in peaceful and orderly assemblies—including, but not limited to, protests, demonstrations, rallies, vigils, marches, and picketing—within the designated public areas of campus grounds and buildings.

SUNY Downstate designates the following as public areas for the purpose of peaceful and orderly assemblies: SUNY Downstate Grove (located outside the Health Science Education Building {395 Lenox Road} at the corner of New York Avenue and Lenox Road).

SUNY Downstate will not interfere with orderly assemblies in designated public areas of grounds and buildings unless participants engage in any of the following:

1.

    1. Conduct that prevents the orderly administration of classes, lectures, meetings, interviews, ceremonies, and other campus events or University operations;

    2. Conduct that obstructs the free movement of vehicles or of persons, including, but not limited to in any building or facility, inclusive of blocking hallways and doors;

    3. Engage in conduct that could foreseeably cause injury or damage to persons or property;

    4. Operation of audio amplification equipment in a manner that conflicts with normal SUNY Downstate operations or that is deemed injurious to health and safety, or that is in violation of New York State or City of New York laws and/or ordinances;

    5. Constructing or erecting structures, whether or not they are anchored, inclusive of screens and/or objects requiring penetration in concrete or grass, or camp on SUNY Downstate grounds without authorization from the Office of the President or their designee. Any and all indoor and outdoor encampment is strictly prohibited on the SUNY Downstate campus;

    6. Possession and/or ignition of an open flame of any type, including, but not limited to, torches;

    7. Assemblies lasting more than one (1) day, duration not to exceed 12 hours in a one (1) day period, and assemblies between the hours of 10:00PM and 8:00AM are strictly prohibited;

    8. Activities that violate the provisions of ***SUNY Policy 3653, Rules for the Maintenance of Public Order***; and

    9. Activities that violate the provisions of the ***SUNY Downstate Campus Events and Demonstrations Standards and Procedures***;

10. Activities that violate the provisions of any other applicable campus policy, including but not limited to the Rules of Student Conduct, SUNY Downstate Posting Polices, etc.

In addition, the following activities are strictly prohibited:

1. Entry into any private office of an administrative officer, member of faculty, or staff member, or entry into any other SUNY Downstate area that is not authorized, without permission;

2. Occupation of a building after it is normally closed, including the Student Center and administrative buildings; and

3. Obstruction of any roadways running through or adjoining the SUNY Downstate University's campus grounds.

All individuals participating in protests and demonstrations are required to complete a Permission for Use of Campus Facility Form with a SUNY Downstate and/or government issued identification upon request from a SUNY Downstate official as part of the application process

SUNY Downstate takes compliance with this policy very seriously. Students should expect that violations of this policy will result in disciplinary action under SUNY Downstate's Rules of Student Conduct, up to and including interim suspension, suspension, and expulsion.

PROCEDURES

SUNY Downstate respects and supports students' efforts to exercise their rights to free speech and assembly. The Division of Student Affairs has designated the Office of Student Life to provide the appropriate support for the successful implementation of these events. Following SUNY Downstate's procedure will ensure a safe and effective assembly activity. SUNY Downstate will make every effort to respond affirmatively to all requests to engage in assembly activity. However, content-neutral consideration must be given to the time, place, and manner of the assembly activity to ensure the health and safety of the participants and the noninterference with authorized SUNY Downstate business, activities, or events.

Services: To help ensure the safety of participants and the protection of the rights of all members of the campus community, SUNY Downstate can provide and may require services be assigned to events sponsored by registered student organizations, potentially at the organization's expense, such as location, safety, crowd control, sound equipment (unless prohibited in certain areas as per SUNY Downstate rules), site preparation/cleanup, and/or other such facilities or services it deems necessary ("Services").

Request for Services

1. For assemblies where the need for Services is reasonably foreseeable, event organizers shall, within five (5) business days prior to the planned event, submit a written Request for Services, as follows:

    A. The written request should contain the name of the sponsor/organizer, the proposed location and any other Services sought, the date and time of the planned assembly, and the number of persons expected to participate.

    B. The request should be submitted to: The Office of Student Life.

    C. A designated staff member from the Office of Student Life will promptly respond to the request for Services after receipt of the written request but no later than three (3) business days prior to the proposed date of the planned event.

    D. A designated staff member will review the request and work with the sponsor/organizer to accommodate requests and determine a reasonable time, place, and manner for the assembly activity.

    E. While every attempt will be made to accommodate all requests, some modifications to the assembly activity request may be required due to the availability of the proposed time and place of the activity. A Student Life

designated staff member will inform the sponsor/organizer of these modifications and provide guidance as the assembly activity is planned.

F. In the event that the proposed assembly activity is planned in direct response to a current event, the Office of Student Life realizes that it may not be possible to submit a request in advance. In such cases, the event organizer should contact the Office of Student Life as soon as possible in order to promptly coordinate the assembly activity, where reasonably possible.

2. No Services Required: Assemblies requiring no Services, or for which the need for Services is not reasonably foreseeable or necessary as described above, may take place with three (3) business days of prior notification to the Office of Student Life by the sponsors and/or organizers. However, conformity with the specific SUNY Downstate rules noted above is required. Organizers who are unsure of whether their planned assembly requires Services are encouraged to contact the appropriate office designated in sub-paragraph (1)(c) above for guidance. Event organizers who do not request necessary services that were reasonably foreseeable as being needed may be subject to discipline.

Posting Policy

Policy Statement

It is the policy of the State University of New York (SUNY) and SUNY Downstate Health Sciences University (SUNY Downstate) to ensure that recognized student organizations, university programs, departments, and units that want to share information about upcoming events and activities are able to do so through various means of communication, including flyers and posters.

Rationale

SUNY Downstate Health Sciences University reserves the right to manage posting and advertising on its campus in order to maintain an orderly and attractive venue, to make event information accessible to the SUNY Downstate community, and to ensure that events and programs that are advertised comply with institutional policies and procedures.

Applicability of the Policy

This Policy sets forth the requirements for all student organizations, university programs, departments, and units recognized by SUNY Downstate Health Sciences University that wish to post items on campus general-use bulletin boards. This Policy does not apply to bulletin boards that are reserved for specific departments, offices, or organizations whereby posting generally requires permission of that group.

For policy on entities and individuals who wish to use SUNY Downstate Health Sciences University's facilities for other than approved college-sponsored academic, administrative, and extra-curricular activities, please refer to the **Facilities Use Policy**.

Procedures

Announcements, letters, bulletins, posters, flyers, postcards, sandwich boards, etc., promoting or describing an event, meeting, program, etc., must clearly indicate the sponsoring office, department, or school along with contact information. Additionally, they must include contact information for any students who may be contacted for reasonable accommodation inquiries. Any promotions for events not sponsored by SUNY Downstate must clearly indicate the sponsoring group and include organizer contact information, along with a designation explicitly stating that the event is not sponsored by SUNY Downstate.

Use of Student Organization & Student Life Bulletin Boards

- Only registered student organizations and academic/administrative departments may use student organization bulletin boards, academic/administrative bulletin boards, or post notices on SUNY Downstate property.

- All posters/flyers must be hung on designated bulletin boards **ONLY**.

- All posters/flyers must be removed by the **office, department, or school** within **48 hours after the event has taken place**.

- On bulletin boards, **masking tape, thumb tacks, and staples** may be used.
- All posters/flyers must conform to public standards of "good taste" and may not be discriminatory or offensive.

"Open" or "non-designated" bulletin boards may be used by members of the SUNY Downstate community but must conform to the following:

- All notices must be hung on designated bulletin boards **ONLY**.
- All notices must be **date-stamped** with the date they are hung or the date of the event. The notice must be removed within:
- **One (1) month of posting** (e.g., apartment rentals, book sales).
- **48 hours of the event** date.
- Only **masking tape and thumb tacks** may be used on bulletin boards.
- All posters/flyers must conform to public standards of "good taste" and may not be discriminatory or offensive.
- Any violation of this policy will result in the removal of the posting. Any damages to SUNY Downstate property from the posting will be charged back to the **responsible office, department, or school**.

Prohibited Postings

Prohibited posting activities include, but are not limited to:

- Posting promotional flyers or leaflets on **doors, windows, trees, light poles, vehicles, bus stops, indoor and outdoor walls, and in elevators**.
- Promotion of events that **advertise alcohol or drugs** or any event that **violates the law and/or the SUNY Downstate Rules of Student Conduct**.
- Chalking of **buildings, sidewalks, or roadways**.
- Any promotional material **not endorsed by a student organization, SUNY Downstate program, department, or unit**.
- Placing postings **over valid postings of other organizations**.
- **Removing or tearing down** valid postings of other organizations.
- **Multiple postings in the same location** (duplicate postings are prohibited).

Items posted that **do not follow the policy guidelines** will be removed. Repeated violations will result in a **loss of posting privileges and possible disciplinary action**.

Contacts

General Posting & Policy Questions

Office of Student Life or **Office of the Vice President for Student Affairs**
✉ **Email:** studentaffairs@downstate.edu

Camping and Use of Tents on Campus

Purpose

To set forth the State University of New York (SUNY) Downstate Health Sciences University's policy on camping and the use of tents/canopies on campus.

Scope

SUNY Downstate Health Sciences University (SUNY Downstate) is committed to maintaining a clean, aesthetically pleasing, healthy, hygienic and safe work, educational, and living environment in order to effectively carry out its educational mission. SUNY Downstate is authorized to control its buildings and grounds consistent with the SUNY policies for use of facilities, which prohibit the use of university property or buildings for purposes unrelated to the regular programs and activities of SUNY Downstate.

Definitions

Camping:

- In indoor or outdoor locations, the establishment of, evidence of an attempt to establish, or maintenance of temporary or permanent living quarters at any location on SUNY Downstate property other than living quarters in residence halls and living quarters in apartments, or other SUNY Downstate -managed housing—this includes the establishment of any indoor and/or outdoor encampment erected in connection with any lawful assembly of individuals pursuant to SUNY Downstate policies;

- Sleeping overnight in or under any parked vehicle in a SUNY Downstate parking facility; or

- Establishing or maintaining indoors or outdoors, or in or under, any structure not designated for human occupancy, at any time during the day or night, a temporary or permanent place for cooking, storing of personal belongings, or sleeping by setting up any bedding, sleeping bag, mattress, tent, hammock or other sleeping equipment, or by setting up any cooking equipment that has not been approved by the Office of Environmental Health and Safety.

Campus or Campuses is any SUNY Downstate owned, leased, licensed or operated space, facility, property, grounds or buildings.

***Canopy* is** a structure, enclosure or shelter constructed of fabric or pliable materials supported by any manner, except by air or the contents it protects, and is open without side walls or drops on 75 percent or more of the perimeter.

Permit is a written document prepared by the President of SUNY Downstate or their duly authorized designee issued to Campus Personnel to allow the set up and use of a tent or canopy for a specified amount of time. Permits may be revoked if permit conditions are not followed.

Tent any and all structures, enclosure or shelter constructed of any material, including but not limited to fabric or pliable materials supported by any manner.

Third Party or Parties is any person, organization, group or entity not affiliated with the SUNY Downstate including, but not limited to, the general public, contractors, vendors, guests and visitors to SUNY Downstate, those using SUNY Downstate facilities or property under a SUNY Downstate revocable permit, and volunteers not enrolled as such on SUNY Downstate systems.

University is the University at SUNY Downstate.

Policy

A. Camping is prohibited on the SUNY Downstate campus.

B. Exceptions: Actions that constitute "camping" as defined above may be allowed with prior, written permission in the following limited circumstances:

1. With the advance written approval of the appropriate SUNY Downstate official designated by the Office of the President.

2. As approved as part of a revocable permit for SUNY Downstate use pursuant to SUNY Policy No. 5603 (Use of Facilities by Non-Commercial Organizations).

3. In extraordinary circumstances, such as times of natural disaster, when approved in writing in advance by the President of SUNY Downstate or their designee.

C. Enforcement and Compliance

1. SUNY Downstate Office of Student Life, Division of Student Affairs, and/or the NYS University Police Department is responsible for addressing non-compliance with this policy by all persons and may address violations of this policy that constitute criminal trespass or any other violation of law.

2. Students may be referred for discipline for alleged violation of this Policy.

D. This Policy shall be effective immediately upon approval.

Related Documents

Regulations:

- 8 NYCRR Part 535
- Fire Code of New York State, 2015

SUNY Policies:

- 3653 – Rules for the Maintenance of Public Order
- 5607 – Commercial Use Policy
- 5603 – Use of Facilities by Non-Commercial Organizations

UNLAWFUL SALE OF DISSERTATIONS, THESES AND TERM PAPERS

The following is a reproduction of Section 213(b) of the Education Law of New York State, concerning the illegal sale of term papers, theses or dissertations:

§ 213-b. Unlawful sale of dissertations, theses and term papers.

1. No person shall, for financial consideration, or the promise of financial consideration, prepare, offer to prepare, cause to be prepared, sell or offer for sale to any person any written material which the seller knows, is informed or has reason to believe is intended for submission as a dissertation, thesis, term paper, essay, report or other written assignment by a student in a university, college, academy, school or other educational institution to such institution or to a course, seminar or degree program held by such institution.
2. Nothing herein contained shall prevent such educational institution or any member of its faculty or staff, from offering courses, instruction, counseling or tutoring for research or writing as part of a curriculum or other program conducted by such educational institution. Nor shall this section prevent any educational institution or any member of its faculty or staff from authorizing students to use statistical, computer, or any other services which may be required or permitted by such

educational institution in the preparation, research or writing of a dissertation, thesis, term paper, essay, report or other written assignment. Nor shall this section prevent tutorial assistance rendered by other persons which does not include the preparation, research or writing of a dissertation, thesis, term paper, essay, report or other written assignment intended for submission to such educational institution in fulfillment of the requirements for a degree, diploma, certificate or course of study. Nor shall any person be prevented by the provisions of this section from rendering services for a fee which shall be limited to the typing, transcription or reproduction of a manuscript.

3. Nothing contained within this section shall prevent any person from selling or offering for sale a publication or other written material which shall have been registered under the United States laws of copyright, provided, however, that the owner of such copyright shall have given his authorization or approval for such sale and provided further that such publication or other written material shall not be intended for submission as a dissertation, thesis, term paper, essay, report or other written assignment to such educational institution within the state of New York in fulfillment of the requirements for a degree, diploma, certificate or course of study.
4. No person shall sell, assign or otherwise transfer for business or for any other purpose to any person any information and material of a personal or private nature acquired from a purchaser of a dissertation, thesis, term paper, essay, report or other written assignment without the prior consent of such purchaser. The term "information and material of a personal or private nature" as used in this subdivision shall include, but not be limited to the name of such purchaser, his address and telephone number, the name of such educational institution, the name or number of the course, the name of the faculty member or members for whom such written assignment has been prepared and any description of the research involved or the nature of such written assignment.
5. A violation of the provisions of this section shall constitute a class B misdemeanor.
6. The attorney general and district attorney of the county wherein a violation of this section occurs shall have concurrent authority to investigate and prosecute any violation of this section and any related violations discovered during the course of such investigation.
7. Whenever there shall be a violation of this section, an application also may be made by the attorney general in the name of the people of the State of New York to a court or justice having jurisdiction to issue an injunction, and upon notice to the defendant of not less than five days, to enjoin and restrain the continuance of such violation; and if it shall appear to the satisfaction of the court or justice that the defendant has, in fact, violated this section, an injunction may be issued by such court or justice, enjoining and restraining any further violation, without requiring proof that any person has, in fact, been injured or damaged thereby. In any such proceeding the court may make allowances to the attorney general as provided in section eighty-three hundred three, subdivision six of the civil practice law and rules. In connection with any such proposed application, the attorney general is authorized to take proof and make a determination of the relevant facts and to issue subpoenas in accordance with the civil practice law and rules. Additionally, the attorney general may apply in any such proceeding for a monetary penalty of not more than one thousand dollars per violation.

TOBACCO USE POLICY

The New York Public Health Law – Article 13E, “Clean Indoor Air Act”, prohibits smoking in any indoor area of a place of employment. In compliance with these requirements and consistent with State University of New York (SUNY) Downstate Health Sciences University’s (DHSU) goal of protecting patients, students, visitors and staff from harmful effects of tobacco smoke, SUNY DHSU is designated a smoke free environment.

The policy prohibits use of tobacco products including cigarettes and “spit tobacco” or e-cigarettes within the facilities or on the property of SUNY DHSU at any time. This pertains to all persons, patients, visitors, students and staff in any and all buildings of SUNY DHSU.

The policy includes all hospital and academic buildings at SUNY Downstate, and also includes the general access, common, non-residential and public areas, and office space of 440 Lenox Road and the 811 and 825 New York Avenue Student Residence Halls (e.g., hallways, stairways, elevator entrances, bathrooms and offices).

Smoking is also prohibited in all outdoor areas, including:

- Within 25 feet of the building entrances
- Within 25 feet of the ambulance and emergency receiving areas.
- Loading docks and service yard
- Within 50 feet of the bulk oxygen storage facility
- Within 50 feet of fuel oil storage (filling and venting)

Smoking is prohibited in all SUNY Vehicles.

Definition

No use of tobacco products including cigarettes and "spit tobacco" or e- cigarettes is permitted within the facilities or on the property of SUNY Downstate Health Sciences University at any time.

Responsibility

UNIVERSITY POLICE

- The Chief of University Police is designated as SUNY DHSU's "Clean Indoor Air Act Agent".
- The Chief of University Police will direct University Police staff to monitor the buildings for compliance with policy
- Shall enforce the "No Smoking" policy
- Shall document violators and refer violators to appropriate department heads.

LABOR RELATIONS

The Director of Labor Relations shall take the appropriate disciplinary action(s) when employees are referred with two (2) or more infringements of the policy.

FACILITIES MANAGEMENT AND DEVELOPMENT

- Will provide the universal "Smoking Prohibited" signs (symbol of a red circle around a cigarette with a diagonal red line through the cigarette).
- Signage shall be posted at all entrances and prominent locations inside and outside of all buildings.

DEPARTMENT HEADS/CHAIRS/DIRECTORS/SUPERVISORS

Will institute procedures, which inform employees of and ensure that all personnel in their areas comply with this policy.

EMPLOYEES

Employees may request information on smoking cessation programs

THE PUBLIC

- Will comply will all sections of this policy
- Any person who fails to comply with the requirements of this policy will be in violation of Article 13 of the New York State Health Law and subject to the impositions of civil fines and in addition to any disciplinary actions imposed by SUNY DHSU.

Cessation Programs:

SUNY Downstate will assist employees or students in their effort to stop smoking by providing information on external programs. Further information on such programs will be distributed on an ongoing basis or by request. For employees, attendance at such programs must be done on the employee's own time.

Procedures/Guidelines:

1. University Police will make all violators aware of the "No Smoking" policy
2. University Police will confiscate cigarettes, matches, and lighters from patients who refuse to comply.
3. Employees or students who refuse to obey the "No Smoking" policy will be documented.
4. The Chief of University Police will forward a copy of the violations to the employee's Department Head or to Student Affairs for students.
5. Employees who receive two (2) or more violations will be referred to Labor Relations.
6. Students who receive two (2) or more violations will be referred to the Student Judiciary.
7. Anyone who observes a patient, visitor, employee, or student violating the "No Smoking" policy can call University Police at ext. 2626.
8. The Chief of University Police will provide the Safety Committee with monthly reports on the number of smoking violations issued, their locations and status of violators.
9. Patients in violation will be instructed that SUNY Downstate will not tolerate smoking. Penalties could include, but not limited to confiscation of smoking articles, denial of visiting privileges and other types of restrictions.
10. Visitors who ignore smoking regulations or refuse to extinguish smoking articles may be escorted off hospital property.

DRUG FREE SCHOOL AND COMMUNITIES ACT AMENDMENT OF 1989

The New York State Penal Law, Article 220, prohibits the unlawful use of controlled substances. The penalties for the illegal use,

possession, or distribution of controlled substances are clearly spelled out by law and include prison terms ranging from one year to life in prison on conviction. The mere giving or offering to give another person any controlled substances is defined by law to mean "sell" and is a felony. Possession alone of a controlled substance constitutes a felony.

As a student of SUNY Downstate Health Sciences University, and in compliance with the Drug Free Schools and Communities Act Amendments of 1989, you should be aware of the following policy, which must be followed:

The unlawful use, possession, manufacture, dispensation or distribution of illicit drugs or alcohol in all SUNY Downstate Health Sciences University locations is prohibited.

Students who manufacture, distribute, dispense, possess, or use an illicit drug or alcohol will be subject to disciplinary procedures consistent with applicable New York State and Federal laws, rules and regulations.

Disciplinary measures shall include, but not be limited to, criminal prosecution of violations of State and Federal laws, rules and regulations and disciplinary actions by the college judicial process, ranging from dismissal or lesser sanctions of suspension, probation or warnings, as the facts of the situation warrant or are determined appropriate. Convictions in the courts for a felony offense may similarly lead to dismissal. Referral to an appropriate rehabilitation program may also be included.

In the Sections are the details applicable to legal sanctions under State and Federal law for the unlawful possession or distribution of illicit drugs and alcohol, and a description of health risks associated with the use of illegal drugs and the abuse of alcohol.

The University is obliged to, and will, cooperate fully with local or state authorities in any cases of suspected illegal use, possession, or distribution of drugs controlled by state law.

Sanctions For Drug And Alcohol Policy Violations

Following is the schedule of sanctions for violations of the drug and alcohol policies that SUNY Downstate is required to develop under the Drug Free Schools and Communities Act Amendments of 1989. Violations of the policies often occur simultaneously with other behavioral problems, such as failure to attend to duties, poor performance of assignments, threats, and altercations, to name only a few possibilities. The penalties suggested do not preclude SUNY Downstate from seeking or imposing, additional penalties for any related behavioral problems.

Abuse of Alcohol Consumption

a) Obvious abuse of alcohol consumption is prohibited and may lead to University disciplinary action;
b) Intoxication is not an excuse for violation of the University rules and expectations.

1. Every student is subject to, at all times certain provisions of the New York State Penal Law, the New York Alcohol Beverage Control Law, and university policy as it pertains to the use and sale of alcoholic beverages. The consumption of alcoholic beverages is not permitted in the public areas of any building on the SUNY Downstate Health Sciences University premises, except at approved social functions. Also see the section: SUNY Downstate Health Sciences University Alcohol Policies and Procedures; and the Drug Free School and Communities Act of 1989.
2. The use of alcoholic beverages at SUNY Downstate Health Sciences University is subject to the State Liquor Authority Alcoholic Beverages Control Law and to certain provisions of the New York Penal Law, in addition to the policies outlined in the Student Handbook and Board of Trustees Policies.
    a. Prohibited Sales (ABC Article 5, Section 65 Revised Penal Law) No person shall sell, deliver, or give away any alcoholic beverages to:
        1) Persons under the age of twenty-one (21) years;
        2) Any intoxicated person or any person who appears to be under the influence of an alcoholic beverage.
        3) Any habitual drunkard known to be such to the person authorized to dispense alcoholic beverages. Individuals violating this law are subject to arrest under New York State law and/or action by Downstate Health Sciences University disciplinary system.
3. Other Violations of the Law and College Policy (ABC Article 5, Section 65) Persons under the age of 21 are prohibited from possessing any alcoholic beverage with intent to consume the beverage. Exceptions are provided for consumption in an instructional setting and in cases where the alcoholic beverage is provided by the parents or guardian.
4. Violators are subject to a fine of up to $50.00 per offense, but are not subject to arrest. Alcoholic beverages involved in alleged violation of this law may be seized by authorized law enforcement officials, including campus safety officers. Disposal and destruction of the seized alcoholic beverage are also authorized but cannot be carried out until three days after the initial appearance date, unless otherwise ordered by the court.
5. Persons under the age of 21 who falsify or fraudulently alter proof of age for the purpose of purchasing or attempting to purchase alcoholic beverage are guilty of a violation punishable by a fine of up to $100.00 and a community service requirement of up to thirty (30) hours.

6. A person under the age of 21 who presents an altered New York State driver's license for the purpose of illegally purchasing an alcoholic beverage may be subject to a suspension of that driver's license for up to ninety (90) days and may also be required to apply to the Department of Motor Vehicles for a restricted use driver's license following the suspension.

SUNY DOWNSTATE SANCTIONS FOR VIOLATIONS OF THE ALCOHOL AND DRUG POLICIES

Violations	**1st Offense**	**2nd Offense**	**3rd Offense**
Section 1 Alcohol Beverages Policies			
1.01 b) Students Possession of alcohol or consumption of alcohol while engaged in clinical or learning duties or in a manner which renders them unfit for clinical or learning duties. Students are prohibited from being under the influence of alcohol while engaged in clinical or learning duties. Unlawful possession or use of alcohol on SUNY Downstate property or as part of any SUNY Downstate activity is prohibited.	Probation and referral to an in-house or community substance abuse program.	Suspension for one semester; reinstatement subject to completion of a certified substance abuse program.	Suspension for one year or expulsion if circumstances warrant.
1.02 b) Students Unlawful manufacturing of alcohol is prohibited.	Penalties range from a formal warning through suspension for one semester and referral for criminal prosecution.	Suspension for one year and referral for criminal prosecution.	Expulsion and referral for criminal prosecution.
1.03 b) Students The sale of alcohol on SUNY Downstate property or as part of any SUNY Downstate activity is prohibited, except as authorized by SUNY Downstate policies and procedures. The service of alcohol in public areas of SUNY Downstate property or as part of any SUNY Downstate activity is prohibited except as authorized by SUNY Downstate policies and procedures.	Penalties range from a formal warning through suspension for a semester and possible referral for criminal prosecution.	Suspension for one year and possible referral for criminal prosecution.	Expulsion and possible referral for criminal prosecution.
1 Students The use of alcoholic beverages for pledging or qualifying for membership in any organization is prohibited.	Individuals: Suspension from the University for a semester. Organization: Privileges and status are revoked for a period not to exceed two years.	Individuals: Expulsion Organization: Privileges and status may be revoked indefinitely.	
Section 2 Drug Policies			
2.01 b) Students Students are prohibited from unlawful possession of substances or consumption of any substance on SUNY Downstate property or as part of any SUNY Downstate activity. Students are prohibited from being under the influence of	Probation and participation in an in-house or community substance abuse program and possible referral for criminal prosecution.	Suspension for one semester; reinstatement subject to completion of a certified substance abuse program and possible referral for	Suspension for one year or expulsion and possible referral for criminal prosecution.

Violations	1st Offense	2nd Offense	3rd Offense
substances on SUNY Downstate property or as part of any SUNY Downstate activity.		criminal prosecution.	
2.02 b) Students Unlawful possession of any substance** with intent to sell or in quantities sufficient to constitute a felony under the Penal Law of New York State on SUNY Downstate property or as part of any SUNY Downstate activity is prohibited.	Expulsion and referral for criminal prosecution.		
2.03 b) Students Unlawful distribution, dispensing, sale, attempted sale, or purchase of any substance** on SUNY Downstate property or as part of any SUNY Downstate activity is prohibited.	Expulsion and referral for criminal prosecution.		
2.04 b) Students Unlawful possession of drug paraphernalia on SUNY Downstate property, or as part of any SUNY Downstate activity is prohibited.	Probation and participation in an in-house or community substance abuse program and possible referral for criminal prosecution.	Suspension for one semester; reinstatement subject to completion of a certified substance abuse program and possible referral for criminal prosecution.	Suspension for one year or expulsion and possible referral for criminal prosecution.

****** As used in this document, "substance(s)" is any drug listed in Attachments A or B to the Policy Statement.

Legal Penalties

New York State and Federal penal laws provide a wide range of penalties for crimes related to the possession, sale and trafficking of controlled substances and marihuana. In New York, penalties for possession of marihuana range from a minimum of a fine up to $100 to a maximum of fifteen years imprisonment. Penalties for possession or sale of other drugs, such as cocaine, crack, heroin, LSD or amphetamines range from a minimum of up to one year to a maximum of life imprisonment. A table summarizing the New York State penalties for narcotic and marihuana offenses is contained in Attachment C.

Federal penalties for manufacturing, importing, exporting or trafficking (including possession with intent to commit such offenses) in marihuana range from a minimum of up to eighteen months imprisonment to life imprisonment for repeat offenders when death or serious injury results from the use of marihuana. Federal penalties for such offenses involving other drugs such as heroin, cocaine and amphetamines range from a minimum of up to thirty-seven months imprisonment to life imprisonment for repeat offenders when death or serious injury results from the use of such drugs. A table summarizing the Federal penalties for narcotic and marihuana offenses is contained in the above chart.

The New York State Vehicle and Traffic Law also provides significant penalties for driving under the influence of alcohol or a controlled substance. Penalties for driving while intoxicated (a blood alcohol content of at least .08%, or intoxication by a drug) range from a minimum of a $500 to $1000 fine and/or up to one-year imprisonment to a maximum of a $1000 to $5000 fine and/or up to four years imprisonment. In addition, the operator's driver's license must be revoked for a period of six months to one year.

Penalties for driving while impaired by alcohol or a controlled substance (a blood alcohol content of less than .08%) range from a minimum of a $300 to $500 fine and/or up to 15 days imprisonment, plus suspension of the operator's driver's license for a period of 90 days, to a maximum of a $750 to $1500 fine and/or up to 6 months imprisonment plus revocation of the operator's driver's license for six months.

Health Risks

The health risks of drug and alcohol abuse are substantial. Medical authorities indicate that the short-term effects of marihuana include impairment of memory and physical coordination, anxiety and increased heart rate. Long-term effects of habitual use include severe lung damage and deleterious effects on male and female reproductive hormones. The use of cocaine or crack, a highly addictive drug, may result

in depression, paranoia, an irregular heartbeat, and increased blood pressure. Long-term or substantial use may lead to destruction of live and nasal cell, angina, seizures, delirium, heart attacks and strokes. Cocaine or crack use also has a devastating effect on fetal development, and may result in miscarriage, an addicted baby, or stillbirth. Attachment E lists the harmful effects associated with these and other drugs.

The use of alcohol causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderated doses also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

Counseling, Treatment, Rehabilitation and Re-Entry Programs

This policy is a supplement to SUNY Downstate's Policy Statement on Alcohol and Controlled Substances in the Workplace, issued on October 27, 1989 (see Sections area). This policy has a direct effect only on employees; however, students should be aware of the rules that affect SUNY Downstate as a whole.

Any students who may have developed a drug-related problem, suspect they are at risk, or seek information about illegal or controlled drugs, may seek counseling and referral by the Student Health Center or from the Director of Student Counseling, to an appropriate treatment program. Please note, however, that such a referral does not exempt any student from disciplinary or other action by SUNY Downstate. (A list of treatment programs in New York City also appears at the end of this section). A full range of detoxification, outpatient and inpatient rehabilitation and re-entry programs is available in New York City. The programs listed below will refer clients based on individual needs.

Alcoholics Anonymous	212-870-3400
Al-Anon	212-941-0094
Greater NY Regional Help Line	212-929-6262
N.Y.S. Addictions Hotline	800-522-5353
Federal Substance Abuse & Mental Health Services	800-662-HELP

SUNY Downstate will review its drug and alcohol programs periodically for effectiveness and consistency of application and where necessary make appropriate changes.

If you have any questions about any aspects of this statement, contact the Office of Student Life, 718 270-2487.

POLICY ON DRUGS & DRUG TESTING

Federal and State Laws and Regulations regarding alcohol and controlled substance abuse are identified in the Student Handbook. SUNY Downstate requires that all students comply with current Federal and New York State law regarding the use of substances in order to remain eligible for academic or clinical activities (even if they visit another locality, state or foreign country where such substances may be permitted). Students shall be responsible for assuring that they do not participate in activities or ingest substances when visiting other U.S. states or foreign countries which may cause them to be ineligible to participate in academic or clinical activities because these substances are not permitted by Federal Law, in New York State, or by policy of SUNY Downstate or our affiliated hospitals. Failure to do so is a violation of SUNY Downstate policy and is subject to disciplinary action.

Although the State of New York passed a law legalizing the use of recreational marijuana in New York for those age 21 and older, the use and possession of marijuana on SUNY Downstate's campuses remains prohibited under federal law. State University of New York campuses are bound by the federal requirements under the Drug-Free Schools and Communities Act. Under this requirement, the use, possession, cultivation, and sale of marijuana remains prohibited on all SUNY campuses and subject to disciplinary action. This prohibition covers all SUNY property in public as well as campus residence halls, University apartments, and offices, University-owned and leased buildings, housing, parking lots, and all SUNY events.

Although SUNY Downstate's drug testing program no longer tests for the presence of marijuana, students may be required to take a drug test at a clinical site or facility that does, especially if they visit a clinical site in another state that has not legalized marijuana.

Regardless of where the student takes the test or the reason for the test, if a student takes a drug test that does include a test for marijuana and has a positive result, the policy described below still applies, even if the recreational use of marijuana was otherwise legal. The student will not be able to participate in clinical activities, even at a site that doesn't test for marijuana, until the student no longer tests positive.

In addition to other policies and procedures identified in the Student Handbook, the following policies will also be instituted when a student has a positive drug test (either from an academic or clinical site or from a drug test that may have been voluntarily undertaken by the student, such as in preparation for a clinical affiliation):

1. The student will be notified by Office of Student Affairs or the Academic Dean of their School or College (or their designee) that a positive drug test report has been received. The student will be informed that they must take another drug test (within one week of our receipt of the original drug test report) through DISAhealthcare.com, or another accepted vendor, at the student's expense.
2. The student will be immediately suspended from their academic/clinical program until clearance (fitness for duty) has been obtained.
3. If the second drug test is negative, then the student will be reinstated and warned that any subsequent positive drug tests will lead to possible disciplinary action and/or possible external reporting.
4. If the second drug test is positive or if the student declines to take a second drug test, then the student will be continued on suspension, will be reported to the appropriate academic or disciplinary committee for evaluation, and possible disciplinary action and/or external reporting.
5. Resources can be found in the Student Handbook for students who violate state and federal regulations and/or college policies on alcohol or controlled substance abuse.

Specific policies regarding drug testing and clinical activities, which may have additional requirements, may also be found in individual college or school policies in this handbook.

SUBSTANCE ABUSE PROGRAM FOR STUDENTS

A standing, campus-wide Substance Abuse Committee (SAC), reporting directly to the President, provides the overall operation and coordination of the **Substance Abuse Program for Students**. Membership of the SAC consists of faculty, staff, and students from the four colleges at SUNY Downstate. The functions of the Committee are to plan and coordinate educational programs, outreach and extracurricular activities around the issues of alcohol and other drug abuse, and to manage the Substance Abuse Program for Students.

If you are interested in getting involved with the Committee, please contact Adam Burgman at 718 270-3293.

Goals of the Substance Abuse Program for Students

- To provide compassionate assistance to students with substance abuse problems before they or other are seriously or irreversibly harmed;
- To assist recovering students to continue their education without stigma or penalty;
- To protect the rights of students to receive information, referral, and treatment **in confidence**;
- To protect patients and others from the harm that impaired students may cause;
- To increase student, faculty, and staff awareness of, and sensitivity to, the dimensions or alcohol and other drug abuse problems;
- To educate students, faculty, and staff about the options available for dealing with alcohol and other drug abuse problems.

Seeking help voluntarily through the Substance Abuse Program for Students is an alternative to getting caught and/or arrested and facing expulsion from school. **We encourage all students with problems with alcohol or other drugs to use this Program. There is no penalty for seeking help through this program.**

If you would prefer not to make an initial, confidential, contact with anyone on campus, the following off-campus confidential services are also available:

- For medical students and PA students (licensed or unlicensed), **The Committee for Physicians' Health** at **800-338-1833**
- For nursing students and SOHP students (who are already licensed by the State of New York), **The Professional Assistance Program** at **518-474-3817, Ext. 480**
- For SOHP students (who are unlicensed), please utilize our on-campus resources

SUBSTANCE ABUSE TREATMENT PROGRAMS IN NEW YORK CITY WITH TRACKS FOR IMPAIRED PROFESSIONALS

In-Patient Treatment Programs

Holliswood Hospital, 87-37 Palermo Street, Holliswood, NY 11423: Most insurances, sliding scale for self pays, adults 17 and above; dual diagnosis program. HOLLISWOODHOSPITAL.COM (800) 486-3005.

Smithers Alcoholism Treatment Center (St. Luke's Roosevelt Hospital), 2 Park Avenue, Yonkers, NY 10703: Most major medical insurances; Medicaid/Medicare; Adults 18 and over; gay and lesbian tracks (914) 964-7873

South Beach Alcoholism Treatment Center, 777 Seaview Avenue, Bldg. #1, Staten Island, NY 10305: Most private insurances, Medicaid/Medicare, sliding scale for self-pay, no charge; adults 18 and over. (718) 667-5202

Out-Patient Treatment Programs

Arms Acres Manhattan Outpatient Services, 80-02 Q Garden Road, Q Garden, NY, 11415; 3584 Jerome Avenue, Bronx, NY 10467. Most private insurance, sliding scale for self-pay; adults 18 and over; 3 months-1 year program; day, evening and intensive care programs. ARMSACRES.COM/OUTPATIENT (888) 227-4641

Bedford Stuyvesant Alcoholism Treatment Center, 1121 Bedford Avenue, Brooklyn, NY 11216: Most private insurance, Medicaid/Medicare, sliding scale for self-pay, no charge; adults 18 and over; dual diagnosis program; alcoholism treatment only. (718) 636-4200

Bellevue Hospital Outpatient Clinic 462 1st Avenue at 30th Street, New York, NY 10016: Most private insurance, sliding scale for self-pay Medicaid/Medicare; adults 18 and over; alcoholism treatment only. G/I 212 562-4141, App 212 562-5555

Cumberland Neighborhood Family Care Center-Alcoholism Treatment Center, 100 North Portland Avenue, Brooklyn, NY 11205: Most private insurance, Medicaid/Medicare, sliding scale for self-pay, no charge; adults 21 and over; alcohol and other drugs; dual diagnosis program; length of program varies. (718) 260-7500

Montefiore North Medical Center (718) 920-9000

South Bronx Mental Health Council, 1241 Lafayette Avenue, Bronx, NY: Most private insurance, sliding scale for self-pay, no charge; adults 18 and over; alcohol and other drugs; dual diagnosis program; Spanish speaking services; length of program 12-18 months; gay and lesbian program. (718) 993-1400

St. John's Episcopal Hospital, 327 Beach 19th Street, Far Rockaway, NY 11691: Most private insurance, sliding scale for self-pay, Medicare/Medicaid; adults 18-65; dual diagnosis program; average length of program 18 months. EHS.ORG (718) 869-7000.

Residential Life Policy on Opioid Overdose Prevention in College Housing

Purpose

The purpose of this Policy is to ensure that all residents and staff are aware of – and prepared to effectively respond to – opioid overdoses, prioritizing the health and safety of the campus community.

Policy Overview

SUNY Downstate Health Sciences University is dedicated to providing a safe living environment. This Policy outlines the procedures for responding to opioid overdoses within residence halls and ensures that all staff and residents are equipped with the knowledge and tools necessary for emergency response.

Emergency Response Procedures

- **Identification**: If an opioid overdose is suspected, recognize signs such as unresponsiveness, slow or irregular breathing, or blue/gray skin or lips.
- **Immediate Action**: Contact University Police immediately by dialing x2626 from any campus phone or (718) 270-2626 from a cellular phone. Provide the Dispatcher with clear information about the situation and the location.
- **Naloxone Administration**: Naloxone (Narcan) kits are available at various locations on campus.
- *Use naloxone if available and trained to do so while waiting for emergency responders.*

Training and Resources

- **Staff Training**: Staff in Residence Life and University Police and Public Safety Officers will receive training on recognizing opioid overdose symptoms and the proper use of naloxone. Training will be conducted annually and whenever updates to procedures occur.

- **Resident Education**: Educational materials on opioid overdose prevention and response will be provided to all residents at the beginning of each academic year. Workshops or information sessions may also be organized to raise awareness.

Reporting and Follow-Up

- **Incident Reporting**: All incidents involving opioid overdoses must be reported to Residential Life and University Police. Documentation and incident reports will be used for follow-up and to review procedures.

- **Support Services**: Affected individuals will be offered counseling and support services through the SUNY Downstate Counseling Center (for students) or Employee Assistance Program (for staff).

Policy Review

- **Review and Updates**: This policy will be reviewed annually and updated as necessary to reflect best practices and changes in regulations or available resources.

For the most accurate and up-to-date information, please consult SUNY Downstate's Residential Life Office or SUNY Downstate's official policies on health and safety.

Contact Information:

- **Residential Life Office**: (718) 270-1466 or residentiallife@downstate.edu

- **University Police**: (718) 270-2626

- **Student Health Services**: (718) 270-2018

If you have any specific questions or need additional details, please don't hesitate to reach out to the Residential Life office directly.

CRIMINAL BACKGROUND CHECKS AND CRIMINAL CONVICTIONS POLICY

State University of New York (SUNY) policy states that campuses are prohibited from inquiring into an applicant's prior criminal history in making a decision on admission. SUNY policy states that, "Higher education plays a critical role in promoting good citizenship, expanding economic opportunity and improving the quality of community life. The State University of New York was founded to provide the people of the State of New York with broad based access to high quality educational services. It is in the interest of the State to facilitate the admission of individuals with previous criminal convictions because improved access to higher education can enhance public safety by reducing recidivism and facilitating successful reintegration into society. Such efforts must be balanced with reasonable actions to protect the safety of the campus community."

In compliance with SUNY policy, SUNY Downstate Health Sciences University sets the following policy regarding criminal background checks and criminal convictions both prior to and during enrollment at SUNY Downstate:

Pre-Admission Inquiry

SUNY Downstate does not use prior criminal history in making any decisions on admission to SUNY Downstate. Some programs at SUNY Downstate use third party applications, such as the College of Medicine, that do ask and collect this information, but this information is not used in the review of applications or in decisions on who is invited to submit supplemental applications (when required), invited to campus for interviews (if applicable), or in final decisions on admission.

Post-Admission Inquiry

Since all SUNY Downstate programs involve either clinical or field experiences, all students who have been accepted to SUNY Downstate are required to complete a criminal background check prior to enrollment, at your expense. Background Checks will be conducted post-admission and are not used by the Admissions Committee to determine admissibility. If you are accepted, instructions for completing this requirement will be sent to applicants during the semester prior to enrollment. Once you receive these instructions, you must successfully complete the background check no later than one month prior to your enrollment at SUNY Downstate (or as soon as possible if there is less than one month remaining prior to enrollment). (Please note that some applicants, such as those to the College of Medicine, have a background check completed as part of their third party application process. These applicants do not have to complete an additional background check.)

SUNY Downstate has identified a vendor who can be used to conduct a criminal background check, currently DISAhealthcare.com. You do not have to use DISA, but must complete an equivalent check within the past year prior to your first day of classes.

The background check completed must include the following:

- County Criminal Records Search (for every county you have lived in, except as indicated below under New York State)
- National Criminal Records Search
- Nationwide Sexual Offender Index
- Social Security Alert
- Residency History
- New York State-wide Criminal Records Search (note: Because New York State does not permit a county records search in the five boroughs of New York City or the counties of Nassau and Suffolk, this additional search is required. All counties in the State of New York are included in this search.)

Currently Enrolled Student Inquiry

On occasion, a clinical site may conduct their own criminal background check or require you to get a new background check, at your expense. Students who are requested to do so should contact the Office of Student Affairs for instructions on how to complete this background check.

Criminal Convictions which occur after Enrollment

Because all SUNY Downstate programs involve either clinical or field experiences, students who are convicted of a crime after the completion of their initial background check are required to report any new convictions which did not appear on their initial background check to the Vice President for Student Affairs (or their designee). The Office of Student Affairs will conduct a confidential review, similar to the review conducted post-Admission as described below. Criminal activity that occurs while a student is in attendance at SUNY Downstate may also result in disciplinary action, and will be addressed through SUNY Downstate's academic and/or disciplinary policies as described in Section V of the Student Handbook.

Falsification or Omission of Information

Falsification of information, including omission of relevant information, in the completion of a background check or a background check review is a severe violation of SUNY Downstate policy and will result in disciplinary action, including possible dismissal or rescinding of your acceptance for an applicant who was previously accepted.

Review of Background Checks

In compliance with SUNY policy, SUNY Downstate has established a standing campus committee, chaired by the Vice President for Student Affairs, and including the Academic Dean of the program the student is enrolled/will enroll in, and the Chief of University Police (or their designees), to decide whether an applicant who has made a post-admission disclosure of a prior felony conviction shall be permitted access to campus housing, clinical or field-work experiences, internships or study abroad programs, and any conditions on such access. New York State Corrections Law [sections 750, 752 and 753] forbids discrimination against individuals previously convicted of criminal offenses. As a result, the committee will carefully evaluate the relevance of an individual's previous felony convictions to the activities/services requested consistent with the legal standards articulated in the NYS Corrections Law.

In order to facilitate this evaluation, the committee may request the following:

1. The specifics of all prior felony convictions and dates of occurrence;
2. For students in parole or probation status, references must be provided from the Department of Correctional Services Division of Parole or the Office of Probation and Correctional Alternatives, including the name and addresses of parole or probation officers. Parole and probation officials should be questioned as to whether the individual's admission as a student or participation in the activities/services requested are consistent with the student's parole or probation conditions or would pose a threat to the safety of the campus community;
3. A personal interview to either clarify or verify information may be conducted if desired by the committee.

After reviewing all available information, the committee will decide whether to grant or deny the individual's participation in the activities/services requested or to grant such participation subject to articulated conditions. Admission and/or participation in requested activities/services may only be denied if such admission/participation would pose an unreasonable risk to property or the safety or welfare of specific individuals or the general public.

SUNY Downstate advises students that a prior conviction may impede their ability to complete the requirements of certain academic programs and to meet the licensure requirements for certain professions. SUNY Downstate cannot advise a prospective applicant or

student on how their prior conviction may impact their ability to meet licensure requirements, and thus the individual must contact the licensing agency directly. Regardless of the individual's ability to meet requirements of the academic program or licensure, once the individual is notified of their potential inability to meet these requirements, SUNY Downstate will not prohibit them from pursuing a particular course of study if they are otherwise able under this policy.

Confidentiality and Record Keeping

Background check reports conducted by SUNY Downstate and other submitted information are confidential and may only be reviewed by SUNY Downstate officials as part of the formal review process described above and will be maintained by the Office of Student Affairs in accordance with the Family Educational Records and Privacy Act (FERPA). The records will be maintained for a period of time in accordance with the State University of New York's record retention policy for student records. SUNY Downstate will only report to clinical or other affiliates, when required, if a student has successfully "passed" a criminal background check and, if required, the date the check was last completed. If a site requires additional information, or if the student has not successfully "passed" the background check, the student will have to give permission for release of that information, in compliance with FERPA.

Background checks conducted by other clinical sites will be reviewed and maintained by those sites in accordance with their rules.

BUSINESS AND COMMERCIAL ACTIVITIES ON CAMPUS, DISTRIBUTION OF PRINTED INFORMATION, AND MARKETING OF CREDIT CARDS

In accordance with SUNY policy 5605 (last updated 5/23/79): "No authorization will be given to private commercial enterprises to operate on State University campuses or in facilities furnished by the University other than to provide for food; legal beverages; campus bookstore; vending; linen supply; laundry; dry cleaning; banking; barber and beautician services; and cultural events.." This resolution shall not be deemed to apply to Faculty Student Association activities approved by the University.

The contract between SUNY and Faculty Student Association provides for the operation of activities such as those described above plus other auxiliary services and facilities for students, faculty, and staff as authorized by the President of Downstate Health Sciences University or their designee.

All student organizations engaged in selling a product or services on campus MUST get approval from the Office of Student Life with regard to the proper guidelines and procedures to be followed.

The peddling of newspapers or handbills which convey a point of view in the public areas of a SUNY campus is protected by the First Amendment. Public areas include the main lobby of the Student Center and sidewalks, but not areas such as corridors, rooms and all other lobbies in buildings.

Harassment or intimidation of members of the campus community by persons selling goods or services or proselytizing points of view or cause may require the removal of individuals from University property in accordance with the rules for the maintenance of public order.

Announcements offering subscriptions to newspapers and magazines or other goods or services may be placed on established bulletin boards on campus only after approval has been obtained from the University official in charge of the area in which the bulletin board is located. Door to door solicitation is not permitted on campus. Unaddressed hand bills and other notices of goods or services for sale are not to be sent through the campus mail, distributed to persons, or placed on vehicles on campus property.

Activities such as craft fairs and flea markets approved in advance by the proper authority (such as the Office of Student Life, SUNY Downstate Facilities Use Committee) may be held on campus. Such activities are limited to participation by students, faculty, and staff, and invited members of the public, and must be under the on-site control of a recognized campus organization. Commercial vendors are not permitted to sell or offer items for sale at events such as fairs and flea markets.

Political parties are also prohibited from soliciting funds or promoting membership on State University facilities.

Recognized University activities such as the performing arts and athletic, cultural, social, educational, or recreational events are not commercial by nature and are the responsibility of sponsoring campus organizations within the limits of their charter and/or University policy and regulations.

When approval has been granted to authorized individuals or organizations to engage in business or commercial activities on campus, they are subject to all University regulations. Violations may require revocation of approval to operate on campus.

Marketing of Credit Cards to Students

In accordance with the legal requirements of NYS Education Law §6437, SUNY Downstate prohibits the advertising, marketing, or merchandising of credit cards on campus to students, unless expressly authorized and registered by the Faculty Student Association and approved by the Vice President for Student Affairs. Registrants will be limited to specified dates and areas and are prohibited from offering gifts to a student in exchange for completing a credit card application. Students are cautioned that external commercial

entities may inappropriately solicit services and/or information from students for the purpose of inappropriately or illegally conducting business on the campus and/or the marketing of credit card services to other students. Students are urged to reject such solicitations or if uncertain of its validity to consult in advance with the Office of Student Affairs about the specific activity. *Improper solicitations to market credit card services to students should be reported to the Office of Student Affairs.*

SECTION V

CODE OF STUDENT CONDUCT

In addition to the rules of student conduct described below, students are also obligated to follow the regulations and behavioral guidelines in other sections of this Student Handbook (particularly the academic integrity and professionalism sections described in the college sections and federal and state regulations described in Appendices III & IV), in rules and regulations distributed in the Residence Halls, and any other written documents disseminated by the University or your academic program pertaining to this topic. Violations of student conduct rules are subject to disciplinary action.

The decision following disciplinary action may include, but is not limited to:

a) dismissal of charges

b) disciplinary warning

c) disciplinary probation

d) loss of privileges

e) fines, restitution, community service

f) residence hall suspension

g) residence hall expulsion

h) university suspension

i) university expulsion

j) permanent transcript notation – see also *Policy on Transcript Notations* later in this section

Expectations

Every member of the SUNY Downstate community has a right to feel secure in person and property and has a responsibility to respect and protect the rights of others.

Conduct which interferes with or threatens the operation of the University or the rights of others, either in or out of the classroom is not condoned.

All members of the University are expected to conduct themselves lawfully, maturely, and responsibly, and to share the responsibility of maintaining standards of behavior which are essential to the smooth functioning of the institution.

Violations of the Rules of Student Conduct on or off-campus by any full-time or part-time student may lead to administrative and/or disciplinary action and/or criminal prosecution. Campus judicial action for inappropriate student conduct at off-campus locations may be taken whenever the student's conduct adversely affects the campus community or undermines the interests and/or mission of the institution.

Students are expected to abide by the rules of the University and by state, local, and federal laws.

Furthermore, all students are responsible for the behaviors of their guests and the behaviors and activities which occur within any space which is assigned to them by the College (including, but not limited to, on-campus residence halls, apartments, or work spaces within academic buildings). All guests must comply with all SUNY Downstate policies. As a host, the student will be held personally responsible for any violation of College Policy committed by their guest(s), regardless of whether the guests are appropriately registered.

Abuse

Physical harm or verbal abuse, intimidation, or harassment of another person or persons is prohibited. Reckless actions which could endanger the safety of others or which result in harm to another person or persons are prohibited and may lead to University disciplinary action and/or criminal prosecution.

Address and Change of Address

Providing a correct address is part of the registration process. If this information is missing, registration can be declared incomplete.

Changes of address, telephone, or home address which occur during the year must be reported immediately to the Registrar's Office.

Animals on Campus

The campus is not a sanctuary for unsupervised animals. Person who wish to bring their pets on campus are not prohibited from doing so, but must take the responsibility to uphold the following conditions:

1. Animals (dogs, cats, birds, etc.) are not permitted in any area of the campus without permission. This is based on the New York State Sanitary Code, which reads as follows: "No animals or fowls shall be kept in or allowed in any area in which food is prepared, stored, or served." The Health Department will shut down the food service if this code is violated.
2. Dogs brought to campus must be in proper custody as prescribed in the New York City law, which stipulates that dogs are not to run at large.
3. University regulations require that dogs must be leashed and under control at all times. NOTE: An animal tied and left unattended is in violation of this regulation.
4. Permission to have supervised pets in classrooms and buildings, not included in the above, is determined by the person in charge.
5. Unlicensed dogs may be impounded. This ordinance is enforced both by Public Safety officers and the New York City dog warden.
6. Animals are not allowed in the residence halls.

Campus Disorder

Students, faculty, administration, and staff of SUNY Downstate Health Sciences University realize the responsibilities that society will place on them and should react to this trust accordingly. Ethical ideals and conduct are essential to the health professions. Personal honor, integrity, and dignity must be recognized and fostered. SUNY Downstate expects its members to conduct themselves in a mature, responsible and lawful manner at all times. Each member must respect the rights and privileges of every other member and of their fellow citizens.

In order to accomplish these ends, we as members of the medical and health related professions, maintain the following objectives: to have the student conduct themselves in a proper manner, both in exercises concerned with evaluation of academic achievement as well as in activities concerned with the welfare and life of a patient; to encourage the treatment of students as mature, responsible individuals, capable of intelligent and ethical self-direction; and to protect the profession from those few who might violate its standards.

No one shall be permitted to commit any act, which interferes with the educational process and/or the daily operation within SUNY Downstate Health Sciences University. Campus visitors who commit any act which interferes with the educational process and/or the daily operation within SUNY Downstate Health Sciences University shall be dealt with through campus and/or civil authorities.

(See also "*Policy on Campus Disorder*" in Section IV.)

Classroom Discipline

Any instructor may exclude from attendance any student who, in the instructor's judgment, has seriously impaired the class's ability to achieve the objectives of the course, or who is guilty of offensive conduct toward the instructor or other members of the class. The student may appeal the instructor's action to the department chair through the department's grievance procedure. If the student is not satisfied with the ruling or recommendation emerging from the grievance hearings, an appeal may be brought to the appropriate academic dean. Violations of this section are also subject to disciplinary action under the rule on obstruction or disruption.

Computer Usage Policies

See "Student Computing" section in the General Information section of the Student Handbook.

Compliance with University Officials

Students are expected to comply with University officials when those officials have identified themselves and are acting within their authority to enforce University policy. University officials include faculty and staff of the University. Also included are student employees who are carrying out assigned work responsibilities. Failure to do so may lead to University discipline.

Compliance includes, but is not limited to, appearing at offices when requested to do so, showing IDs, leaving areas, completing or adhering to the terms of a judicial sanction, etc.

Copyright Law

Students should be aware that copyright laws cover photocopying and other reproductions of materials. Students should contact

faculty members or library staff for information regarding these laws.

Damage and Destruction

Damaging, destroying, or defacing University property or the property of any person is prohibited and may lead to University disciplinary action and/or criminal prosecution.

Students are liable for all damage they cause, whether by intentional or unintentional means, unless the damage is the result of a defect or normal wear and tear. Restitution does not preclude possible disciplinary action.

Demonstrations

Students are free to voice dissent and to demonstrate in an orderly and peaceful manner, subject to reasonable time, place, and manner regulations of SUNY Downstate Health Sciences University. Picketing or demonstrating must not interfere with the normal flow of pedestrian or vehicular traffic or with entrances to buildings and must not interfere with the normal functioning of the University. Objects that may prove dangerous in a crowd are not permitted (e.g. sticks in support of signs or banners). Failure to abide by these guidelines may lead to University discipline, including the use of the *Rules for the Maintenance of Public Order*. (See *Campus Disorder Policy* in Section IV).

Documents, Keys, Telephones: Misuse of

1. Forging, altering, or transferring an ID card, or other University document (e.g. registration form, admission application, financial aid application) is prohibited.
2. Duplicating keys to University facilities without authorization is prohibited. Unauthorized possession or use of keys, or the lending of keys for illegal or unauthorized purpose, tampering with or changing locks to University facilities without authorization is also prohibited.

Facilities: Locked

All unauthorized persons must leave University buildings at the time they are closed (unless special arrangements have been made).

Propping open exterior or interior doors, which allows access to a locked facility, is prohibited. Forcible entry into any building or facility is prohibited. Failure to observe these rules may lead to University disciplinary action and/or criminal prosecution.

Facilities: Use of

Individuals may not reserve University facilities for personal reasons. Student organizations, except when holding an initial organizational meeting, must be officially registered and recognized by the University to be eligible to use University facilities.

1. Reserving of Rooms: Most facilities for non-class use with arrangements for set-ups, sound systems, and other equipment, and the personnel to operate it, should be made as far in advance as possible with the Director of Student Life. Events should be planned to conform to the building hours. Information regarding reserving of facilities may be obtained from these offices. Use of facilities without appropriate permission may lead to University discipline.
2. Regulations: Students using facilities which are open to their use (i.e. library, computer facilities, study carrels, Student Center, etc.) are expected to abide by the rules in effect for those areas and are expected to cooperate with those in charge. Failure to do so may lead to University discipline.

False Information

Knowingly giving false information to the University or misrepresenting oneself, on or off-campus, may lead to disciplinary action.

Falsification of admissions or financial aid information may lead to dismissal from the institution.

False Reports

Persons who initiate or circulate a false report of impending occurrence of an explosion, fire, crime, or other emergency are subject to University discipline and to criminal prosecution.

Fire and Safety Regulations

Persons found tampering with fire or life-safety equipment on the campus are subject to University discipline and to arrest under applicable sections of the New York State penal law.

Persons who intentionally, carelessly, or recklessly cause the report of a false fire alarm, either personally or by activating the fire alarm system are subject to University discipline and to arrest under applicable sections of the New York State penal law.

Persons recklessly, carelessly, or intentionally causing a fire to be ignited in any University building or on the grounds of the campus without a legitimate purpose are subject to University discipline and to arrest under applicable sections of the New York State penal law.

Persons intentionally interfering with or failing to follow emergency procedures, including fire or other emergency drills, are subject to disciplinary action.

Gambling

Per Article 225 of the Penal Law of the State of New York, gambling is considered an illegal activity; therefore, gambling is not permitted in any area on campus or in any activity registered with the University.

Hazing Policy and Procedure

Anti-Hazing Policy Statement

Hazing is abusive, degrading, psychologically damaging, and may be life-threatening. It is unacceptable in all forms and has no place in the SUNY Downstate community. Student groups and organizations are important contributors to a vibrant and positive campus life and are expected to act in accordance with the Student Code of Conduct and to treat others with respect. Hazing by individuals and student organizations is prohibited in any form both on campus and off campus.

Definitions

1. **Hazing**

Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

- Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

- Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization of physical or psychological injury. The following are non-exhaustive examples of conduct that causes or creates such a risk:

    - Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;

    - Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;

    - Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;

    - Causing, coercing, or otherwise inducing another person to perform sexual acts;

    - Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;

    - Any activity against another person that includes a criminal violation of applicable local, New York State, Tribal, or Federal law; and

    - Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

This definition is compliant with New York State law. Under New York State Penal Law, a person may be charged with hazing if, during another person's initiation into or affiliation with any organization, they intentionally or recklessly engage in conduct that creates a substantial risk of and/or causes physical injury to another person. A criminal charge of hazing may result in a violation or misdemeanor.

New York State Penal Law, Chapter 716, Section 1 (Effective November 1, 1988)

120.16: Hazing in the first degree

A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury. *Hazing in the first degree is a class A misdemeanor.*

120.17: Hazing in the second degree

A person is guilty of hazing in the second degree when, in the course of another person's initiation or affiliation with any organization, he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person. *Hazing in the second degree is a violation.*

2. **Student Organization**

An organization at an institution of higher education (such as a club, society, association, intramural sports team, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

Reporting Incidents of Hazing

SUNY Downstate encourages the reporting of incidents of hazing and takes every such report seriously. It will investigate all reports diligently and thoroughly in accordance with the Student Code of Conduct and/or other applicable policies and procedures. Individuals found responsible for committing, soliciting, encouraging, directing, aiding, or recklessly permitting hazing to occur will be subject to disciplinary sanction that could include suspension or expulsion.

Any person may report hazing in person, by mail, by telephone or by electronic mail to the following:

Vice President for Academic and Student Affairs (or designee)
450 Clarkson Avenue, Box 85
Brooklyn, NY 11203
(718) 270-2187
studentaffairs@downstate.edu

Private and Confidential Reporting

SUNY Downstate will respect the privacy of reporters but cannot guarantee confidentiality for hazing reports. The information you provide to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and/or to comply with other appropriate Downstate policies and procedures, and any federal, state and/or local laws, rules and regulations. SUNY Downstate will limit the disclosure as much as possible, even if the institution determines that the request for confidentiality cannot be honored.

Offices and officials who are confidential resources will not report to law enforcement or university officials without a complainant/reporting party's permission, except for extreme circumstances, such as a health and/or safety emergency. SUNY Downstate offices that are considered confidential are as follows:

Student Counseling Center
Student Health Center
Campus Interfaith Clergy

Amnesty Related to Hazing Reports

SUNY Downstate recognizes that students are sometimes reluctant to report hazing activity, due to a fear of potential consequences for their own conduct. For this reason, the University has adopted an amnesty policy which states that a student who acts in good faith to report activity that may fall within the definition of hazing and/or a victim who cooperates fully as a witness in the investigation and disciplinary process may not be subject to student conduct sanctions related to their own participation in hazing behavior, as determined by the University in its sole discretion.

In the event amnesty is granted for self-reported behaviors, if evidence is presented that the student has continued to engage in hazing behaviors or has knowledge of hazing activity that was not reported, they may be held accountable for past behavior. Students who choose to report and request amnesty for their own conduct should know that amnesty does not apply to any criminal or civil action that may be taken by any law enforcement agencies, including University Police.

Investigation Process

After a report is received, SUNY Downstate will quickly review the submission and determine the next appropriate actions. If a report is criminal in nature, the NYS University Police and/or local law enforcement will be contacted. If the report is against an employee, the Office of Student Affairs will involve Human Resources/Labor Relations. SUNY Downstate will also conduct its own investigation to prevent a recurrence of the alleged hazing and to determine if there are potential violations of the Student Code of Conduct and/or any other applicable processes depending upon the nature of the complaint.

Retaliation

No person may intimidate, threaten, coerce or discriminate against any individual because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Hazing Policy and Procedure. Complaints alleging retaliation may be filed with the Office of Student Affairs and/or Human Resources. Any reports of retaliation involving an employee covered by a Collective Bargaining Agreement will be addressed through the appropriate processes.

Hazing Prevention & Education

Students are expected to be familiar with the campus hazing policy. The policy is reviewed with incoming students as part of their orientation program. University staff share the policy through emails and presentations at student groups like the various student councils. Student organization leaders complete annual training that includes information about hazing prevention, reporting and bystander intervention. Students, staff and faculty are encouraged to visit the Clery Center and the Gordie Center for additional resources, including the educational documentary "We Don't Haze", a hazing prevention self-assessment guide and information on alternative traditions that promote a safer, more positive team-building experiences. Faculty and Staff who serve as Clery Campus Security Authorities (CSA) are notified about their reporting responsibilities, including for reports of hazing. Student Group Advisors are also notified about the hazing policy.

Campus Hazing Transparency Reports

The Campus Hazing Transparency report is updated twice a year and includes a summary of incidents involving any student organization for which a finding of responsibility is issued relating to a hazing violation. Each Camus Hazing Transparency Report is maintained for a period of 5 calendar years from the date of publication of each update.

I.D. Cards

Policy Statement

It is the policy of the State University of New York (SUNY) to issue identification cards to students, faculty and staff at its campuses. SUNY Downstate Health Sciences University (SUNY Downstate) requires all students, faculty, staff, volunteers, contractors, or any other individual authorized to be on campus to carry a valid SUNY Downstate identification card and wear the card visibly on their person at all times to ensure the safety of the entire campus community.

Applicability of the Policy

The identification card must be worn visibly on their person at all times while in any campus location or outdoor facility and presented or surrendered upon request of a duly authorized SUNY Downstate official, including but not limited to residence hall staff, University Police, public safety personnel posted at the building entrances, Student Affairs staff, and students, contractors, or other staff authorized by SUNY Downstate to supervise campus events, activities, and residence halls. Individuals may be required to reveal their faces to confirm identity when needed to maintain campus safety or security. Upon request, individuals must show all identifying information shown on the card and/or surrender the card to the requesting official.

The identification card is also necessary on campus to use various services such as the student health center, gymnasium, library, etc., and must be used to enter any campus building or facility (by either visibly showing the card or scanning the card at an entrance where scanning is available, and/or both).

Intentional and deliberate refusal to present or surrender an identification card upon request by SUNY Downstate official; alteration or falsification of data on an identification card; creation and/or distribution of falsified identification cards; using an identification card to impersonate others; or refusal to reveal one's face to confirm identity; are violations of this Policy and may result in disciplinary action.

Any person not wearing on their person while on campus or who fails to produce an updated, validated identification card when requested, is assumed not be a member of the campus community; and if the situation warrants, may be asked to leave campus and be charged with trespassing, or charged with a violation of SUNY Downstate Policy.

SUNY Downstate students or individuals involved in any SUNY Downstate sponsored educational or training program who are assigned to a rotation, experience, or placement at a partner facility must comply with the policies on identification of that partner facility during their experience there, including wearing, presenting, and surrendering their SUNY Downstate identification and/or the partner facility's duly issued identification to an authorized official of that facility acting within their authority, as described above. Persons failing to do so may be subject to disciplinary action by SUNY Downstate.

Procedures

It is the individual's responsibility to replace the identification card if it is confiscated, stolen, lost, bent, broken, or worn beyond the point of readability by SUNY Downstate officials and/or card readers used by SUNY Downstate. Replacement cards may be obtained at the I.D. Office, in accordance with posted fees.

The individual to whom the identification card is issued is entirely responsible for its use or misuse. Individuals must not lend their identification cards to any other persons.

SUNY Downstate identification cards are provided for appropriate identification use and access to buildings and services. The cards are non-transferrable and are valid as long as the holder continues their specific affiliation with the campus. A SUNY Downstate identification card is to be used only by the person to whom it is issued. Lost or stolen cards should be reported immediately to the University Police Department.

SUNY Downstate is not liable for any charges or other damages incurred if an Identification card is lost and used by another.

Loitering/Trespassing

As determined by the University, unauthorized persons are forbidden to loiter or trespass in University buildings or on campus grounds. In terms of enforcement, it should be noted that students are required to present identification upon request of University personnel (see ID cards), and overnight guests in the residence halls must be registered. While all University personnel are expected to be aware of this regulation and to assist in its enforcement; suspected loiterers or trespassers should be reported to Public Safety.

Noise

The academic nature of the University requires all persons to respect the rights of others to conduct classes without disturbance and to study, sleep, and fulfill academic responsibilities without interruption from excessive noise. Students must comply with reasonable requests to lower the noise level.

Obstruction or Disruption

Obstructing or disrupting SUNY Downstate activities, including but not limited to teaching, research, administration, disciplinary procedures, or other authorized activities including public service functions is prohibited.

Recognition of the Rights and Responsibility of Students

(The statement below is in response to Section 500.2 of the guidelines established by the SUNY Board of Trustees.)

SUNY Downstate Health Sciences University recognizes that students have within the law, the right of free expression and advocacy. SUNY Downstate Health Sciences University seeks to encourage and preserve freedom of expression and inquiry within the entire University. SUNY Downstate Health Sciences University does not permit the use of its name in announcements, advertisements, publications, or reports that imply SUNY Downstate endorsement of any commercial products or services or for personal business. Furthermore, students are advised against using the name of SUNY Downstate Health Sciences University in taking a stand on social or political issues. Official recognition of

any student group must be granted by the University Council or student councils, the Office of the President or their designee. If any doubt exists in matters of this kind, specific clearance should be obtained from the President or their designee.

Reporting Crimes and Safety Hazards

The University strives to provide a safe environment for the campus community -- students, visitors, faculty, and staff. All campus-related crimes and safety hazards, actual or suspected, must be reported to the Public Safety Department to help protect the safety of all members of the campus community.

Residence Hall Regulations

Failure to abide by Residence Hall regulations as defined in the terms and conditions of the Residence Hall License and regulations will result in disciplinary action and/or termination of Residence Hall license.

Safety

Reckless actions or activities which could endanger the safety of others or which result in physical harm to others and/or in damage to property is prohibited.

Self-Defense Spray Device

Definition: Section 265.20(14) of the "New York State Penal Law" defines a self-defense spray device as a pocket size spray device that contains and releases a chemical or organic substance that, when directed at another person, is intended to produce temporary physical discomfort or disability against another person. Although a person may possess such a device in New York State (unless they are less than 18 years of age, or has been convicted of a felony in or outside New York State), as a healthcare institution, SUNY Downstate prohibits the possession of such a device on campus. It also may be prohibited in many of our partner clinical sites, both in and outside New York State.

The possession of a self-defense spray on campus is prohibited and persons possessing such a device, even if legal in New York State, will have the device confiscated by University Police.

Sexual Violence

Sexual assault is prohibited. Sexual assault is defined as forced, manipulated, or coerced sexual acts, which include but are not limited to unwanted touching of an intimate part of another person such as sexual organ, buttocks, or breast; sodomy; oral copulation; and rape.

Under New York State Law, Affirmative Consent is required and is defined as follows:

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.

Please note that to comply with the above definition of Affirmative Consent, you should remember the following:

- 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 choosing 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 any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

The State University of New York and Downstate Health Sciences University (Downstate) are committed to providing options, support and assistance to survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in Downstate University-wide and campus programs, activities and employment. Policies regarding Sexual Violence appear in Section III of the Student Handbook and include resources, information about the student conduct process, the policy for alcohol and/or drug use amnesty in sexual violence cases, and a Students' Bill of Rights.

In cases of Sexual or Interpersonal Violence, all students have a right to:

1. Make a report to local law enforcement and/or the New York 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 from the institution.
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 institution courteous, fair, and respectful health care and counseling services, where available.
6. Be free from any suggestions 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 institutional representatives as practicable and not to be required to unnecessarily repeat a description of the incident.
8. Be free from retaliation by the institution, the accused and/or the respondent, and/or their friends, family, and acquaintances within the jurisdiction of the institution.
9. Access to at least one level of appeal of a determination.
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process.
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the University.

In accordance with the Students' Bill of Rights, a respondent or reporting individual shall have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below (note that additional options are also mentioned in Section III):

- When either party is a student, to have the college issue a "No Contact Order," consistent with SUNY Downstate policy, meaning that continuing to contact the protected individual is a violation of college policy subject to additional conduct charges; if the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person. Both the respondent and reporting individual may request a prompt review of the need for and terms of a No Contact Order, consistent with SUNY Downstate policies. Parties may submit evidence in support of their request.
- To have assistance from University Police or other college officials in initiating legal proceedings in family court or civil court, including, but not limited to, obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.
- To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a college official who can explain the order and answer questions about it, including information from the Order about the accused's responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).
- To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
- To have assistance from University Police in effecting an arrest when an individual violates an Order of Protection or, if outside of New York State, an equivalent protective or restraining order within the jurisdiction of University Police.
- When either party is a student and presents a continuing threat to the health and safety of the community, to have the student subject to interim suspension pending the outcome of a conduct process. Parties may request a prompt review of the need for and terms of an interim suspension.
- When either party 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 have the individual subject to interim measures in accordance with applicable collective bargaining agreements, employee handbooks, and SUNY Downstate policies and rules.
- When either party is not a member of the college community, to have assistance from University Police or other college officials in obtaining a persona non grata letter, subject to legal requirements and college policy.
- To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them. While reporting individuals may request accommodations through any of the offices referenced in this policy, the following offices can serve as a point to assist with these measures: Office of Diversity and Inclusion – (718) 270-1738 or Office

of Student Affairs – (718) 270-2187.

- To request that student conduct charges be filed. Conduct proceedings are governed by the procedures set forth in the Downstate Health Sciences University Student Handbook, https://www.downstate.edu/education-training/student-affairs/student-handbook.html, as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.
- Throughout conduct proceedings, the respondent and the reporting individual will have:
  - The same opportunity to be accompanied by an advisor of their choice who may assist and advise the partied throughout the conduct process and any related hearings or meetings. Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct;
  - The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the respondent, including the right to a presumption that the respondent is "not responsible" until a finding of responsibility is made, and other issues related to sexual assault, domestic violence, dating violence, and stalking.
  - The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest.
  - The right to receive advance written or electronic notice of the date, time, and location of any meeting or hearing they are required to or are eligible to attend. Accused individuals will also be told the factual allegations concerning the violation, a reference to the specific code of conduct provisions alleged to have been violated, and possible sanctions.
  - The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
  - The right to offer evidence during and to review available relevant evidence in the case file (or otherwise held by SUNY Downstate).
  - The right to present evidence and testimony at a hearing where appropriate.
  - The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.
  - The right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in college disciplinary stage that determines responsibility. Past findings may be admissible in the disciplinary stage that determines sanction.
  - The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.
  - The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
  - The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanctions, and the rationale for the decision and any sanctions.
  - The right to know the sanction(s) that may be imposed on the accused based upon the outcome of the conduct proceeding and the reason for the actual sanction imposed. For students found responsible for sexual assault, the available sanctions are suspension with additional requirements and expulsion/dismissal.
  - 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.
  - The right to have access to a full and fair record of a student conduct hearing, which shall be preserved and maintained for at least five years.
  - Contact the Office of Student Affairs for more information about the student conduct process = (718) 270-2187, Basic Sciences Building, Room 1-112.
  - The right to choose whether to disclose or discuss the outcome of a conduct hearing.
  - 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.

Sexual Harassment

Sexual harassment is prohibited. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and/or

other unwelcome verbal or physical conduct of a sexual nature, which interferes with a student's performance or creates an intimidating, hostile, or offensive environment.

Sexual harassment is a violation of the law (Section 703 of Title VII of the Civil Rights Act of 1964) and SUNY Downstate policy and may result in disciplinary actions or criminal prosecution.

Sexual Harassment Complaint Procedures

1. Any student of the SUNY Downstate Health Sciences University community who believes s/he is being or has been sexually harassed should immediately contact the Office of Student Affairs at 270-2187 and/or the Office of Diversity and Inclusion at 270-1738. (Additional information in Section III.)
2. Together, the person who believes s/he is being harassed and the Chief Diversity Officer will examine the available options.
3. Recognizing the highly sensitive nature of sexual harassment, the Office of Student Affairs and/or the Office of Diversity and Inclusion will treat all reports of sexual harassment with the greatest possible confidentiality.
4. Retaliatory action against anyone filing a sexual harassment complaint is strictly prohibited.

Sign Posting

Only registered student organizations and academic/administrative departments may use student organization bulletin boards, academic/administrative bulletin boards, or post notices on University property.

1) All posters/flyers must be hung on designated bulletin boards ONLY.
2) All posters/flyers must be removed by the sponsoring organization within 48 hours after the event has taken place.
3) Only masking tape may be used on walls and university bulletin boards. On bulletin boards, masking tape, thumb tack and staples may be used.
4) All posters/flyers must conform to public standards of "good taste" and may not be discriminatory or offensive.

"Open" or "non-designated" bulletin boards may be used by members of the SUNY Downstate Health Sciences University community but must conform to the following:

1) All notices must be hung on the designated bulletin boards ONLY;
2) All notices must be date stamped with the date they are hung or the date of the event. The notice must be removed within one month of posting (e.g. apartment rentals, book sales) or within 48 hours of the event;
3) Only masking tape may be used to post signs on University property and only masking tape and thumb tacks on bulletin boards;
4) All posters/flyers must conform to public standards of "good taste" and may not be discriminatory or offensive.

Any violation of this policy will result in the removal of the posting; any damages to University property from the posting will be charged back to the sponsoring group or individual.

Smoking

Article 13-E of the New York State Public Health Law prohibits smoking in areas open to the public. The law provides that violations are punishable with civil fines up to $1,000.

Smoking is prohibited in all indoor areas opened to the public, unless an area is designated a public smoking areas by appropriate signs or if, in private rooms, apartments and duly designated areas of the residence halls. In private rooms/apartments shared by more than one person, smoking will not be allowed unless all occupants agree.

Theft

Theft or attempted theft of University property or knowingly possessing stolen property of the University and or services (telephone, computers, parts, etc.), or the property of any person is prohibited and may lead to University disciplinary action and/or criminal prosecution.

Visitors & Guests

Students who have guests on campus are responsible for informing their guests of the University's rules and policies and may be held accountable for the actions of their guest, regardless if the guest is registered or not**.** Anyone who is not registered as a student or employed by the University and is not a guest of an individual student, faculty, or staff member is considered a visitor. Visitors and guests to the campus are expected to abide by the University's rules and regulations. Visitors or guests failing to do so may be asked to leave campus and may be declared persona non grata, and/or subject to arrest.

Weapons

The possession, storage, or use of fireworks, firearms, ammunition, explosives, or other weapons, including any dangerous article or substance with the potential to injure or cause discomfort to a person, is prohibited at any time for any purpose at any place on the campus and affiliated or associated properties. Specifically, possession or keeping of a deadly weapon or dangerous instrument on campus, including, but not limited to, firearms, explosive devices, knives, blackjacks, etc. is prohibited. Possession or use of fireworks, firecrackers, or any explosive devices, etc. is also prohibited. Possession of noxious materials (any container with any drug or other substance capable of generating offensive, noxious, or suffocating fumes, gases, or vapors or capable of immobilizing a person) is also prohibited.

Failure to comply with the above regulations may lead to University disciplinary action and/or criminal prosecution.

DISCIPLINARY PROCEDURES

(pertaining to all students at SUNY Downstate)

Students are expected to uphold the highest standards of integrity and ethical behavior. Any student who has been reported for academic dishonesty, or for violating the rights of others, or who engages in other unprofessional behavior will be subject to disciplinary action. Students of SUNY Downstate Health Sciences University implicitly agree to abide by the rules, regulations, and standards set by the faculty and administration as published in the student handbook, college catalog, residence hall, or institutional publications and notices; and civil and criminal laws dictated by local, state, and the federal government. The College reserves the right to have charges initiated through the disciplinary process against any student charged or convicted of breaking civil or criminal law.

Written charges must be filed with the Vice President for Student Affairs (or designee) by the faculty member, student, staff member or college administrator who is initiating disciplinary action. These charges must include the name of the person(s) being charged, and a description of the infraction/incident with as much detail as possible (e.g. dates, names of witnesses, supporting documents, etc.).

Upon receipt of the written charges, the Vice President for Student Affairs (or designee) will appoint a five-person ad hoc committee in consultation with the Academic Dean of the College. The ad hoc committee will include at least one student member. Individuals excused from serving on the ad hoc committee include: any faculty member whose department is involved in the disciplinary proceeding; any student who is named in the complaint as a potential defendant or witness. The Vice President for Student Affairs or a designee will serve as a non-voting (sixth) member of the committee.

The purpose of the ad hoc committee is to:

a. Collect and evaluate supporting evidence on both sides of the charged violation within a reasonable period of time.

b. Recommend a course of action to the Academic Dean of the College.

<u>Procedures</u>

The Vice President for Student Affairs or a designee will convene the first meeting of the ad hoc committee upon receipt of written charges and designate the chair and secretary. Each member has one vote.

The chairperson will notify the accused by providing a copy of the charges to the accused. The potential range of penalties should be included with the notice.

The chairperson is required to employ only their best effort to notify the student(s), and the student(s) are responsible for keeping the institution informed of any changes in address necessary for receipt of charges. (Notification will be made to the student's current local address as on file with the Registrar's Office unless otherwise requested by the student.) The hearing may be held in the absence of the student(s) accused only if a reasonable effort has been made to notify the student(s).

The chairperson will concurrently notify the accused, the party (is) bringing charges, and all members of the ad hoc committee of the date, time and location for the formal hearing of charges. Notification shall be mailed to the student at least five business days in advance of the hearing.

The hearing shall not be governed by the formal rules of evidence. The committee shall examine all relevant facts and circumstances and reach its decision based upon a preponderance of the evidence. The recommendation of the committee may include, but is not limited to:

a) dismissal of charges
b) disciplinary warning letter
c) disciplinary probation
d) loss of privileges

e) fines, restitution or community service

f) suspension for all or part of the year

g) dismissal from the college

h) permanent transcript notation –See *Policy on Transcript Notation* at the end of this section.

Hearings are regarded as confidential and closed to all but the principals of the case, unless all parties agree to the presence of others. The student has the right to consult with an advisor* of his or her choice. The advisor may speak privately with the student, but may not participate in the hearing.

The chairperson will read the written charges to those assembled. At the hearing, the student has the right to present oral and written evidence on his or her behalf and to call his or her own witnesses. The student shall also have the opportunity to question any witnesses who appear, and to comment on any written documents or other evidence, submitted in support of the charges.

In student disciplinary proceedings involving domestic violence, dating violence, stalking, or sexual violence, several additional protections and requirements apply. (See policies on Sexual Violence Prevention in Section III.) During such disciplinary hearings, SUNY Downstate will allow involved parties to review available evidence held by the campus in accordance with college/university policy. Parties can also present available evidence as appropriate under campus policies.

In cases of domestic violence, dating violence, stalking, or sexual violence, the ad hoc committee shall make a written recommendation to the Academic Dean of the College who shall decide whether to modify or uphold the recommendation of the committee. The Dean shall notify all parties of their decision in writing. The decision can be appealed under the "Appeal Procedures" listed below.

In all other cases, the ad hoc committee shall make a written recommendation to the Academic Dean of the College. The Dean will decide whether to modify or uphold the recommendation of the committee. The Dean shall notify the student of their decision in writing. The Dean's decision is final and cannot be appealed.

Documentation of all action of the ad hoc committee is kept in a confidential file in the Office of the Vice President for Student Affairs.

** If one party elects to be represented by an attorney, they are obligated to notify all other parties, allowing reasonable time for all parties to retain counsel prior to the hearing. Attorneys who attend the hearing may not participate in the hearing, but may only advise the client.*

Appeal Procedures

The following procedure shall be used following the issuance of a decision from the Academic Dean of the College (as described above). The sanction imposed by the ad hoc disciplinary committee will be held in abeyance pending the outcome of the appeal, except Interim Suspensions will remain in effect.

In cases of domestic violence, dating violence, stalking, or sexual violence only, an appeal can be filed by either the accused student or the reporting student using the procedure listed below.

To file an appeal to an Appeals Board:

1. File a request stating the intention to appeal the decision, in writing, to the Vice President for Student Affairs, within three working days of receipt of the discipline finding letter.
2. The letter must cite the specific ground(s) for the appeal, which can include:
   a. fair consideration was not provided to the student, (i.e., there is evidence that some aspect of the hearing was prejudicial, arbitrary, or capricious);
   b. new and significant information, not reasonably available at the time of the initial hearing, has become available; or
   c. that the sanction or remedy imposed is not in due proportion to the nature and seriousness of the offense)

   The letter must provide information which substantiates the ground(s) on which the appeal is being made.
3. The Vice President for Student Affairs shall appoint a three-member panel to serve as the Appeal Board. Members of the Appeal Board will be selected from faculty who are not in the same program as the involved parties and may include up to one student. The Vice President for Student Affairs shall serve as an ex-officio member of the Appeal Board.
4. The materials outlined above and all relevant documentation from the ad hoc hearing committee, whose decision is being appealed, will be presented to a meeting of the Appeal Board within three weeks from date the written appeal is received by the Office of the Vice President for Student Affairs.
5. On the basis of a review of this information only, the Appeal Board will determine if grounds for an appeal exist and will issue a written decision.
6. If the Appeal Board determines that no grounds for the appeal exist, the student will be notified in writing and the sanction assigned at the initial hearing will take effect immediately.
7. If the Appeal Board determines that an appeal should be granted the Appeals Board may recommend to the Vice President for

Student Affairs a modification of the decision, including a modification of the original sanction.

8. After hearing all information and evidence, the Appeal Board will deliberate in private. The board will prepare its finding on the matter and forward it, in writing, within two working days of completing its deliberations, to the Vice President for Student Affairs, who shall issue the final decision to all parties. The decision of the Appeal Board is final and shall not be subject to further appeal.

POLICY FOR ALCOHOL AND/OR DRUG USE AMNESTY IN SEXUAL AND INTERPERSONAL VIOLENCE CASES

The health and safety of every student at the State University of New York and its State-operated and community colleges is of utmost importance. SUNY Downstate 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. SUNY Downstate strongly encourages students to report incidents of 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 SUNY Downstate officials or law enforcement will not be subject to SUNY Downstate'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 policy applies to students and refers to the student conduct code, not to academic or external policies and requirements. Further, students in clinical programs may also be subject to professional standards beyond the campus conduct code. In a clinical setting, being under the influence of alcohol or drugs while performing patient care cannot be overlooked.*]

OTHER ADMINISTRATIVE ACTIONS

A. No Contact Order

A No Contact Order is a formal directive issued by SUNY Downstate requiring parties in any interpersonal conflict to have no direct or indirect interaction, meaning that attempts to contact the protected individual is a violation of college policy subject to additional disciplinary action. No contact orders can contain specific restrictions on use of specific campus facilities, or a schedule for all parties to assure that all parties have access to campus facilities. No contact orders can be enforced by reporting violations to the Office of Student Affairs, Residence Life, Student Life, or University Police Department.

Students who are involved in such a conflict may request a No Contact Order be issued from the Office of the Vice President for Student Affairs. No contact orders can also be issued following the filing of a report, regardless of whether the reporting individual has requested the order. While no contact orders are normally issued by the Office of the Vice President for Student Affairs, they can also be issued by the University Police Department or Office of Student Life/Residence Life during hours that the Office of Student Affairs is not open.

It is standard procedure in all cases for no contact orders to be issued to all parties in a conflict, including the reporting individual, accused individual, and any other involved individuals. A no contact order remains in effect until it is officially removed in writing by the Office of the Vice President for Student Affairs.

The Office of the Vice President for Student Affairs will promptly review any existing no contact order at a party's request, including requests to modify the terms of or discontinue the order. The parties can submit evidence to support their requests. If the campus finds it appropriate, it can even make a schedule for parties who seek to use the same facilities without running afoul of the no contact order.

B. Interim Measures

In cases of sexual or other Violence, SUNY Downstate may require and/or provide reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangement in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Interim measures may also apply if an individual accused of sexual or other violence is not a student, but is a member of the SUNY Downstate community and presents and continuing threat to the health and safety of the community, subject to applicable collective bargaining agreements, employee handbooks, and SUNY Downstate policies and rules.

SUNY Downstate will promptly review existing interim measures and accommodations at the request of the party who is affected by that interim measure or accommodation. The parties can submit evidence to support their request to the appropriate campus official who issued the interim measure.

C. Change in Student Status/Interim Suspension

When in the judgment of a Student Affairs Dean (Associate Dean, or Assistant Dean) the continued presence of a student charged with a violation of SUNY Downstate Health Sciences University policy presents an immediate danger to the fulfillment of the educational mission of the institution, to the life, health, welfare, safety or property of any member(s) of the SUNY Downstate community, the student may be subject to a change in student status including immediate denial of campus residency and/or

suspension from the College pending the outcome of a disciplinary hearing (see Rules of Student Conduct in Section V of the Student Handbook), which shall be scheduled as expeditiously as possible.

Such a recommendation would be communicated to the Vice President for Student Affairs or designee, who will review the recommendation and gather and consider whatever additional information may be needed; and will determine if any change in status, such as interim suspension, is warranted. Notification of any change of the student's status and the reasons for it will be communicated to the student, in writing, within 24 hours of the decision. The student will be provided with a formal charge letter and the terms of the immediate action changing student status.

SUNY Downstate will promptly review an existing interim suspension at a party's request, including requests to modify the terms or discontinue it. Parties can submit evidence to support their request. To request a review, submit a request, in writing, to the Vice President for Student Affairs.

This action may be taken, but is not limited to, situations which occur on or off campus, involving physical violence, drugs and other controlled substances, criminal or other illegal acts.

D. Involuntary Medical Leaves of Absence

A leave of absence is an administrative process; it is not a disciplinary process.

The policy on the Involuntary Medical Leave of Absence is located in Section IV.

POLICY ON TRANSCRIPT NOTATIONS

New York State Law states that:

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), institutions shall make a notation on 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 institution while such conduct charges are pending, and declines to complete the disciplinary process, institutions shall make a notation on the transcript of such students that they "withdrew with conduct charges pending." Each institution shall publish a policy on transcript notations and appeals seeking removal of a transcript notation for a suspension, provided that such notation shall not be removed prior to one year after conclusion of the suspension, while notations for expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

SUNY Downstate is in full compliance with New York State Law and will note on the academic transcript of students found responsible for violations of SUNY Downstate policy which are equivalent to the Clery Act Part I crimes (as updated by the Violence Against Women Act and including the definition of "rape" as defined in SUNY Downstate policy) that a student was "suspended after a finding of responsibility for a code of conduct violation" or "expelled after a finding of responsibility for a code of conduct violation." (If the student receives either of those sanctions after a finding of responsibility.) The crimes which would require this notation currently include: murder; rape, fondling, incest and statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; manslaughter; and arson. SUNY Downstate will also place a notation on the transcript "withdrew with conduct charges pending" if the student withdraws prior to the completion of a hearing and determination of responsibility.

In addition, under SUNY Policy, a student found guilty of hazing or other serious violations of the student conduct code, especially when it leads to the death or serious physical injury to another person will have a permanent notation made on their permanent transcript. In addition, a student found responsible for such violations shall not receive credit for the semester in which the suspension or expulsion occurred, and will be liable for all tuition and fees for that semester.

In cases which are not rape, students may appeal to the Vice President for Student Affairs, in writing, for removal of a notation that they were suspended, no earlier than one year after the suspension is completed. For a case in which a student is found responsible for rape or in cases for which a student was expelled or dismissed from SUNY Downstate for disciplinary reasons, the sole ground for appeal of any such transcript notation shall be if the underlying finding of responsibility is vacated.

COLLEGE OF NURSING

Section I: General Academic Policies

ACADEMIC ADVISING

All enrolled students will be assigned a faculty advisor. Students will be notified of their advisor or should inquire at the College of Nursing's Student Support Center about their advisors. Upon matriculation to the program, students are required to meet with their advisors at least one time during the first semester (Fall). Subsequent meetings with your advisor can be requested by you or your advisor.

ACADEMIC AND PROFESSIONAL INTEGRITY

Students must sign and submit a copy of the *"Student Commitment to Academic Integrity"* statement to the Learning Management System (LMS) for each course at the start of each semester.

"Integrity" is defined as a "firm adherence to a code of moral values" (Merriam Webster dictionary). Additionally, *academic, and professional integrity* is the demonstration of the highest standards of honesty and conduct in all aspects of academics including research and clinical work in accordance with the guidelines stated in the College of Nursing's section of the Student Handbook under the subheading *Academic and Professional Integrity.*

Academic integrity violations are considered a threat to the values and reputation of SUNY Downstate Health Sciences University (SDHSU) as well as our faculty, students, academic partners, and patients. SDHSU is committed to upholding high standards of academic integrity. Academic integrity violations are subject to disciplinary action and may include dismissal from the program. Violations of academic integrity include but are not limited to misusing artificial intelligence (Al), plagiarizing, cheating, forging, non-complying with exam guidelines, and behaving unprofessionally in the clinical setting.

Examples of Violations of Academic Integrity

Plagiarism is the representation, intentional, or unintentional use of someone else's words or ideas as one's own. This includes self-plagiarism or using the work of another student, past or present, as well as the work of published authors. Since, under New York State Law, words in print are the property of an author or publisher, the intent to deprive that person of property is a form of lar-ceny punishable by fine. Students are expected to follow appropriate rules for citing authorship (refer to American Psychological Association (APA) guidelines for additional information). According to the APA Manual 7th Ed., self-plagiarism means reusing work that you have already published or submitted for a class. It can involve but is not limited to resubmitting an entire paper previously submitted for another course or copying or paraphrasing passages from your previous work with no reference or citation.

The College uses a software package that provides an "anti-plagiarism/anti-cheating" service for checking documents, and a grading system for enhancing feedback to students on written assignments. To mitigate plagiarism, CON faculty are advised to utilize "anti-plagiarism/anti-cheating" software (such as *Turnitin®)* to check writing assignments.

Cheating is defined as giving or obtaining information by improper means to meet an academic requirement. Cheating is a serious violation that includes, but is not limited to, the following examples:

1. The use of the same work for academic credits, in more than one course, without the knowledge or consent of the instruc-tor(s).
2. The false reporting/documentation of information related to clinical performance and logged clinical time.
3. Inaccurate representation of work in any course.
4. Behaviors that constitute academic dishonesty during an examination include but are not limited to the following:
    a. Copying the work of others.
    b. Deliberately exposing examination materials for other students to review.
    c. Using any written material, information, or electronic resources, devices or unauthorized browsers not

specifically approved by the instructor.

d. Verbal, non-verbal, or electronic communication with other students at any time during the examination.
e. Discussing examination content with students who have not yet completed examination.

Forgery is defined as the alteration of college forms, documents or records, or the signing of such forms or documents by someone other than the designated or authorized individual. Forgery also includes modifying an examination or assignment, which has been graded and returned to the student for review.

Al Policy: Use of artificial intelligence (Al) tools and applications (including, but not limited to ChatGPT, Grammarly, and DALL-E) is strictly prohibited. All written assignments must be checked for use of Al generated and Al assisted content If Al generated content is detected the assignment will receive a grade of zero (0). The use of Al is in violation of academic integrity and will be regarded as an infringement of the CON's Academic Integrity Policy.

Misuse of Al Sources (for example, ChatGPT}: Students who are given the option by course faculty to use Al software for writing assignments must cite the Al software as a source of reference using APA format. Students must not quote directly from ChatGPT or another Al resource. Any citations recommended by ChatGPT or another Al resource must be verified with the original source. Stu-dents may not use ChatGPT or another Al resource as co-author.

Violations of academic integrity policies by students are subject to academic integrity procedures and sanctions, as per the DHSU Student Handbook (Appendix V)

Guidelines for Examination
Students are expected to adhere to all previously outlined academic integrity policies, procedures, and guidelines for exam-administration. Failure to do so may be considered a breach of academic integrity and will result in disciplinary action.

Remote Proctoring and Computerized Testing/Quizzing:

1. The CON uses a variety of online remote proctoring software for in-person and remote exam administration.
2. During computerized testing, in class or remotely, students are required to use the designated lockdown browser associated with the exam/quiz.
3. Live proctoring may also be required.
4. Access to remote proctoring software and instructions for use will be provided by the course faculty.
5. Students are expected to take exams during the designated date and time period as set by course faculty. Students who fail to take the exam as scheduled will receive a zero (O) for that exam. In the event of extenuating circumstances faculty may offer the students an alternate exam date/time, in a format of their choosing Please review course syllabi for additional information.
6. Students are required to take remotely proctored exams/quizzes on a computer that allows the student to be both video and audio recorded while taking the exam via Respondus, and may require a second device for live proctoring.
7. Students are required to take remotely proctored exams/quizzes alone and in a secure environment free from interruption.
8. A thorough (360 degree) environmental scan is required including the testing surface in front and behind, the lighting must be adequate, and the student must be in the frame of the camera for the duration of testing.
9. All remotely proctored exams will be video and audio recorded through the student's webcam/microphone and made available for faculty use and review for the duration of your program.
10. Exams will be reviewed for any instances of exam abnormalities or suspected academic misconduct.
11. During remote or in-person exams students:
    a. are not permitted to talk with others, have headphones/earbuds, wear smartwatches, or use cell phones.
    b. must power-off all cell phones and electronic devices, and may not be in the students' possession during exams
    c. may not take a bathroom break or leave the screen for any reason once the exam begins.
    d. may not have any notes, textbooks, or course material in the testing area.
12. Academic misconduct on a computerized, remotely monitored exam/quiz is subject to the same sanctions as in-person ex-aminations.
13. Any evidence of posting, chatting, speaking, or accessing previous assignments/quizzes/exams in any form that comes to

faculty's attention will be considered a breach of academic integrity and will result in a grade of zero (0) on the exam.

In Class Testing: Students are expected to arrive on time. It will be at the discretion of the faculty whether students can take the ex-am/quiz if they arrive late. A student who is allowed to begin the exam/quiz late will **not** be given additional time to complete the exam.

- Students may be assigned seating.
- All belongings, including electronic devices, are to be placed in the area designated by the proctor.
- All devices are to be powered off and put away with student's belongings prior to the start of the exam.
- Talking or other forms of communication are prohibited during exams.

Professionalism

Students are expected to conduct themselves professionally and with integrity, according to the expectations of the nursing profession. Students shall interact with their peers, faculty, administrators, agency staff, and patients, with respect, as well as follow the rules of confidentiality for their patients and peers. To review details for professional conduct in Nursing Research please refer to the American Nurses Association Code of Ethics for Nurses:
https://www.nursingworld.org/practice-policy/nursing-excellence/official-position-statements/id/privacy-and-confidentiality/

Clinical Behavior & Conduct

Unprofessional, dishonest, and unethical behavior(s) in or related to the clinical setting may also be viewed as violations of academic integrity.

Procedures for Addressing Violations of Academic Integrity

1. If a faculty or proctor observes a possible violation of academic integrity during an in-class examination, they may ask a student to move/change seats or otherwise address the observed behavior.
2. Upon review of video footage of exams, if a faculty is notified by a remote proctoring service of a possible violation of academic integrity during an on-line examination, the faculty will review the video footage to confirm violation. If the faculty member identifies a serious violation which may lead to disciplinary action, this the incident must be escalated to the Associate Deans (AD). The Associate Deans will further escalate the concern to the Executive Vice Dean (EVD) and/or Dean of the CON.
3. In the event of a violation, the faculty will notify the student and their advisor.
4. The student will meet with the faculty of record, the AD, and EVD to address the violation.
5. Once the course faculty, AD, and EVD had the opportunity to review all the evidence, a decision will be rendered and the student will be informed of the subsequent disciplinary action.
6. Documentation of all actions taken is completed by the course faculty and is placed in the student's permanent academic file.
7. If a violation of academic integrity is noted in the clinical setting, the student may be dismissed for the remainder of the clinical day. The clinical faculty will notify the course faculty and AD of the violation, who will collaborate in the development of a plan to address the violation. Documentation will be completed by the clinical faculty and placed in the student's permanent academic file.
8. Violations of academic integrity may result in a range of disciplinary actions, including dismissal from the program of study.
9. All remote proctoring videos are subject to review, whether they are flagged or not in all programs of study.

ACADEMIC SUPPORT SERVICES

A variety of student academic support services are offered to assist students in reaching their full academic potential. Services include group tutorials, individual learning sessions, and group workshops. Topics include time management, test taking, knowledge organization, reading comprehension and speed, memory retention strategies, and/or test taking and anxiety strategies. Students may obtain assistance from the Office of Student Academic Services, HSEB, Room 6-026, Box 1190. For more information about the services provided, see "Office of Student Academic Services" in the "University Services" section at the front of this handbook.

ADD/DROP

Students may add or drop courses during the add/drop period, online. After the add/drop period, forms are available from the College of Nursing's Academic Programming Office. Add/drop changes must be approved by the Program Director. Students must meet with their advisor to review any potential changes to their progression. After the add/drop period, withdrawal from a course is subject to

policies outlined under "Course Withdrawal."

ADMISSION DEFERRAL POLICY

This statement describes the DHSU CON policy for allowing admitted students to postpone enrollment for one year. Under extenuating circumstances applicants who have accepted admission may request to defer enrollment or matriculation in the CON for up to one year from the semester for which they were admitted. All requests for deferment are reviewed on a case-by-case basis. The submission of a request for deferment is not a guarantee of approval.

ATTENDANCE

Full and responsible participation in classroom and clinical experiences are deemed essential for the preparation of beginning and advanced practice nurses. Students must notify faculty of any anticipated or unanticipated absence.

Title IV Loan Information

Students must attend/participate in classes for the first three (3) weeks of the semester. This verification of attendance/verification of enrollment is a requirement for financial aid eligibility.

Attendance at Examinations

Examinations must be taken as scheduled. Absence from a scheduled exam without prior notification and permission from the course instructor may result in a grade of zero (0) on the exam. Students will be required to provide official verification or documentation of the reason for the absence. Faculty reserve the right to accept/deny requests for make-up exams. Make- up exams may be in a different format than the original exam. Please see course syllabi for additional information.

Attendance at Clinical Entry-level (Undergraduate)Program

All students are expected to be present, on time, and prepared for assigned clinical and College lab or simulation experiences. Clinical absences for any reason other than religious observances, illness, or extenuating circumstances are not acceptable. Simulation and skills lab experiences are counted as clinical hours. Therefore, absences from these practices will be counted as clinical absences. Students are expected to follow all clinical policies in all settings (lab, simulation, agency). Notification of absence for religious observance must be done at the start of the semester.

For all clinical absences, students must submit a Clinical Absence form (obtained from the Student Support Center office in the CON) to the didactic course faculty and Program Director. Health Clearance from Student Health Services (SHS) for return to in-person clinical is required for clinical absences related to illness.

Inability to Complete the Clinical Day: Students who are unprepared, do not adhere to regulations of the college, clinical institution or agency, may be asked by faculty/clinical preceptor to leave the clinical setting. Students will be required to attend a make-up clinical or complete a make-up assignment as directed by the course faculty. Faculty have the discretion to require additional assignments to make up for missed days.

CODE OF CIVILITY AND COLLEGIALITY

The CON adheres to the Code of Civility and Collegiality:

College of Nursing: Code of CIVILITY and Collegiality

C ollegial	Embrace your own professional and academic growth, while recognizing the potential for success inherent in everyone. Promote a welcoming, non-violent, and safe environment for all. Be respectful of the shared academic environment both in-person and virtually.
I ntegrity	Uphold the highest standards of integrity and honesty at all times. Ask appropriate questions, do not assume. Seek to understand others and avoid passing judgement.
V irtuous	Adopt a virtuous lifestyle by thinking, speaking, and doing what is right. Disassociate from what is wrong and be generous in your willingness to humbly assist others who are in need of your help in the academic and practice environments.
I nquisitive	Ask appropriate questions, do not assume. Seek to understand others and avoid passing judgement.
L istener	Actively listen to the thoughts and opinions of others. Use nonverbal communication to add to the civility of a conversation. When disagreements occur, seek to understand not condemn. Show respect for all people, respect their right to be heard, and act in a courteous manner.
I nclusivity	Act with kindness and consideration towards others. Practice social responsibility by valuing the differences of others. Create a sense of belonging among members of the Downstate community that can translate to greater productivity and innovation.
T rustworthy	Endeavor to cite only the truth, not intentionally misrepresenting, or misquoting information received by others.
Y ourself	Always be the best version of yourself. Practice principles of emotional intelligence by managing your own emotions and understanding the emotions of people around you. Provide feedback in a professional manner and accept feedback with a positive attitude. Take responsibility for your own behavior.

DOWNSTATE
HEALTH SCIENCES UNIVERSITY

Developed by Ed Policy Committee: Dr. B. Kitchener, Dr. S. McMillan, Jameila Small (AL student) Diane Torsell (EL student), Thomas Chambers and Latrice Solomon, (Admin Staff)

COMMUNICATIONS

Students are expected to communicate in a professional manner using their Downstate email. Students are expected to check their Downstate email daily, and if needed, a response is expected within 24-48 hours.

Students are not permitted to use recording devices without the permission of the faculty.

Social media sites such as Facebook, X (formerly Twitter), LinkedIn, etc. or any other sites that encourage interactivity with the use of text or multimedia "sharing" are a powerful tool for communication and networking with the potential for useful teaching and learning opportunities. Use of social media must adhere to FERPA and HIPAA regulations as well as conform to professional standards of behavior when using these platforms. Please refer to the American Nurses Association link for further information. For more information, see: https://www.nursingworld.org/social/ and social media Policy in the appendix of this DHSU Student Handbook.

COURSE EVALUATIONS

Students are required to complete all course evaluations (faculty, clinical site, preceptors, etc.) each semester.

LEAVE OF ABSENCE

A leave of absence may be requested for a maximum of three consecutive semesters.

1. A request for a leave of absence must be submitted in writing to the Program Director, including the Leave of Absence form. The Program Director will meet with the student and consult with the Associate Dean of Academic Affairs regarding the LOA request. If granted, the student will then meet with the Vice President for Student Affairs or designee to review any outstanding encumbrances. Any student with outstanding encumbrances is not entitled to have official transcripts sent and may be denied readmission.
2. Incomplete grades remaining from the semester in which the leave was taken must be removed in accordance with "Course Incomplete" Grade Regulations.

Returning from a Leave

It is the student's responsibility to initiate the process of return from an LOA. The student must:

1. Contact the Office of Student Affairs before the deadline as stated in their leave of absence notification letter. The student must be prepared to document that all of the conditions of the leave have been met. If the student does not contact the Office of Student Affairs by the deadline, the student will be administratively withdrawn from the program.
2. If the deadline date and conditions have been satisfied, the student will receive a letter from the Student Affairs office, advising the student to meet with their Program Director to discuss registration requirements for the upcoming semester.
3. If a student requests an extension of their leave of absence, a written request must be submitted to the Office of Student Affairs before the deadline date stated in the leave of absence notification letter. The decision of whether to grant an extension and any additional required conditions is at the discretion of the Program Director.
4. Students returning from a leave of absence must adhere to any new policies, guidelines or changes within the Stu-dent Handbook of the year they return.
5. Students returning from a leave of absence must adhere to any changes made to the curriculum during their absence and may be required to repeat coursework at the discretion of the Program Director.

TRANSFER OF CREDITS

Students may request to transfer up to nine (9) credits from a prior academic institution to be applied toward their current degree program. Students are required to complete a transfer of credit request form (registrar's website) and provide a copy of the course syllabus to the Program Director. The Program Director will determine if the course is appropriate for transfer. This process must be completed within the first semester of enrollment in order to allow proper progression in the program of study.

Entry-level Program:

1. Students enrolled in the Accelerated track must complete 63 credits at SUNY Downstate.
2. Students enrolled in the RN-BS track must complete outstanding prerequisite courses by the end of the Spring semester.

Advanced-level Program:

1. Advanced-level (graduate) students must have earned a grade of "B" or higher for other courses to be eligible for transfer credit.
2. Courses taken more than 5 years ago may not be eligible for transfer; this is up to the discretion of the Program Director.
3. Transfer credits for Advanced Health Assessment, Advanced Pathophysiology, and/or Advanced Pharmacology that have been completed within the last two years will be reviewed and may be approved by the Program Director. Additional verification of competency through skills demonstration or written examination may be required prior to acceptance of transfer.

VIDEO CAMERAS DURING SYNCHRONOUS ONLINE CLASSES

1. The purpose of this policy is to enhance students' synchronous online learning experiences.
2. Students are expected to attend synchronous online classes, turn on their video cameras and keep the camera on during class. Students may turn their camera off briefly during class but are expected to return promptly. Any extended period off camera requires notification to course faculty via chat.
3. Students are encouraged to use professional or blurred backgrounds to minimize class distractions.
4. To minimize background noise and class distraction, students are expected to mute microphones unless they are speaking or otherwise instructed by the faculty.
5. Students are expected to raise a virtual/emoji hand and wait to be acknowledged by the course faculty.
6. Students are encouraged to actively participate in synchronous online class discussions via oral comments or typed comments/ questions in the class chat.
7. Professional behavior and demeanor are expected during all lectures.
8. Students are expected to respond appropriately when called upon in synchronous classes to demonstrate active learning and participation.

SECTION II: COURSE GRADING SYSTEM

The CON does not round in calculating grades. Grades are based on the following grading scale, using whole numbers only.

Grade	Quality Points	Numerical Range
A	4.0	94 – 100
A-	3.67	90 – <94
B+	3.33	87 – <90
B	3.00	84 – < 87
B-*	2.67	80 – < 84
C+*	2.33	75 – <80
C	2.00	65 – < 75
F	0.00	Below 65
I	None	A portion of the requirements for the course have not been completed for reasons beyond the control of the student (e.g. illness).
IP	None	Clinical course in progress
P	None	Successful completion of course requirements. No letter grade assigned.
W	None	Withdrawal prior to completion of 1/3 of the course.
WP	None	Withdrawal at passing level after completing 1/3 but prior to completing 2/3 of the course.
WF	0.00	Withdrawal at failing level after completing 1/3 but prior to completing 2/3 of the course. A WF is considered an academic deficiency and is averaged into the GPA.
E	None	Credit by Examination or Course Challenge/Requirement Waiver
TR	None	Course transferred from another institution without grade and grade is not averaged into the GPA
Z	None	Thesis in Progress
		Maintenance of Matriculation

**C+ is the minimum grade required for all entry-level (undergraduate)courses*
**C+ is the minimum grade required for NRMS 5110, NRMS 5190, and NRMS 5180 for Nursing Education Students*
**B- is the minimum required grade for all APRN and Post-MS-DNP students*

Course Grades

Entry-level (Undergraduate)

1. Students enrolled in entry-level (undergraduate) degree programs are required to achieve a minimum grade of "C+" (75%) for each course taken at the College of Nursing. Students must maintain a cumulative and/or semester grade point average of 2.5 in order to remain in satisfactory academic standing.
2. Students who score below 80% on an exam will meet with their Academic Advisor to develop an academic success plan.

3. Referrals for academic support services may be initiated through:

    a. Office of Student Academic Services

    b. Student Counseling

    c. Peer mentoring

4. Any course with a laboratory or clinical component requires students to pass both the clinical and didactic components. These components cannot be taken independently.

Advanced-level (Graduate)

1. Students enrolled in APRN or Post-MS DNP degree programs are required to achieve a minimum grade of "B-" (80%) for all courses taken at the College of Nursing. Students must maintain a cumulative and/or semester grade point average of 3.0 in order to remain in satisfactory academic standing.
2. Students enrolled in the Nursing Education-MS program are required to achieve a minimum grade of C+ (75%) for the following courses: NRMS 5110, NRMS 5190, and NRMS 5180. A minimum grade of B- (80%) is required for all other courses.
3. Students who do not achieve an 80% on an exam will meet with their academic advisor to develop an academic success plan and will be referred to the Office of Student Academic Services to meet with an academic counselor.
4. Any course with a laboratory or clinical component requires students to pass both the clinical and didactic components. These components cannot be taken independently.

INCOMPLETE GRADES

A grade of "Incomplete" (I) shall be reported through Banner Self-Service for any student who has obtained, in advance, the written permission of the course instructor to postpone completion of specific course requirements beyond the semester in which the course was taken. An incomplete may be granted if a portion of required coursework is not completed due to extenuating circumstances, for example an illness.

Incomplete Didactic Course

1. Students who receive an "I" in a course must arrange for and obtain an anticipated date of completion in writing from the course faculty. This date is to be determined by the faculty but is not to exceed the end of the following semester in which the student is actively enrolled.
2. Course faculty will convert a grade from "I" to "F" if the student does not submit the outstanding course work by or before the due date determined by the faculty.
3. Students on approved Leave of Absence (LOA) with an outstanding "I" grade, must complete the outstanding coursework by the due date determined by the faculty, not to exceed the next semester after returning from LOA.

Incomplete Clinical Course

1. A grade of "IP" indicating "Course in Progress" will be given for students enrolled in a clinical course, and who have not completed the clinical education and/or administrative requirements for that clinical course during the semester in which they registered for the course.
2. For the Advanced Level programs, clinical/practicum pre-requisite courses must be completed within the timeframe specified by faculty. Failure to document completion of the clinical/practicum component of the course will result in the submission of a change of grade form from the course faculty for a conversion of the "IP" to an "F" grade for the course.
3. Students who do not complete clinical hours within the specified timeframe will be required to register for an independent study (variable credits 1-3).
4. If a student receives an "IP" in their final semester, the clinical hours and course must be completed by or before the date of graduation (typically May 31, August 31, or December 31).
5. If the student does not complete their clinical/practicum hours and coursework by the graduation date, they must register and pay for an Independent Study (1-3 variable credits) in the following semester and their date of graduation will be postponed.

WITHDRAWALS

From a Course

1. A withdrawal grade of "W" is reported when a student withdraws prior to completing one third of a course (See academic calendar). There is no penalty attached to the grade.
2. A withdrawal passing grade of "WP" is reported when a student withdraws at a passing level after completing one-third and prior to completing two-thirds of the course (See academic calendar).
3. A withdrawal failing "WF" is reported when a student withdraws at a failing level after completing one-third (1/3) but prior to completing (2/3) of the course (see academic calendar).
4. To withdraw from a course, the student must:
    a. obtain an Add/Drop form from the College of Nursing's Student Support Service office;
    b. discuss the intent to withdraw with the assigned faculty advisor/ Program Director;
    c. obtain a withdrawal grade with the signature of the course instructor and the Program Director
    d. return signed form to the Registrar's office. The effective date of withdrawal (W, WP, WF) is the day the form is received by the Registrar's office.
5. Students who fail to comply with health clearance requirements or deadlines related to clinical placement processes may be administratively withdrawn from the course. Students may request an extension, for extenuating circumstances, *prior to the deadline,* to the clinical placement coordinator. Requests do not guarantee approval.

Withdraw Failing {W/F)

Enrolled students are permitted to receive a total of three withdrawal failing (WF) grades.

APPEAL OF A FINAL COURSE GRADE

1. A course grade appeal must be made in writing by the student directly to the course faculty within five business days of the posting of the final course grade.
2. The faculty member and student will meet to discuss the appeal.
3. If the course grade is upheld by the course faculty, and the student wishes to then continue with the appeal process, the student must email the Associate Dean (AD) within five business days of meeting with the course faculty and include any documentation in support of the appeal.
4. The AD will schedule a meeting with the student, the Academic Advisor, the faculty of record, and the Executive Vice Dean. The student must email any supporting documentation prior to the meeting.
5. Based on the result of the meeting, the EVD will convene an ad hoc committee to review the materials and render a final recommendation, which will be submitted to the Dean of the College of Nursing. The student and the faculty of record will have the opportunity to present to the ad hoc committee.
6. Students will be notified of the decision, in writing (via email) by the Dean's Office. Section Ill: CLINICAL POLICIES AND PROCEDURES

CLINICAL CLEARANCE

All students must register for clinical placements prior to the beginning of the scheduled clinical experience and receive clinical clearance to attend clinicals. Students must not attend any clinical unless all of the following documents are current and on-file in the College of Nursing Student Support Center Office and Typhon:

1. NYS RN license (RN-BS, masters and doctoral students)
2. Health clearance from Downstate Student Health Service which includes documentation of appropriate titers and/or vaccinations including PPD, COVID and flu vaccination/declination
3. Satisfactory 10 panel drug screen, (DISA only)
4. Satisfactory background check, (DISA only)
5. Student Malpractice insurance
6. BLS and/or ACLS certification, (AHA only)
7. Compliance Training/HIPAA certification, (Downstate only)

Students are responsible for updating expired clinical clearance requirements. Failure to do so may result in administrative withdrawal from the course.

1. Students must stay alert to the 60-day expiration Alert in Typhon to ensure that their required clinical clearance documents are current to prevent delays with starting and interrupting clinical rotations.
2. Students should not wait to receive a notification from the CON that their clinical documents have expired.
3. Students may be required to complete additional clearance/training requirements per individual clinical agencies.

CLINICAL PLACEMENT

The CON has clinical affiliation agreements with many hospitals, physician practices and academic medical centers throughout New York City and State.

1. All clinical sites are vetted and approved by Program faculty and /or leadership. Site information is documented in the

Typhon database.

2. For the Accelerated and RN-BS programs the Clinical Placement Team (CPT) facilitates student placement. For the Advanced Level Programs APRN students are expected to facilitate their placement, however if they are unable to secure a clinical site , the CPT will assign them.
3. Students will need to complete a site-specific orientation as required by the agency. The agency may require additional clearance documents as well.
4. Clinical placement is a dynamic process and as such, clinical site assignments may change. In the event that this should occur, the Clinical Placement Team will facilitate the reassignment.

DRUGS & DRUG TESTING

Federal and State Laws and Regulations regarding alcohol and controlled substance abuse are identified in the Student Hand-book. SUNY Downstate requires that all students comply with current Federal and New York State law regarding the use of sub-stances in order to remain eligible for academic or clinical activities (even if they visit another locality, state or foreign country where such substances may be permitted). Students shall be responsible for assuring that they do not participate in activities or ingest substances when visiting other U.S. states or foreign countries which may cause them to be ineligible to participate in academic or clinical activities because these substances are not permitted by Federal Law, in New York State, or by policy of SUNY Downstate or our affiliated hospitals. Failure to do so is a violation of SUNY Downstate policy and is subject to disciplinary action.

Although the State of New York passed a law legalizing the use of recreational marijuana in New York for those age 21 and older, the use and possession of marijuana on SUNY Downstate's campuses remains prohibited under federal law. State University of New York campuses are bound by the federal requirements under the Drug-Free Schools and Communities Act. Under this requirement, the use, possession, cultivation, and sale of marijuana remains prohibited on all SUNY campuses and subject to disciplinary action. This prohibition covers all SUNY property in public as well as campus residence halls, University apartments, and offices, University-owned and leased buildings, housing, parking lots, and all SUNY events.

Although SUNY Downstate's drug testing program no longer tests for the presence of marijuana, students may be required to take a drug test at a clinical site or facility that does, especially if they visit a clinical site in another state that has not legalized marijuana. Regardless of where the student takes the test or the reason for the test, if a student takes a drug test that does include a test for marijuana and has a positive result, the policy described below still applies, even if the recreational use of marijuana was otherwise legal. The student will not be able to participate in clinical activities, even at a site that doesn't test for marijuana, until the student no longer tests positive.

In addition to policies and procedures identified in the appendices of this Handbook, the following policies will also be instituted when a College of Nursing student has a positive drug test:

1. The student will be notified by either the Office of Student Affairs (or designee) or the Dean of the College of Nursing (or designee) that a positive drug test report has been received. The student will be informed that they must take another drug test through CastleBranch.com, at the student's expense.
2. The student will be immediately suspended from participation in academic/clinical program until clearance (fitness for duty) has been obtained.
3. If the second drug test is negative, then the student will be reinstated and warned that any subsequent positive drug tests will lead to possible disciplinary action.
4. If the second drug test is positive or if the student declines to take a second drug test, then the student will be continued on suspension.

DRESS CODE ENTRY-LEVEL (UNDERGRADUATE}

A uniform dress code is designed to facilitate identification of student nurses and for professionalism, functionality, practicality, hygiene, and safety.

1. Students are required to follow all clinical site policies.
2. A clean, pressed College of Nursing uniform is required during clinical, lab and simulation experiences.
3. A white knee length skirt or full-length pants for women and white full-length pants for men.
4. A blue College of Nursing scrub top with a College of Nursing emblem sewn on the upper left sleeve of the top.
5. A white, College of Nursing lab coat may be worn over the scrub top. A white t-shirt can be worn under the scrub top. No colored sweaters, jackets, or sweatshirts are permitted.
6. Clean, white closed shoes with either white socks or neutral colored hose.
7. Identification badges are to be work above the waist at all times.

8. A watch with a second hand.
9. No perfume or aftershave/cologne.
10. Nails must be kept short, clean and with no acrylic, tips, wraps, or other nail enhancements. Nail polish of a neutral color may be worn, but must not be chipped.
11. Identification badges are to be worn above the waist at all times.
12. Hair should be pulled *off* the collar and secured.
13. Necklaces and dangling earrings are discouraged for safety reasons. Visible body piercing hardware and long false eye lash-es are not allowed.

DRESS CODE ADVANCED-LEVEL (GRADUATE STUDENTS}

A uniform dress code is designed to facilitate identification of student nurses and for professionalism, functionality, practicality, hygiene, and safety.

1. Students are required to follow all agency policies.
2. Professional attire and a white lab coat with pockets are required. A Downstate College of Nursing emblem is to be sewn on the left upper arm of the white lab coat.
3. Identification badges are to be work above the waist at all times.
4. Jeans, mini -skirts, tight pants, shorts, sweat suits, crop tops, coveralls, and open toe shoes, as well as other inappropriate attire are not to be worn in the clinical area at any time.
5. No perfume or aftershave/cologne.
6. Nails must be kept short, clean and with no acrylic, tips, wraps, or other nail enhancements. Nail polish of a neutral color may be worn but must not be chipped.
7. Hair should be pulled off the collar and secured.
8. Necklaces and dangling earrings are discouraged for safety reasons. Visible body piercing hardware and long false eye lashes are not allowed.

INCIDENTS DURING CLINICAL

If an incident (e.g. medication error, injury, illness) occurs during clinical, involving a student or clinical faculty, and/or patient, after addressing the incident, please adhere to the agency policy regarding reporting and follow up. Clinical faculty are expected to notify the didactic course faculty as well as the Program Director before the end of the day, but no longer than 24 hours. Within 48 hours of the incident, the clinical faculty will submit a Clinical Incident Form to the Program Director and the Clinical Affiliations Coordinator. If either a student or faculty member becomes ill during clinical, please follow the agency's rules regarding seeking medical care (emergency room, employee health at the clinical site).

SIMULATION POLICIES AND PROCEDURES

The CON Simulation Lab is a safe, learner-centered, active learning space. The CON is deeply committed to providing quality simulation learning opportunities to develop and improve procedural skills and core competencies for efficient and effective nursing practices.

Confidentiality Procedures: Students are expected to maintain confidentiality about the progression of clinical scenarios and performance of their peers. In so doing, the integrity of the simulation learning opportunities is maintained for all while each learner's privacy is maintained and respected.

1. Safety Procedures: Physical and psychological safety measures for simulation learning opportunities are reviewed as is the simulation environment and its equipment.
2. Dress Code/Late/Unprepared/Absence Procedures: Students are expected to be dressed according to specific track requirements. Equipment used to perform patient assessments such as stethoscope, watch with second hand, penlight, and pen must be brought to simulation lab.
3. Students are expected to arrive at least 15 minutes before scheduled simulation start time. In so doing, the simulation learning activity will begin on time without interruptions to the progression of the clinical scenario and disruptions to others' learning. Students will not be admitted into the simulation lab after the scheduled start time. Late-to-simulation students will be required to contact their course faculty and Program Director to arrange make-up date.
4. Preparation for Simulation: Students are expected to complete all pre-simulation learning activities. In so doing, the session learning goals and objectives as well as roles in the clinical scenario are integrated into the learning process. This preparation helps Students assimilate clinical information and action utilizing critical thinking during their assigned simulation session.
5. Students are expected to notify their course faculty and Program Director of any absence from scheduled simulation sessions, in accordance with absence policies.

CLINICAL ABSENCES

Please see section on Attendance at Clinical. SECTION IV: ACADEMIC PROGRESSION

All degree requirements must be completed within five years of the date a student first matriculated. Time elapsed during a formal leave of absence is counted toward the five-year limit.

Definition of Terms

1. *Academic progression:* The advancement of a student through the curriculum according to their program of study.
2. *Good academic standing:* Student advancement in their program of study, as planned.
3. *Deceleration:* Modification of program of study due to Academic Jeopardy or other issue impacting student progression in their planned program of study.
4. *Academic Actions:* Actions/statuses applied when a student fails to meet standards for academic progression. These include Academic Probation, Academic Warning and Academic Jeopardy.

Academic Warning

Academic warnings are notification to students who may have failed an exam, an assignment, or have not completed required coursework.

1. Academic Success Plans will be developed academic advisors. Academic Success Plans may include:

    a. the reason for the academic warning,

    b. student statement of contributing factors,

    c. student comments and faculty observations/advisement,

    d. strategies to improve academic performance, including referrals to campus-level services, and

    e. follow up dates with course faculty/academic advisor.

2. If the student fails to communicate or progress, the matter will be referred to Ed Policy and Progression Committee for next steps.

Academic Jeopardy

Academic jeopardy applies to a student who has failed a clinical or didactic course and requires deceleration.

Academic Probation

GPA requirements Entry-Level (Undergraduate)

1. Students are required to maintain cumulative GPA of "C+" or better (2.5) or they are placed on academic probation. Students on probation may register for a maximum of 7 credits, including clinical courses. This policy may be waived upon written re-quest with rationale from the student to the Program Director and Program Chair.
2. Following placement on academic probation, a cumulative GPA of 2.5 must be achieved within two consecutive semesters in order to be removed from academic probation. A student who fails to achieve a cumulative GPA of 2.5 within two consecutive semesters or fail two courses in one semester will be dismissed from the College of Nursing.

GPA requirements Advanced-Level (Graduate)

1. Students are required to maintain cumulative GPA of "B" or better (3.0) or they are placed on academic probation. Students on probation may register for a maximum of 7 credits, including clinical courses. This policy may be waived upon written re-quest with rationale from the student to the Program Director and Program Chair.
2. Following placement on academic probation, a cumulative GPA of 3.0 must be achieved within two consecutive semesters in order to be removed from academic probation. A student who fails to achieve a cumulative GPA of 3.0 within two consecutive semesters or fail two courses in one semester will be dismissed from the College of Nursing.
3. **Withdrawal from Program**

Administrative Withdrawal

1. If a student does not register for any semester, and no request for a Leave of Absence has been made and/or granted, the student is deemed to be "out of status."
2. Students who wish to return after one semester "out of status" must file for a retroactive leave of absence.
3. Students who are "out of status" from the degree program for more than one semester will be administratively with-drawn after two semesters.

Voluntary Withdrawal

To voluntarily withdraw from a CON program of study, the student must:

1. Meet with the Program Director and complete the Change of Status form.
2. Meet with the Program Director/Academic Advisor to facilitate the withdrawal process. Students must return borrowed material to the library, obtain bursar clearance, financial aid clearance, if applicable, and residence hall clearance.
3. Any student with outstanding encumbrances will not receive, or have sent on their behalf, transcripts of academic work, and may be denied readmission.
4. The student must continue with their course work (except in an emergency situation) until the withdrawal has been approved.
5. The student will receive a letter from the Office of Student Affairs confirming the effective date of the withdrawal.

Dismissal from Program

Failure to meet requirements, whether through unsatisfactory academic or clinical performance, student unavailability for learning experiences, or inappropriate or unprofessional behavior, may result in academic dismissal from the College of Nursing.

1. Students will be dismissed from the College of Nursing if they fail any two courses or the same course twice.
2. Students may not receive more than 3 withdrawal falling (WF) grades. However, only two WF grades are permitted in a single course. Students are dismissed from the program when the WF limitation has been exceeded.
3. An entry-level student who fails to achieve a cumulative GPA of 2.5 within two consecutive semesters or fails two courses in one semester will be dismissed from the College of Nursing.
4. Advance Level Students who fail to achieve a cumulative GPA of 3.0 within two consecutive semesters or fails two courses in one semester will be dismissed from the College of Nursing.
5. Students are notified in writing of dismissal from a program at the College of Nursing by the Chair of Educational Policy and Progression Committee.
6. Students who has been dismissed from the program may submit a new application for readmission. To be considered, the student must submit a written request for evaluation of previous courses taken at the College of Nursing.

Student Appeal of Dismissal from a Program of Study

Students who wish to appeal the dismissal from a program of study must do so in writing (via email), to the Associate Dean with supporting documentation.

1. An ad hoc committee consisting of three (3) faculty members, one (1) of whom can be selected by the student, will be formed by the Executive Vice Dean to review the appeal.
2. A meeting will be called, within five business days, to review the student's written statement and any additional documentation provided.
3. The student will have an opportunity to meet with the ad hoc committee and provide a statement. The Program Director and/or Associate Dean may also be asked to appear before the ad hoc committee to discuss the Program's rationale and/or response to the appeal.
4. After completion of the meeting, the ad hoc committee will make a recommendation that the dismissal either be up held, modified, or over-turned.
5. This recommendation is submitted to the Dean of the College of Nursing. The Dean may either endorse the recommendation of the ad hoc committee or make an independent determination. In either event, the Dean's decision is final.
6. The Dean will notify the student, in writing (via email), of the final decision.

SECTION V: GRADUATION REQUIREMENTS

Students must meet all college and degree requirements as established in the catalog and other university, college or program publications to graduate. Where applicable, students must also meet specific academic requirements as specified by the track and degree program.

All degree requirements must be completed within five years of the date a student is first matriculated. Time elapsed during formal leave of absence is counted toward the five-year limit.

Candidates for graduation must complete all of the following by the day of graduation:

- Complete all academic requirements for admission to the respective degree.
- Complete the program of study for the degree, including satisfactory completion of all required courses (including resolving all "I" or "IP" grades by no later than the official date of graduation).
- Meet all attendance, course, credit and other stated requirements of the track, degree and college.
- Have a minimum cumulative grade point average of 2.5 for the B.S. degree; 3.0 for the M.S. and DNP degrees and Advanced Certificates.
- Satisfy clinical course requirements.
- Satisfy all financial obligations due to SUNY Downstate.

- Complete a mandatory financial aid exit interview if the student has received financial aid at SUNY Downstate.
- Have no disciplinary charges in progress or pending.
- The student has the responsibility to register for and satisfactorily complete all required course work. It is strongly recommended that each student make an appointment with their Academic Advisor and a staff member in the Office of the Registrar prior to their last semester, to review their program of study and verify that all degree requirements will be met.

MAINTENANCE OF MATRICULATION

In order to graduate at the end of any given semester, a student must be registered for that semester. A student may satisfy this requirement either by (a) being registered for coursework until graduation; or (b) registering for Maintenance of Matriculation to maintain matriculation. Students must receive permission from the Program Director to register for Maintenance of Matriculation. Maintenance of Matriculation is a 0.00 credit course (INDI 4000). This course assists students to remove a grade of "I" while not enrolled in other courses. The only grade for the "course" will be a Z, which carries no value toward the GPA. Students may not register for Maintenance of Matriculation while they are completing clinical course hours. Students who need to take a semester off because there are no courses available for them to take or because they have personal, financial, or medical reasons to not be enrolled in course work must apply for an appropriate Leave of Absence.

ISSUANCE OF DIPLOMAS

Students may be approved for degree/certificate completion and the awarding of a diploma/certificate three times each year. A student's degree/certificate conferral date is the next official graduation date after the degree/certificate requirements are completed. The three official graduation dates are May 31 (Spring); August 31 (Summer); and December 31 (Fall). The student's official transcript records the actual date upon which degree requirements are completed.

COMMENCEMENT CEREMONY PARTICIPATION

Students are eligible to participate in the Commencement ceremony if they have fulfilled the degree requirements, or will fulfill the degree requirements within one semester after the date of Commencement. The Office of the Registrar confirms eligibility for graduation and participation in Commencement.

DEAN's LIST

Matriculated full-time students who achieve a GPA of 3.5 or higher are considered on the "Dean's List."

GRADUATION HONORS

The following honors are granted at graduation:

- *Cum laude,* for a cumulative GPA of 3.50
- *Magna cum laude,* for a cumulative GPA of 3.75
- *Summa cum laude,* for a cumulative GPA of 3.90

To graduate with honors the student must meet the following criteria:

- GPA or above.
- No "C" grades.
- No record of disciplinary action or lack of professionalism while in the degree program.

ADDITIONAL INFORMATION

DHSU Policies and Procedures apply to all College of Nursing students. Refer to the Appendices in the DHSU Student Handbook.

COLLEGE OF NURSING CONTACTS

Dean

Dr. Lori Escallier (718} 270-7632

Executive Vice Dean

Dr. Marie-Claire Roberts (718) 270-7653

Associate Dean, Entry Level Programs and
Program Director, Accelerated Baccalaureate Program and RN BS Track

Dr. Jean McHugh (718} 270-7623

Associate Dean, Advanced Level Programs and Program Director, Family Nurse Practitioner Program
Dr. Jeanine O'Hagan-Murphy (718} 270-7657

Program Director, Women's Health Nurse Practitioner Program
Dr. Amani Hambric (718) 270-7688

Program Director, Nursing Education Track
Dr. Kathleen Bratby (718} 270 – 7605

Program Director, DNP Program
Dr. Nataliya Shaforost (718} 270- *7622*