

Montefiore | School of Nursing

STUDENT HANDBOOK

2020 -2021

*Montefiore School of Nursing
53 Valentine Street
Mount Vernon, New York 10550
(914) 361-6221
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Please see Student Catalog for Academic Policies

Appendixes:

A = End of Program Student Learning Outcomes

B = Grading Criteria for Clinical Evaluations

C = Patient Information Confidentiality
Agreement for All Users

D = COVID-19 Addendum to Student Handbook

Montefiore | School of Nursing

ACADEMIC CALENDAR

2020 - 2021

Fall 2020 Semester

Montefiore School of Nursing	
August 15, 2020	Clinical Starts for Evening Students
August 17, 2020	Classes Begin Day Students
Sept. 5 - Sept. 7, 2020	No Classes/Clinicals – Labor Day
October 5, 2020	Mid-Term Grade Notification
November 9, 2020	Last Day to Withdraw with a “W”
November 20, 2020	Fall Semester Ends
November 23, 2020	Final Exam Week Begins
TBD	Pinning Ceremony

Spring 2021 Semester

Montefiore School of Nursing	
January 16, 2021	Clinical Starts for Evening Students
January 18, 2021	No Classes/Clinicals – Martin Luther King Day
January 19, 2021	Classes Begin for Day Students
February 15, 2021	No Classes/Clinicals – President’s Day
March 8, 2021	Mid-Term Grade Notification
March 16–March 21, 2020	No Classes/Clinicals – Spring Break
March 29, 2021	Last Day to Withdraw with a “W”
May 8, 2021	Spring Semester Ends
May 10, 2021	Final Exam Week Begins
May 17, 2021	Pinning Ceremony
May 18, 2021	Commencement Ceremony

FACULTY & STAFF ROSTER

STUDENT SERVICES

POSITION	NAME	ROOM	NUMBER
Coordinator of Student Services	Chanelle Hyde	1 st Floor	(914) 361-6472
Financial Aid Administrator	Martine Dorelian	4 th Floor - 408	6081
Bursar	Ronald Rosario	4 th Floor – 403	7038
Student Services Assistant	Charnea Walker	1 st Floor	6537

ACADEMIC AFFAIRS

POSITION	NAME	ROOM	NUMBER
Dean	Rebecca Greer	410	(914) 361-6220
Assistant Dean/Faculty	Paulette Thompson	409	6315
Faculty	Patricia Coyne	415	6305
Faculty	Benita Jones	405	6306
Faculty	Joan Gibson-Parkes	406	6308
Faculty	Ed Park	404	6304
Academic Affairs Assistant	Liz Chimento	401	6311

TITLE IX COORDINATOR

POSITION	NAME	ROOM	NUMBER	EMAIL
Title IX Coordinator	Susan Cohen	MNRH Human Resources Department	914-365-4300	susacohe@montefiore.org

If Ms. Cohen is needed after hours, please notify Campus Security at 914-361-6009 or 914-361-6314.

GENERAL INFORMATION

When students acknowledge receipt of acceptance and enter the Montefiore School of Nursing, they enter into a contractual arrangement with the school. The School Catalog and the Student Handbook are meant to provide direction for faculty and students as to rights and responsibilities toward one another. Here is specific information to give further clarification on those rights and responsibilities.

Student responsibilities include:

- Adhering to the Code of Conduct and policies published in the Catalog and Handbook
- Communicating to Montefiore School of Nursing regarding issues that affect ability to comply with responsibilities as a student
- Following the chain of command to resolve concerns starting with faculty and moving to Assistant Dean, and finally, the Dean if concerns are not resolved
- Following the Grievance Procedure as outlined in the Catalog and Handbook
- Checking your montefiore.org email and Moodlerooms daily for course information and resource materials updates, understanding the instructor may update materials within 2 hours prior to class
- Purchasing textbooks and course resources listed in the course syllabus
- Reading assigned materials prior to class and lab
- Submitting assigned course work by the deadline
- Bringing laptop, with minimum system requirements, to class on exam dates
- Study time outside of class for nursing courses at least 14 to 21 hours per week
- Arrival on time for class, clinical rotations, and laboratory experiences
- Reliable transportation

ADMINISTRATIVE HOURS

Academic offices are located on the 4th floor of the school and are generally open from 8:30 am to 5:00 pm. You may reach an Administrative Assistant at (914) 361- 6311 or 6537. The Student Services Office is generally open on Mondays, Tuesdays, and Wednesdays from 8:30 am-7:30 pm, Thursdays from 8:30 am - 5:00 pm, and Fridays from 8:30 am - 4:00 pm. If you need to speak to the Dean or Asst. Dean, it is best to make an appointment to assure availability. Summer hours vary. You may contact the Financial Aid Administrator at 914-361-6081.

ACCESS

Only students registered for classes at Montefiore School of Nursing are allowed to be on the premises; no guests or children. During the school semester rooms are generally available for study on the 5th floor Monday through Thursday from 8:30 am - 11:30 pm, Friday 8:30 am - 4:00 pm, and Sunday 10:00 am - 6:00 pm. Students **MUST** exit the building by 11:30 pm, when stated. Failure to comply may result in suspension or termination. The Montefiore School of Nursing assumes **no** responsibility for individuals on premise without authorization. No students are allowed in the SON on the following observed holidays: New Year's Day, Martin Luther King Jr. Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Fall Break, Spring

Break, and between the last final exam of the semester and the start date of classes for the upcoming semester.

CANCELLATION OF CLASSES

Cancellation of Montefiore School of Nursing classes and clinical experiences due to extraordinary weather conditions will be determined by the Dean/Assistant Dean. If classes are in session and the student is not able to attend class, the attendance policy remains in effect. The student will be responsible to make-up all missed clinical and lab hours. Make your decision based on your safety. Students will be notified via our mass notification system. Announcements are posted on Moodle.

Cancellation of **Westchester Community College classes** will be announced by Westchester Community College.

The decision whether to attend if classes are in session during inclement weather rests solely with the student.

CODE OF ETHICS

The school adopts the ethical principles/provisions of the American Nurses' Association. Students are expected to adhere to the principles in practice and conduct.

- 1) The nurse practices with compassion and respect for the inherent dignity, worth, and unique attributes of every person.
- 2) The nurse's primary commitment is to the patient, whether an individual, family, group, community or population.
- 3) The nurse promotes, advocates for, and protects the rights, health, and safety of the patient.
- 4) The nurse has authority, accountability, and responsibility for nursing practice; makes decisions; and takes action consistent with the obligation to promote health and to provide optimal care.
- 5) The nurse owes the same duties to self as to others, including the responsibility to promote health and safety, preserve wholeness of character and integrity, maintain competence, and continue personal and professional growth.
- 6) The nurse, through individual and collective effort, established, maintains, and improves the ethical environment of the work setting and conditions of employment that are conducive to safe, quality health care.
- 7) The nurse, in all roles and settings, advances the profession through research and scholarly inquiry, professional standards development, and the generation of both nursing and health policy.
- 8) The nurse collaborates with other health professionals and the public to protect human rights, promote health diplomacy, and reduce health disparities.
- 9) The profession of nursing, collectively through its professional organizations, must articulate nursing values, maintain the integrity of the profession, and integrate principles of social justice into nursing and health policy.

CREDIT CARDS

The Montefiore School of Nursing **prohibits** the advertising, marketing, or merchandising of credit cards on college campus to students.

ACADEMIC ADVISEMENT

Students are advised by their nursing course instructor. The advisor is someone the student can go to when the need arises and who will assist in planning the program of study, clarify areas of concern, and give guidance on academic issues. Students should meet with their advisors at least once a semester. Students are provided with their academic advisor's name, contact number, etc. in the beginning of each semester. Students should contact the Registrar regarding registration for general education courses.

ACADEMIC CODE OF CONDUCT

Students are expected to conduct themselves with honesty. Behavior that indicates suspicion of, or attempt to, cheat on tests or plagiarize assignments, alter a grade or any other unethical behavior in class or clinical will be grounds for disciplinary action including dismissal.

ACADEMIC HONESTY

As a condition of enrollment, students are expected to adhere to a policy of integrity, which involves not giving or receiving aid on examinations, and if a witness to such a violation, shall notify the instructor involved in the course. A break in exam integrity may result in invalidation of all grades. Any student participating in an activity resulting in a break in exam integrity is subject to immediate dismissal from Montefiore School of Nursing.

ACADEMIC INTEGRITY

Students are expected to conduct themselves with honesty and integrity in the classroom, lab, and clinical settings. Behavior that indicates suspicion of violating academic integrity such as **cheating, altering grades, unethical behavior, plagiarism, and copyright infringement** is grounds for immediate dismissal.

Students may not give or receive aid on examinations, and if a witness to such a violation shall notify the instructor involved in the course. A break in exam integrity may result in invalidation of all grades. Any student participating in an activity resulting in a break in exam integrity is subject to immediate dismissal from Montefiore School of Nursing.

Plagiarism is considered academic dishonesty and will be grounds for dismissal. Plagiarism is using the work, ideas, and/or opinions of another person as if it were your own. Examples of plagiarism may include: quoting and/or using someone's work and copying and pasting information from online resources without proper citation and without acknowledgment.

Copyright infringement is reproducing, displaying, and/or distributing another person's work without the person's written permission.

ACADEMIC SUPPORT

Prior to admission to the program, the Kaplan Admissions Test (KAT) is administered to help determine specific needs of students so that early intervention can occur to maximize success.

The student may bring a copy of the test results to their advisor, who will assist the student in identifying their learning needs.

Instructors provide remediation for test-taking strategies, note taking, study skills, and assistance with clinical skills and understanding of theoretical content. Students are automatically referred for assistance by the faculty if identified as being in jeopardy at the midpoint. The student will receive notification of the referral and it is the student's responsibility to make an appointment for remediation. Students may independently seek this assistance and are encouraged to do so at the first indication of problems.

Standardized testing will be utilized throughout the program. Your semester fee will cover all testing costs and specific remediation diagnosed upon your individual test results will be provided. In addition, in the senior semester you will have a diagnostic exam that will help you to prepare for NCLEX RN.

Access: http://nursing.kaplan.com/S_login.aspx

Montefiore School of Nursing students enrolled at Westchester Community College for general education courses will have access to all Westchester Community College programs and activities including but not limited to support services such as tutoring, learning centers, and libraries at any Westchester Community College campus or online.

HEALTH RECORDS

The student's health record is maintained in the Occupational Health Office. The Occupational Health Office (OHS) may release a copy of the Immunization and Titer Report required for clinical rotation clearance. Upon request of the clinical agency where the student is doing his/her clinical rotation, OHS may release the student's health record. Students are required to keep copies of all documents.

HEALTH SERVICES

The primary concern of the school is the health and welfare of the students. It shows this concern by offering students an environment conducive to health and safety, and an integration of health information throughout the curriculum.

The primary responsibility for health lies with the individual. While enrolled, students should retain their personal primary care providers and health insurance. The school and the hospital cooperatively provide assistance in meeting problems of episodic illness or injury while students are on the premises. When the Occupational Health Office is not open, or when emergency care is needed, students are to report to the Emergency Department. Use of ED cost is the responsibility of the student.

The Occupational Health Office:

- Provides health counseling and referrals as necessary;
- Provides emergency care for accidents or sudden illness occurring on the premises;

Student responsibilities:

- Provide the school and hospital with information and documentation for the cumulative health record if under the care of a primary care provider for any serious problem that has necessitated significant absence;
- Submit authorization from the healthcare provider to return to class/clinical, without restrictions, after serious or prolonged illness requiring medical care, and submit a clearance form to the instructor;
- Submit authorization from the healthcare provider to return to class and clinical settings, without restrictions, following childbirth;
- Assume responsibility for own health and that of unborn child, as appropriate
- Report accidents or injuries in the hospital or school immediately on the correct form the day the accident occurred;
- Submit the necessary pre-entrance health assessment and initial drug screen;
- Meet the ongoing requirements for a yearly health assessment upgrade and immunizations.

Clinical agencies request proof that the student is free of illegal substances and will deny clinical experience to any student testing positive. Students must have a blood sample screened for the presence of illegal substances; this will be required with the health assessment needed for health clearance and will be the student's financial responsibility. Student Services will provide details to direct the student in obtaining the drug screen.

LICENSURE

In order to be legally employed as a graduate of a program leading to RN licensure in New York State, a permit to practice is required during the interim between graduation and the issuance of a license.

The Registrar will submit the names of students who successfully complete the nursing program to the New York State Education Department. Graduates are eligible to take the NCLEX-RN following graduation from MSON.

The graduate applies for licensure with the Board of Nursing in the state in which he/she desires to practice. In New York the graduate applies to the New York State Education Department and pays the fee of \$143.00. The graduate must also register with Pearson Vue to take the exam and pay the \$200.00 exam fee.

Once the student's name has been submitted by the Registrar, the student has submitted their application to the New York State Education Department, and the student has also registered with Pearson Vue, the student will receive an Acknowledgement of Receipt of Registration and Authorization to Test (ATT) from Pearson Vue. The student may then schedule their testing date for NCLEX-RN with Pearson Vue. Graduates who successfully complete the program are also eligible to take NCLEX-PN, if they wish.

A record of a felony conviction may disallow licensure. Students are cautioned that graduation from the school does not assure licensure. The Office of Professional Discipline (OPD) will review each felony conviction on the grounds of remorse, retribution, and rehabilitation. The

decision to grant licensure lies with the OPD and occurs after candidate passes NCLEX-RN. (Refer to Felony Conviction policy in the School Catalog).

LIMITED PERMIT

NYSED issues limited permits to nursing school graduates who have:

1. applied to NYSED for a licensure as an RN and limited permit; and
2. have met all requirements for licensure as an RN in New York State except for taking the National Council License Examination for Registered Nurses (NCLEX-RN).

A limited permit holder (called a "Graduate Nurse" or "GN") can temporarily practice nursing under RN supervision at the health care facility noted on the limited permit. The GN must be employed by the health care facility and the supervising RN must be on the care unit with the GN when the GN provides care.

A limited permit is valid for up to 1 year or until 10 days after the GN is notified that they failed the NCLEX-RN, whichever happens first. A GN who fails the NCLEX-RN must cease practicing nursing when the limited permit expires. A GN who changes employers will have to obtain a new limited permit from NYSED to practice nursing for the new employer.

New Graduate Practice

If you graduated from a nursing education program registered by NYSED as licensure qualifying for RN and you applied for licensure and a limited permit for RN, **you may be legally allowed to practice nursing for 90 days immediately following graduation.** To find out if you graduated from a qualifying New York nursing school, visit [here](#). During the 90 day period, you must practice nursing as a GN while employed at the health care facility identified on your limited permit application and you must be personally supervised by an RN. The supervising RN must be on the patient care unit with you while you practice nursing.

If you have ever taken the NCLEX-RN, you are not eligible for a limited permit.

STUDENTS' BILL OF RIGHTS

The Bill of Rights and Responsibilities for Students of Nursing can be found in the Code of Ethics on pages 14 – 16 at the National Student Nurses Association website <https://www.dropbox.com/s/a229ong58d5jx4p/Code%20of%20Ethics.pdf?dl=0>

VOICE MAIL

All employees of the school have Voice Mail. Messages should be left at each person's extension. Please do not leave messages with Academic Affairs Assistant unless it is an emergency. Refer to roster listing extensions and room numbers. If voice mail messages are not returned by the next work day, notify the Academic Affairs Assistant and send an email to the person who you are trying to contact.

FACILITIES

AUDITORIUM

Belsky Auditorium is located on the main floor of the school and is accessed through the doors near the elevator. Special events and general assemblies are held there. Students may schedule school related activities in the auditorium by requests to Dean's office.

CLASSROOMS

Most classes are conducted in classrooms located on the first or third floor of the school. Refer to course syllabus regarding classroom eating policy.

EATING FACILITIES

The cafeteria is on the 2nd floor of the school. Hours are Monday-Saturday, 6:00 am - 3:00 pm. Vending machines are available in the cafeteria. A microwave is also provided for your use in the cafeteria.

STUDENT LOUNGE

The student lounge is located on the 5th floor. There is a microwave, coffee maker, and refrigerator. All food, condiments, plastic containers, etc., left in the refrigerator will be discarded if left for several days. All users must leave the room clean & neat. Alcoholic beverages are not permitted on school or hospital premises.

FACULTY HOURS

Faculty offices are located on the fourth floor of the school. Four office hours a week are posted for each faculty member. Students are encouraged to email faculty for appointments.

NURSING SKILLS LABORATORY

Students practice skills under the guidance of an instructor as part of their course work. In addition, students may be sent to the lab by a clinical instructor to practice a specific skill. The skills lab is available for student practice during open lab and by appointment for instruction. Please see posted hours. Your instructor and faculty advisor are also available to assist you during their posted office hours. Fundamentals lab is on 1st floor, Med-Surg I & II lab on 3rd floor, and Maternal Child Health lab on 3rd floor.

PARKING IN MOUNT VERNON

There is limited street parking in the area and this should be taken into consideration when attending class or clinical. Alternate side of the street parking and meter expirations are **STRICTLY ENFORCED**. Parking meters in Mt. Vernon are in effect until 8:00 pm. **Suspended alternate side of the street parking for NYC does not include Mount Vernon.** Tickets are ½ price if paid by the next day. During inclement weather, call the Department of

Public Works at (914) 665-2382 for information on suspension of alternate side of the street parking regulations.

Students can park in the lot across the street from the main entrance of the Montefiore Mt. Vernon Hospital. The parking fee is \$8.00 per day or students may opt to pay the discounted rate of \$25.00 per month/\$125.00 per semester (August-December & January-May). Contact Quik Park directly to apply at 914-668-6095 between the hours of 8:00 am - 4:00 pm - Monday through Friday. Parking is also available in the municipal parking lot located 2 blocks from the school on Stevens Avenue (Between North Fifth & Wilson Avenues). 12 hour meters are available (25 cents for 15 minutes).

Clinical site parking is the responsibility of the student, information will be provided to class.

RESTROOMS

Restrooms for men and women are located on the first, second, third, and fifth floors of the school.

STUDY AREAS

The study areas are available for student use during the semester on the following days/times: Monday through Thursday - 8:30 am - 11:30 pm; Friday between 8:30 am - 4:00 pm; Sunday between 10:00 am - 6:00 pm. Study areas include the study rooms (5th floors); or the library (quiet area) (3rd floor). Do not use the library for group study. **PLEASE RESPECT THE RIGHTS OF OTHERS AND MAINTAIN CLEANLINESS OF THESE AREAS OR THE PRIVILEGE TO USE THESE AREAS WILL BE RESCINDED. CHILDREN ARE NOT ALLOWED IN STUDY AREAS. FOOD OR DRINK RESTRICTED IN COMPUTER ROOMS.** Students must maintain cleanliness of the area.

During the school semester, students may not enter the building before 6:00 am and must leave the building by 11:30 pm Monday - Thursday, 4:00 pm on Friday, and 6:00 pm on Sunday. Students are not allowed in the building when school is closed for the MSON observed holidays: New Year's Day, Martin Luther King Jr. Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Fall Break, Spring Break, and between the last final exam of the semester and the start date of classes for the upcoming semester.

Summer hours vary. Any student who violates this policy is subject to disciplinary measures including suspension and/or dismissal.

TELEPHONES

For emergencies dial 911. To notify campus security in the event of an emergency dial "2222" using the internal phones in the hallways and classrooms which are available on the first, third, fourth and fifth floors for **emergency notification** throughout MSON. These phones may also be used to activate an intercom system throughout the school.

TRANSPORTATION

MTA - NYC Subways, Buses, Trains

<https://new.mta.info>

For all MTA services, dial **511**, the NYS transit & traffic line

Westchester Bee-Line Buses

(914) 813-7777 or

<http://transportation.westchestergov.com/bee-line-bus>

Reliable Taxi - Mount Vernon

(914) 664-5678

18 North 3rd Avenue, Mt. Vernon, New York

SCHOOL SAFETY

Community Resources

Information regarding community resources and counseling sources are available in the Student Services Coordinator's Office on 1st floor or from your faculty advisor. An abridged list is published in your student handbook.

How to Report A Crime

All students have the right to notify campus security, local law enforcement, and/or state police of criminal incidents or emergencies. Campus security department can be reached by calling 914-361-6007 or 6314. In an emergency dial "2222." The Mount Vernon Police can be contacted directly by dialing 911 from any telephone.

Security will record, classify, and log all reports received. Individuals reporting incidents will be informed of their rights and given an opportunity to file a police report for insurance or criminal purposes. All reported incidents are reviewed on an ongoing basis to determine patterns and required corrective action. Third party reports will not be accepted by a police officer.

In the event of a major emergency or anything that poses a threat to students, employees, or others, students will be notified through the mass communication system and email via Moodle.

Montefiore Crime Statistic Information: The Advisory Committee on Campus Safety will provide a hard copy to the individual requesting campus crime statistics, as reported to the United States Department of Education, within 10 days of the request. Statistics Information related to crime statistics at the Montefiore School of Nursing can also be obtained from the Safety and Security Officer at the Montefiore Mount Vernon Hospital. See Student Catalog for specific details. The information can also be viewed at the United States Department of Education website: <http://ope.ed.gov/security>

CODES

Students are oriented to codes for each affiliation.

When a fire alarm sounds, it may be either a drill or the real thing. The paging system for the hospital is not heard in the school; therefore, all fire alarms should be considered the real thing unless otherwise notified.

When school is in session regardless of location, everyone must vacate when the first set of bells ring 5 times.

“IF IT RINGS 5 – GET OUT ALIVE”

Depending on location, the procedure to follow in case of fire or smoke in the school or hospital buildings is:

- remain as calm as possible;
- remove anyone in immediate danger;
- sound the fire alarm at once by pulling the handle all the way down and letting go;
- dial “2222” and give the exact location of fire or smoke;
- close all room and hallway windows and doors;
- do not use elevators;
- do not use telephones except to call the operator; and
- do not return to the building until you are instructed to do so.

Participate intelligently in periodic fire drills. In the event of a fire remember the word ‘RACE’.

“R”	“A”	“C”	“E”
RESCUE	ALARM	CONFINE	EXTINGUISH & EVACUATE

To properly use fire equipment:

- hold the unit upright
- aim at the fuel source
- use a sweeping motion, extending at least 6 inches on each side of the edge of flames
- maintain a proper distance to avoid being splashed by burning liquids
- keep the extinguisher flowing to prevent re-ignition

Fire only Exit doors should not be used except in the event of an emergency. Be advised that these doors are under surveillance and improper use will be reviewed for disciplinary action.

In event of emergency: To exit the SON from the Lobby without a swipe, push red exit button.

Students may be suspended or dismissed for failure to comply with evacuation protocol.

INCIDENT REPORTING

All incidents must be reported on the same day of the occurrence. The person witnessing or experiencing the incident is responsible for filing the report or documenting the incident. Please complete with instructor’s guidance.

All students suffering from injuries, including minor ones, must be directed to the **Employee Health Office/Emergency Dept.** The instructor or another classmate may accompany the student to the Health Office. The incident must be reported to CorVel. The student and instructor will notify CorVel and complete the incident report.

In case of a serious injury go directly to the **Emergency Dept. or call 911** for ambulance assistance and notify Hospital Security.

REGISTRATION FOR MASS NOTIFICATION SYSTEM

The school is required to have a mass notification system for emergencies. You are automatically registered for mass notification when you completed the student contact information form. You must keep the Student Services Office informed of any changes to your contact information.

REPORTING CRIMES AND EMERGENCIES

Students, faculty, and staff are encouraged to report all suspicious activities and/or persons observed on campus to Hospital Security.

Call 911 and Hospital Security (x-2222) immediately for emergency and criminal incidents. Calls should be made promptly to improve the ability of Hospital Security or Police to prevent potential crimes, to apprehend suspects, and/or to investigate situations. Upon receipt of a call, a Security Officer will respond immediately to the site of the emergency.

SAFETY OFFICER

Students alert faculty to concerns & questions about environmental safety issues. If you have any concerns or questions about environmental safety on or near the campus, contact the Safety Manager,

Ron Sverchek at Montefiore Medical Center (718) 920-7600.

SECURITY

It is of utmost importance that students adhere to the following policies:

- The Montefiore SON ID must always be worn when in the hospital or on the school campus;
- Use your badge to allow **ONLY** yourself into the school building – access is provided through electronic sensors mounted to the outside of the building and exit through sensors on the inside;
- **NEVER** prop the door open;
- During the school semester, students may not be on the premises prior to 6:00 am and are expected to vacate the premises by 11:30 pm Monday through Thursday, 4:00 pm on Friday, and 6:00 pm on Sundays. Students may not be on the premises on weekends or designated School of Nursing holidays. See Academic Calendar;
- Report any unusual person or incident to hospital security at x-2222, x-6007 or x-6314 or to the operator “O”;
- The hospital ID doubles as your college identification and must be worn when at Westchester Community College or affiliating agencies;

- Only the Main Entrances/Exits should be used to enter and exit the building. Fire or Emergency Exits should NOT be used as a means of exiting the building.

Orders of Protection

- Those who have orders of protection must meet with Security Department prior to next class session and follow their protocol, which may include providing a photograph of the individual(s). Faculty & Staff will be alerted as appropriate.

POLICIES

(PLEASE SEE STUDENT CATALOG FOR ACADEMIC POLICIES)

DIPLOMA

Graduates receive a diploma upon successful completion of courses on the Program of Study. A written request is required for a duplicate diploma and MSON charges a fee. A written request and a court order is required for a duplicate diploma with a name change.

FACULTY MAILBOXES

Materials are to be given to an administrative staff member for deposit in faculty mailboxes.

RECORDS

The school adheres to the regulations of the Family Rights and Privacy Act of 1974, which requires the right of access by students to educational records. Although information is not released without student consent, an exception to this occurs when an agency providing financial aid requests a report on student academic progress.

Students need to give three days' notice to review records. Records are not allowed out of the Dean's office.

The permanent record of the student contains:

- The academic transcript
- Transcripts from previously attended colleges and/or high school

REFERENCES

Students are encouraged to request instructor references as they know their clinical performance best. The student/graduate **MUST** sign a waiver or write a letter requesting the release of references to faculty. Processing may take 10 days. Submit waiver and request for references to the Academic Affairs Office.

TRANSCRIPTS

Students receive grade reports directly from the college they attend. Upon graduation, students receive one copy of their transcript. Official transcripts are only released to a school or employer

upon written request and authorization. A fee is charged. Official transcripts are not released if a graduate or former student has outstanding financial or other obligations to Montefiore School of Nursing, Montefiore New Rochelle Hospital, Westchester Community College or any college attended for courses that are part of the Program of Study.

DRESS CODE

Appropriate attire must be worn in class and labs. Shorts must be knee length or longer, no plunging necklines or bare abdomen are permitted in class or public areas of the hospital including the cafeteria. Undergarments are not to be visible. No tank tops, no low-rise jeans. Students must wear I.D. badges above the waist while on MSON/Montefiore Hospital's premises. Students must also maintain good personal hygiene. Clinical agency policy re: tattoos will be followed. MSON cannot guarantee clinical experience if the student cannot comply with such policies.

Clinical Attire: The Montefiore School of Nursing uniform is required in the clinical setting with the exception of Mental Health clinical. Hair should be neatly arranged away from the face and above the shoulders. Fingernails must be clean and free of polish or other decorations. Artificial nails are not permitted. The only jewelry permitted is a wedding band, wristwatch, and one pair of small plain stud earrings. Eyebrow, nose, and tongue rings, and bracelets are not permitted.

DOCUMENTATION

All hand-written documents must be legible. Written assignments are to be submitted typed, except for daily clinical paperwork.

IDENTIFICATION (ID) BADGE

The hospital identification badge is mandatory on school, hospital, or affiliated agency property. Students will be asked to leave the property if the required ID is not worn. This is in keeping with NYS Department of Health requirements and will count as a clinical absence if this occurs in the clinical setting and will count as an absence in the classroom or lab setting. Montefiore School of Nursing ID's must be submitted upon completion or termination of program.

SOCIAL NETWORKS

Faculty are not to be linked to enrolled students' social networks; nor are students to be invited to communicate with faculty social networks. Anyone involved in placing a posting on a social network that casts a negative light on the MSON program, administration, faculty or staff may be terminated from the nursing program.

BEHAVIOR/CODE OF CONDUCT

Students are expected to abide by governmental laws and school/hospital policies. Neither exclusively nor inclusively binding, the intent of these guidelines is to provide the student with information relevant to their actions.

Disruptive behavior regarding speech or action which is disrespectful, offensive, and/or threatening; interferes with the learning activities of other students; impedes the delivery of school services; and/or has a negative impact on the learning environment. Disruptive behavior includes physically, verbally or psychologically harassing, threatening, or acting abusively toward the Dean, faculty, staff member, another student or patients.

The behavior may stem from a conflict with the instructor, staff or another student, from the course itself, or personal problems that may be causing inappropriate behavior. For example, the student deliberately distracts other students from the task at hand, talks loudly out of turn during lecture, monopolizes the discussion, makes disrespectful comments (written or verbal) to the instructor or to another student, comes late and is disruptive settling in, hinders cooperation, harasses or intimidates an employee or another student.

The following actions are specifically **PROHIBITED** and will lead to disciplinary actions that may include warning, probation, restitution, suspension, expulsion, or dismissal. The following categories and specific situations of impermissible behavior are subject to disciplinary sanctions because they conflict with the fundamental purposes and specific interests of the school.

While these impermissible behaviors are stated as clearly as possible, it should be recognized that any determination as to whether a given act constitutes a violation of the school's special interests will necessarily involve the school applying some degree of judgment to the facts and circumstances as they are presented. Examples include:

- Any offensive or disorderly act which interferes with the rights of any member of the school community, including sexual harassment, bullying, physical threat.
- Obstruction of teaching, research, administration, and disciplinary procedures or any conduct which disrupts the holding of classes or any other normal functioning of the school.
- Willful or careless destruction, defacement, theft or tampering with school property or the property of others, or threatening the destruction of property.
- Removal of books, media, or other materials from the school facilities without following prescribed procedure.
- Willful falsification of information on school or hospital records or willfully providing false information for purposes of obtaining services or furnishing false information or academic credentials with the intent to deceive or mislead.
- Possession, use, or distribution of illegal drugs, chemicals, alcohol, or weapons.
- Giving false alarm of fire, tampering with fire alarm devices, failure to adhere to evacuation procedures or setting any fire.
- Aiding or abetting another person in the violation of a school regulation.

- Inappropriate/unsafe clinical behavior.
- Use of physical means or abusive language to resolve conflicts.
- Willful violation of established health, safety, and infection control procedures.
- Smoking in the school or hospital.
- Failure to comply with directions of school or hospital officials, including hours of operation.
- Being contemptuous or disorderly at any school hearing or meeting.
- Use of disruptive electronic devices such as beepers, cellular phones, etc., in class or clinical areas.
- Posting pictures on internet or social media containing school, facilities, exams, tests, quizzes, or logos.
- Taking photographs and or videotaping in school premises or clinical facilities.

Off-campus behavior must comply with applicable federal and state laws. Off-campus behavior shall not be subject to the school's disciplinary procedures unless such behavior indicates that the student represents a danger to the health or safety of members of the school community or the clients it serves.

BEHAVIORAL SANCTIONS

One or more of the following sanctions may be imposed by Assistant Dean/Dean – whenever a student is found to have violated any of the rules of the Code of Conduct.

- | | | |
|--------------------|---|--|
| Warning | - | Written or verbal notice to the student that continuation or repetition of specified conduct may be cause for further disciplinary action. If a student is found guilty of further violating this code, the student will usually be subject to more severe disciplinary action. |
| Probation | - | A written notice placing the student on disciplinary probation for a specified period of time. The terms of the probation will be decided in each case. If a student while on disciplinary probation, is found to have committed further violations of the code, the student will usually be subject to more severe disciplinary action. |
| Restitution | - | Reimbursement for damage to or misappropriation of property, which may take the form of direct financial compensation, of service, or other forms of indirect compensation. Any student who does not make restitution as required, will be deemed to have a financial obligation and |

will be subject to the provisions of the school's policy regarding delinquent financial accounts.

- Temporary Suspension** - In an emergency, the Dean, or Instructor, are authorized to alter or suspend the rights of a student to be present on campus or to attend classes for an interim period. An emergency will include such situations as when it is believed that the student poses a danger of inflicting bodily harm on self or others, or of inflicting serious emotional distress on others, or creating a substantial disruption of normal campus activities, including classroom instruction.
- Suspension** - Exclusion from classes and from other privileges or activities, or from the campus itself for a specified period.
- Expulsion** - Termination of student status for an indefinite period.
- Dismissal** - Termination of student from MSON. Student may not apply for readmissions if he or she were dismissed for violation of the code of conduct.

DISCRIMINATION

The school is committed to assuring equal opportunity to all persons and does not discriminate on the basis of race, color, gender, ancestry or national origin, religion, age, marital status, sexual orientation, or disability. Students who believe that they have been discriminated against are encouraged to contact the Dean in accordance with Title IX regulations.

DRUG AND ALCOHOL USE

Students, faculty, staff and visitors to the campus are prohibited from engaging in actions or situations which recklessly or intentionally endanger mental or physical health or involves the forced consumption of liquor or drugs for initiation into or affiliation with any organization. Persons engaging in such actions will be subject to disciplinary action which may include civil, criminal, and/or monetary penalties as well as suspension or dismissal from the Montefiore School of Nursing.

The possession, use, or distribution of illegal drugs and alcohol is strictly prohibited in the school or affiliating agencies. Students suspected of using substances will be referred to the Occupational Health Office or Emergency Department for intervention and follow-up. Non-compliance with a drug or alcohol rehab program, or obvious impairment, will lead to progressive disciplinary action.

SUBSTANCE ABUSE

Assumptions:

- Substance abuse compromises student learning and patient safety.
- Substance abusers often need help identifying their problem.
- Addiction is a treatable illness.

- Students with substance abuse problems should have an opportunity for treatment and re-entry into their program of study in a controlled environment.

Questionable Behaviors Indicative of Substance Abuse include:

Physiological

- slurred or rapid speech
- trembling hands
- persistent rhinorrhea
- altered pupil dilation
- somnolence
- flushed face
- red eyes
- odor of alcohol
- unsteady gait
- declining health

Behavioral

- irritability and mood swings
- isolation or avoidance of group work
- pattern of absenteeism and tardiness
- decreased clinical and academic productivity
- fluctuating clinical and academic performance
- change in dress or appearance
- inappropriate responses
- elaborate excuses for behavior
- decreased alertness/falling asleep in class
- dishonesty

The above criteria may be used in determining action.

Procedure

- student privacy and an opportunity to explain the behavior will be provided
- the faculty member may request an immediate urine drug/alcohol screen at the main campus hospital or an affiliating agency
- if substance abuse is suspected, the student will not be allowed to drive home and will be escorted to the Emergency Department
- the faculty member, student and Dean will meet to review the incident(s)
- the student will be referred to Occupational Health Services and/or the Employee Assistance Program for follow-up
- if the student follows the prescribed treatment, follow-up and monitoring, she/he may return to the program of study without academic consequences
- an appeal process is available through the grievance procedure

BEHAVIORAL GRIEVANCE POLICY

PURPOSE: In order to facilitate the protection of student rights and privileges, the following systematic procedure has been established. Any student having a non- academic grievance will follow this procedure.

DEFINITIONS OF GRIEVANCE TERMINOLOGY:

- **Academic:** Any issue that concerns the student's academic performance such as grades on a test or clinical component which result in or affect a grade will not be subject to this grievance procedure. Refer to the Grade Appeal Policy for guidance on academic grievances in the Student Catalog.
- **Non-Academic:** Any injustice or unfair treatment that a student feels has been incurred which is not related to his/her academic performance or evaluation.
- **Grievant:** The student filing a grievance under this procedure.
- **Respondent:** The person or institution defending against the grievance.
- **Grievance Committee:** The Grievance Committee is responsible for hearing and determining the validity of a grievance advanced to Step II and makes a determination. The Grievance Committee shall be composed of the Assistant Dean, two faculty members (one full-time faculty and one adjunct or part-time faculty), a student representative from the MSON Advisory Council, and the President of Student Council. If a member of the Committee is involved or has a conflict of interest, an alternate will be appointed by the Dean. The Assistant Dean (or Dean, if applicable) will chair the Grievance Committee.
- **Grievance Appeal Committee:** The Grievance Appeal Committee is responsible for reviewing a student appeal of the Grievance Committee's decision. The Grievance Appeal Committee shall consist of the Dean and the President of MSON.

GRIEVANCE PROCEDURE: The student who believes that he/she has a grievance will go through the following steps:

- **STEP I:** Within 5 days after the alleged incident, the student will confer with the person with whom they have a grievance (i.e., faculty member or advisor) stating the evidence and reason for questioning the incident. The faculty member or advisor will review the matter and discuss the reasons for the incident in question with the student.
- **STEP II:** If these discussions are not adequate to resolve the matter to the student's satisfaction, within 5 days he/she may then submit a written signed grievance stating: 1) the nature of the grievance, 2) the person(s) or policy to which it is directed, 3) documentation of the efforts made to resolve the issue(s), and 4) the reasons for the student's continuing dissatisfaction to the Assistant Dean. The Assistant Dean will then call upon the Grievance Committee to review the grievance and make a determination.

GRIEVANCE COMMITTEE PROCEDURE

1. Upon receipt of the Step II request, the Assistant Dean shall make reasonable efforts to convene the committee to meet within five (5) days of receipt of the Step II request or as

soon as is practicable. The Grievant shall be notified in writing of the date and time of the conference. Failure of the Grievant to appear at the conference shall result in the grievance being withdrawn and dismissed.

2. Participation in the conference is limited to the Grievance Committee members, the Grievant, the Respondent, one advisor for the Grievant, and one advisor for each Respondent. However, the advisor(s) must be another student, employee, or friend, and not legal counsel. Advisors are permitted to speak only to the person(s) they are advising and not actively participate as a spokesperson or vocal advocate.
3. The Assistant Dean shall convene and conduct the conference. The Grievant shall have the burden of establishing the validity of the grievance.
4. The Grievance Committee shall receive evidence through testimony and written documentation. Signed written statements may, when necessary, be submitted by individuals and witnesses if unable to attend. The Grievance Committee shall determine what evidence it deems relevant and is not limited to the standard legal rules of evidence.
5. The Grievant may make statements relevant to the grievance and/or present evidence.
6. Witnesses are called individually in the order designated by the Grievant and then in the order designated by the Respondent. The Grievance Committee may direct questions to the Grievant, Respondent and witnesses, and each party may reasonably direct questions to the other party and their witnesses.
7. Summary statements may be made by the parties.
8. The Grievance Committee will deliberate in closed session to reach a decision. The decision of the Grievance Committee will be by closed ballot. A majority vote is necessary to reach a decision. The Grievant will be notified in writing of the Grievance Committee's decision.

APPEAL PROCEDURE: For Code of Conduct Violations and non-academic grievances in which the student wishes to appeal a determination by the grievance committee, the student will follow the following steps:

- **STEP I:** Within 5 days of the determination, the student will submit a written appeal to the Dean stating circumstances surrounding the determination, the persons involved in the Code of Conduct Violation or other non-academic grievance, findings of the determination, and reasons for the appeal.
- **STEP II:** The Dean will call upon the Grievance Appeal Committee to review the appeal.

The written appeal must specify the grounds for the appeal. No additional substantive information may be submitted by any party. The Dean and Vice President/Executive Director of Montefiore New Rochelle Hospital will review the record of the proceedings and may consult with the Grievance Committee members for any needed clarification. The appeal decision will

be sent to the Grievant within five (5) days to ten (10) days of receipt of the appeal request. The decision of the Dean and President of MSON shall be final.

The New York State Education Department will assist in the resolution of student complaints about academic quality, refunds, and proper application of published Montefiore SON policies. The State Education Department (S.E.D.) will not take action until all grievance procedures at the School of Nursing have been followed. Additionally, S.E.D. will not intervene when the complaint concerns a grade or an examination request. **The New York State Education Department, Education Building, Albany, New York 12234.**

Complaints about discrimination against enrolled students on the part of the institution or faculty should be filed with the U.S. Office of Civil Rights at <http://www.state.gov/s/ocr/>

SMOKING

Montefiore School of Nursing is a smoke free campus. Smoking and vaping, without exception, are prohibited in any school or hospital building, or on hospital property. Violation of this policy may lead to dismissal.

STATUS CHANGE

It is imperative that students inform the school office in writing of any changes in name, address, telephone number and email address. Please provide us with any changes in the name and telephone number of the person to be notified in case of an emergency. Complete form in Student Services Office.

WEAPONS

The possession or use of lethal weapons on school or hospital premises is strictly prohibited. Students found in violation of this policy are subject to criminal prosecution and disciplinary action including immediate dismissal.

CLINICAL

ALLSCRIPTS TRAINING - EPIC TRAINING / PATIENT RECORDS ACCESS

Allscripts: All students will be trained at MSON to use the electronic medical record system. After you are trained, you will receive a user-id and temporary password to log onto Allscripts in clinical units. You must **remember and retain** your password to prevent the need to have it reset. MSON does not have access to your password. **DO NOT SHARE YOUR USER-ID OR YOUR PASSWORD.**

EPIC: Students attending a clinical rotation at a Bronx Campus will be granted EPIC access. Modules have been developed that must be viewed prior to attending clinical so students are prepared to use the system once on the units. Students will be notified how to access the modules.

ASSIGNMENTS

Male and female student assignments are made in the clinical area without regard to sex in accordance with Title IX, Education Amendment of 1972, prohibiting sex discrimination in education. Assignments are based on individual needs and the discretion of the instructor. Clients have a right to know that the person assigned to their care is a student and client objections to such care will be respected and honored.

STUDENT NURSE ATTIRE ON CLINICAL UNITS

The following guidelines for attire will be **STRICTLY ENFORCED**. The student uniform is worn at all clinical sites except for mental health clinical rotations.

Student identification badge must be worn above the waist.

All parts of the uniform should be clean, neat, and laundered after each use.

White shirts may be worn under uniforms.

All white shoes/leather sneakers must be polished and have clean laces.

Clogs and sandals are prohibited in the clinical area.

Lab coats, jackets or sweaters are not worn during clinical experiences. The WHITE Snap Front Warm Up Jacket with embroidering is permitted. No fragrances can be worn. Jewelry may only consist of a smooth band and 1 pair of small studded earrings. Hair should be neatly arranged, secured off the face, be free of ornaments, and above the collar. Nails must be manicured, kept short and have no polish. Artificial nails or wraps are not permitted.

Required accessories include a watch with a second hand, black pens, stethoscope, writing paper and penlight. If a student requires eyeglasses for reading, they must bring them to class/clinical.

The clinical dress code holds for public functions. **Students may be asked to leave the clinical area if they are inappropriately attired. This will count as a clinical absence.**

STUDENT NURSE ATTIRE ON BEHAVIORAL HEALTH UNITS

Professional business attire is required for behavioral health clinical experiences. No jeans, no tight clothing, bright colors, no bare midriffs or plunging necklines. Skirts should be knee length, flat shoes, no sneakers, and no jewelry around the neck.

REMEMBER – WE ARE GUESTS IN THE CLINICAL AREA. The following guidelines should be observed in the clinical area:

- Courtesy in speech and manner.
- No offensive or disorderly acts; no taking of photographs permitted.
- No gum, mints, snacks or drinks.
- Safeguarding the client's right to privacy and confidentiality.
- No cell phones or pagers are to be used in audible mode on clinical units. No personal use of cell phones is permitted in the clinical area. Certain areas of health care facilities prevent any cell phone use. No texting.
- Smart devices may be used for accessing academic information only, with the permission of the clinical instructor.
- Observance of all HIPAA policies.

OBSERVATIONAL CLINICAL

Evening students will be required to attend 2 -3 clinical activities for observational experiences during weekday hours.

It is the students' responsibility to attend. Students may not switch without faculty approval. Students are not permitted to enter late; event will be considered absent time. Failure to complete the required hours for the pullout experience without faculty approval to do so may result in clinical failure. This includes arriving at the site late and/or leaving the site early. Students must observe only, and are not allowed to provide patient care during these experiences since they are not directly supervised by faculty.

EVALUATIONS

Students are evaluated based on the end of program student learning outcomes. Refer to course syllabus for evaluation process.

During evaluations, students meet with the clinical instructor and have the opportunity to discuss clinical progress. Signing evaluations merely indicates that the student has read the evaluation. It does not imply total agreement. It is therefore, imperative that you write comments when you are in disagreement. During the clinical experience students may receive a Guidance or Counseling record if the clinical objectives are not met and the student did not perform the objective satisfactorily. The student's signature indicates that they have been in receipt of the Guidance/Counseling record and have the opportunity to comment on the record.

At the end of each nursing course, the final evaluation becomes part of the student's permanent record. The student signs this summary at the end of each course. This record documents attendance and lateness, and states whether the clinical component was passed or failed.

LIABILITY

The school does not require students to carry their own liability insurance. The hospital insurance covers students who practice under the direction of a nursing instructor. **No student may provide nursing services to a client without the presence of an instructor on the unit. Administration of medication without instructor present is not permitted. Students are legally responsible for their own actions.**

N95 MASKS

Students may be assigned to care for a client requiring this mask. Students will be fit tested annually prior to the beginning their clinical experience.

SERVICES

LIBRARY/RESOURCE CENTER

Students have access to the online library through links in Moodlerooms and may use the computers located on the third floor or fifth floor of the school. A coin operated copy machine is available on the third floor. The librarian is based at Einstein Medical College from 9:00 am to 5:00 pm and can be reached at ssmallin@montefiore.org or 718-920-2320. Students have access to the Westchester Community College library when enrolled.

The Mount Vernon Public Library is located on Second Avenue between First and Second Streets. Students must show school ID and proof of address when applying for card accessing privileges. Residents of Westchester County who have current local cards may already have borrowing privileges.

Electronic Library Resources: All students have access to the following electronic library resources:

- Nursing Reference Center
 - Link to EBSCO Discovery Health which contains electronic nursing books
- CINAHL with FULL TEXT (over 600 full text titles)
- OVID Library
- R2 Digital Library - Metropolitan New York Library Council
- STATRef

Students and faculty may access these through Moodlerooms/Universal Forms/Library Resources and also on the intranet <http://newrochelle.montefiore.org/> Clinical Departments / Medical Library **OR**

<http://mountvernon.montefiore.org/> Clinical Departments / Medical Library

COMPUTER LAB

Computer labs are located on the 3rd floor of the school in the library and on the 5th floor. Students have access to the computers during normal operating school hours. Eating, drinking, use of cell phones and talking which is disturbing to others is prohibited. Students will read the “Acceptable Use of Information Technology Policy, Access Control Policy, Password Security Policy and the Patient Confidentiality Agreement” (in appendix) and sign a statement that they have done so. These policies are also required for Allscripts.

The Library and the School of Nursing computers have internet access. Students may be online only for research pertaining to School of Nursing matters. No one is permitted to use internet for personal matters, including accessing personal email. Students are not to download any programs from computers. Anyone found in violation of these or any laws and/or copyright regulations are subject to severe penalties, not limited to possible termination from the program.

HEALTH COUNSELING AND GUIDANCE

The Employee Assistance Program (EAP) is available to students. Please see the Dean, Faculty, or Coordinator of Student Services for additional information. EAP offers counseling,

information resource benefits, and online resource centers. Students may contact EAP directly for free, confidential assistance 24 hours a day, seven days a week at: 1-844-300-6072 or at clientservice@carebridge.com. The website address is www.myliferesource.com This service is confidential, and the school is not notified when students use this service.

In addition to the EAP program, below is a partial list of community agencies that students might find useful. Students assume full responsibility for any fees. Contact each agency directly for information. Confidentiality is maintained at all times.

**CDC HIV/AIDS
Center for Disease Control**

**Hotline 800-232-4636
800-CDC-INFO**

**New York State HOPEline
(Drug, Alcohol and Gambling Treatment)**

Helpline 1-877-8-HOPENY

**THE COUNSELING CENTER
(Therapy)
<https://counselingcenter.org>**

**180 Pondfield Road
Bronxville, New York
(914) 793-3388**

**MOUNT VERNON NEIGHBORHOOD
HEALTH CENTER**

**107 West 4th Street
Mount Vernon, New York 10550
(914) 699-7200**

**PLANNED PARENTHOOD
NEW ROCHELLE HEALTH CENTER**

**247-249 North Ave.
New Rochelle, NY 10801
(914) 632-4442**

**FAMILY SERVICES OF
WESTCHESTER
www.fsw.org**

**6 Gramatan Ave.
Mount Vernon, NY 10550
914-668-9124**

**Main Office: 2975 Westchester
Avenue, Suite 401
Purchase, NY 10577
914-937-2320**

**WESTCHESTER JEWISH
COMMUNITY SERVICES
www.wjcs.com**

**Headquarters: 845 N. Broadway
White Plains, NY 10603
914-761-0600**

**MY SISTERS PLACE
www.mspny.org**

**Crisis Hotline (800) 298-7233
Administrative Offices:
3 Barker Avenue
White Plains, NY 10601**

HOPE'S DOOR
www.hopesdoorny.org

Crisis Hotline: 888-438-8700
50 Broadway
Hawthorne, NY 10532
(914) 747-0828 by appointment

WESTCHESTER COUNTY
SERVICES

www3.westchestergov.com

DRUG AND ALCOHOL ABUSE PREVENTION

The Institution annually distributes information regarding the Employee Assistance Counseling Services and flyers titled “Using Carebridge for Assistance with Your Substance Abuse” and “Treatment Approaches for Drug Addiction.” Students are notified by the publishing of the same document in the Fall Term Schedule of Classes. Students get a flyer with information regarding the substance abuse counseling benefit through the Employee Assistance Program that is part their Nursing 1 orientation packet and a speaker from the EAP discusses this benefit during orientation. More information can be found at <https://www.montefiorehealthsystem.org/SchoolofNursing>

SCHOOL ACTIVITIES

CLASS ORGANIZATIONS AND OFFICERS

Each class elects officers (President, Vice President, Treasurer and Secretary), and establishes its own activities in keeping with the belief that students should have self-governance and an open forum for resolving problems. Class officers must be in good academic standing and be capable of accepting the responsibility of office. All class officers are members of Student Council. The Class President is a member of the Grievance Committee. Elections are held during Nursing 1 & Nursing 3.

GRADUATION & PINNING

The graduation fee entitles students to their diploma, diploma cover, school pin, lamp, cap and gown, and guest invitations.

Commencement and the awarding of diplomas takes place at the end of the spring semester. Students are recognized for achieving a cumulative grade point average of 3.5 or higher. The student may attend the ceremony after s/he completes the entire program. Students will be allowed to walk with their cohort if they lack 3 credit hours or less in a liberal arts course. Official transcripts, degree, and permission to take the NCLEX-RN exam will be withheld until the student successfully completes the course.

Pinning ceremony will be held each semester.

NATIONAL STUDENT NURSES' ASSOCIATION (NSNA)

NSNA is an organization of nursing students for nursing students. Its goal is to establish a firm foundation and communication network for nursing students. Membership is optional for students.

RECRUITMENT

Students are encouraged to be involved in organized recruitment activities. Students have the opportunity to share their knowledge and experience and portray a positive image of nursing.

SCHOOL COMMITTEES

Students are encouraged to enhance personal and professional growth by attending meetings of school committees. Students are welcome at all meetings of the Curriculum Committee for input into curriculum development. Students are also invited to attend Faculty Meetings to discuss academic policies.

The schedule for Faculty Organization Meetings will be posted on a semester basis. Students may attend the first 10 minutes of the meeting to discuss concerns. Students will be invited to attend curriculum meetings when revisions to curriculum are being considered.

STUDENT COUNCIL

The Montefiore School of Nursing Student Council (MSON Student Council) is the student government organization for the Montefiore School of Nursing. The MSON Student Council consists of individuals elected by each nursing class to handle matters as they pertain to the entire School of Nursing. The organization's mission is to create a positive and professional atmosphere for students through sponsoring various activities within MSON as well as representing MSON in the community through service projects. The Student Council meets monthly.

The purposes of Student Council are:

- a. to serve as the official student body organization of Montefiore School of Nursing;
- b. to serve as an intermediary between the student body and Montefiore School of Nursing administration and nursing school faculty;
- c. to provide students with social activities;
- d. to execute other functions and duties as determined by the Constitution;
- e. to act as the student body service organization for Montefiore School of Nursing;
- f. to provide programs representative of fundamental interests and concerns to nursing students.

The officers of Student Council will consist of the Nursing 4 Class Student Council Officers: President, Vice-President, Secretary, and Treasurer. One member of the faculty and the Coordinator of Student Services will act as advisors. Each class representative will cast one vote. Other students may attend meetings that do not involve grievance issues.

CONSTITUTION AND CITIZENSHIP DAY

The school notifies faculty and students of educational events and provides a link with information pertaining to the United States Constitution at the Office of Financial Aid on September 17th of each year. This event includes free informational materials educating students about the United States Constitution. This information is highlighted on Moodlerooms each year.

PERSONAL SAFETY

SAFETY PRECAUTIONS

A successful campus safety program needs the cooperation, involvement, and support of students, staff, and faculty. Exercise these simple, common sense precautions:

- travel and park in lighted areas; travel in pairs if possible; be aware of your surroundings;
- report any suspicious person or activity; report all incidents no matter how minor; report losses immediately;
- lock your vehicle and store valuables out of view;
- never loan keys to anyone as they are easily lost, stolen, or duplicated; and
- mark or engrave your belongings; do not leave belongings/valuables unattended.

Safety Tips:

Most important – BE AWARE. When walking, be aware of what is going on around you. Walk assertively. If you look like you know where you are going and what is happening around you, you are less likely to become a target for this type crime.

Use the buddy system. Do not study alone in classrooms during non-business hours. If studying after hours is necessary, make sure that you have a study partner.

Carry a cell phone, even if it is for emergencies only. You can get a pre-paid phone.

Trust your instincts. If something “feels wrong” (with a person, building, situation, etc.) something probably is wrong. Even if you don’t know why you are uncomfortable, change your plans, move away from the person, get out of the area – whatever is necessary to make the feeling go away.

If you feel like you are being followed, stay in well lighted areas and go into a building where there are other people such as a store or restaurant. If these are not available, join a group of people and ask them to walk with you until it is safe.

Report Suspicious Activity. If you see a person who is acting suspiciously or some type of activity that doesn’t look right, or you feel like you are being followed, call security, dial “0” for operator, or the police immediately and report it.

TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS

MSON makes timely warnings to the campus community about certain crimes reported to campus security authorities or local police agencies and considered threats to students and employees. MSON also follows emergency notification as well as emergency response and evacuation procedures if there is an immediate threat to the health or safety of students or employees occurring on campus.

COMPREHENSIVE EMERGENCY MANAGEMENT PLAN

Montefiore School of Nursing has a Comprehensive Emergency Management Plan (CEMP) for emergencies and disasters. The plan is located in the Student Services Office, Dean's office, hallways, classrooms and is posted in Moodlerooms.

Institutional security policies and crime statistics – CLERY (Campus Security Act)

All institution policies and crime statistics, along with annual reports and CLERY Act information can be found on the Campus Public Safety Office website at <https://www.montefiorehealthsystem.org/SchoolofNursing>

Campus Crime Log

The campus security department maintains and makes available a campus crime log.

Annual Security Report

An annual campus security report is made available by Campus Safety. These statistics are published in a report covering the previous three calendar years. Campus Safety submits a statistical report the US Department of Education on an annual basis.

SUBSTANCE ABUSE

The physical effects of alcohol and sedating drugs are very similar and include impaired judgment and motor coordination, disinhibition, dizziness, confusion and extreme drowsiness. If enough alcohol or sedating substances are consumed, an individual may fall unconscious or may not remember the details of what occurred. Depending on the substance and the presence of alcohol and other drugs in the person's system, more dangerous and sometimes life-threatening side effects may occur.

Substance abuse counseling is available through the Employee Assistance Program. To reach the EAP, call toll free: at clientservice@carebridge.com. The website address is www.myliferesource.com This service is confidential, and the school is not notified when students use this service.

Penalties Associated with Drug-related Offenses

The use and sale of illicit drugs by students and employees is strictly prohibited in accordance with federal and state regulations and laws. Any student or employee found to be using,

possessing, manufacturing, or distributing controlled substances in violation of the law on Institution property or at Institution events may be subject to both administrative disciplinary actions and criminal proceedings. All drug related violations by students on campus and at Institution sponsored events off campus may be handled under procedures outlined in the Student Conduct Code. The Institution will take appropriate personnel actions for infractions by employees, up to and including termination. Violations of state and federal laws may be referred to the appropriate authorities.

BULLYING

Montefiore School of Nursing is committed to protecting its' students, employees, and applicants for admission from bullying, harassment, or discrimination for any reason and or any type. The school believes that all students and employees are entitled to a safe, equitable, and harassment-free school experience. Bullying, harassment, or discrimination will not be tolerated and shall be just cause for disciplinary action. This policy shall be interpreted and applied consistently with all applicable state and federal laws. Conduct that constitutes bullying, harassment, or discrimination, as defined herein is prohibited.

I. Definitions

A. "Bullying" means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted purposeful written, verbal, nonverbal, or physical behavior, including but not limited to any threatening, insulting, or dehumanizing gesture, by an employee or student, that has the potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation, is carried out repeatedly and is often characterized by an imbalance of power.

Bullying may involve, but is not limited to: unwanted teasing, cyberbullying, cyberstalking, sexual, religious, or racial harassment, public humiliation, threatening, physical violence, and theft.

B. "Cyberbullying" is defined as the willful and repeated harassment and intimidation of a person through the use of digital technologies, including, but not limited to, email, blogs, texting on cell phones, social websites (e.g., MySpace, Facebook, Twitter, etc.), chat rooms, "sexting", instant messaging.

II. Reporting

Complaints of bullying should be reported immediately to the Assistant Dean, Coordinator of Student Services, or the Dean.

III. Disciplinary Action and Due Process.

Violations of this policy by students are subject to disciplinary action in accordance with School policy as outlined in the Behavior/Code of Conduct section of the Student Handbook. Those accused of such violation will receive due process as outlined in the Behavioral Grievance Policy found in the Student Handbook.

Violations by faculty or staff of the Montefiore School of Nursing will be subject to disciplinary action and due process as outlined in Faculty Handbook or Policy of the Montefiore New Rochelle Hospital.

CRIME INFORMATION

Bias Crimes Information

Generally, a person commits a hate crime when he or she commits a specified offense and is motivated in whole or in part by bias on the part of the offender toward the race, color, national origin, gender, religion, sexual orientation, age (sixty or older), or disability of the victim.

Penalties for bias related crimes range from monetary fines up to a minimum of twenty years in prison, depending on the nature of a specific offense. Specific information regarding hate crime offenses and related penalties may be obtained from article 485 of the New York State Penal Law.

Whenever a member of the college community becomes a victim of a bias related crime, that member shall notify the Montefiore Mount Vernon Hospital Security Department as soon as possible. The Security Department will respond, ascertain information for a report, and make the following notifications as appropriate:

- Local police and Other notifications where warranted.

All reports of bias crimes will be investigated, and perpetrators will be subject to administrative discipline consistent with Montefiore Mount Vernon Hospital/School of Nursing policies and procedures as well as criminal prosecution as allowed by law.

The Security Department utilizes the following methods to advise students, faculty and staff about security measures on campus:

- Postings on Student Bulletin Boards on the 3rd floor at the School of Nursing
- Emails as appropriate to the Dean

Sexual Crimes Information

Montefiore School of Nursing is committed to creating a community free from violence. Sexual assault, harassment, dating/domestic violence and stalking as defined by State and Federal law will not be tolerated at School of Nursing supported events or activities, on or off campus. The School of Nursing will take action, as needed, to discourage, prevent, correct and if necessary, discipline behavior that violates this standard of conduct. Such discipline will depend on the nature of the offense and may range from a disciplinary warning up to and including expulsion or dismissal from the school. Please see Title IX Gender-Based Misconduct Policy and Complaint Procedures for Students.

Substance Abuse and Sexual Assault

Some Basic Facts on the criminal use of sedating substances to facilitate sexual assault:

For centuries alcohol has been used to facilitate sexual assault. Today it remains the substance most frequently associated with date rape, and the most accessible sedating substance. Other sedating drugs are increasingly being misused to commit sexual assault by spiking victims' beverages. These are referred to by a number of street names of which you should be aware. These include Liquid Ecstasy, Liquid X, Grievous Bodily Harm and Easy Lay for GHB, and Special K for ketamine. Common street names for Rohypnol include Roofies, Roachies, La Rocha and the forget pill.

How to reduce the risk of being drugged and sexually assaulted:

- Do not leave beverages unattended.
- Do not take any beverages, including alcohol, from someone you do not know well and trust.
- At a bar or club, accept drinks only from the bartender or server.
- At parties, do not accept open-container drinks from anyone.
- Be alert to the behavior of friends and ask them to watch out for you. Anyone extremely intoxicated after consuming only a small amount of alcohol may be in danger.
- Limit alcohol consumption so you are better able to assess your surroundings and eat substantive food before drinking to help curb its sedating effects.
- When drinking in social settings, make arrangements with a friend so that you can leave together.

Most importantly, remember that whether you follow these tips or not, if someone sexually assaults you, it is not your fault. You are never to blame for someone else's actions.

Precautions

Even the best self-defense program cannot completely prevent sexual assault.

Be aware that everyone is a potential victim of sexual assault. The most vulnerable target is a woman alone. It is a myth that assault is provoked by a woman's dress or mannerisms.

Opportunity and vulnerability are the key factors. Over 80 percent of all sexual assaults are committed by an acquaintance of the victim, but almost half of these victims tell no one about the attack. Many attacks begin with casual conversation. If your gut-level response to a stranger or friend is uneasiness, try and get out of the situation as quickly as possible, even if it means being rude or making a scene. The keys to prevention are awareness, trusting your intuition, and assertive behavior. Take the time to think ahead what you might do in the event of an attack.

The following tips are designed to increase your awareness of personal safety and to encourage you to think ahead about how you would react if assaulted:

- Be alert to your surroundings
 - Know your route and stay in well-lighted areas.
 - Walk confidently. Walk with other people whenever possible.
 - Consider carrying a whistle on your key chain and use it if you find yourself in danger.
 - Know the locations of public and blue light telephones and keep change handy.

- If you are walking alone, don't use headphones; they distract you and prevent you from being alert.
- If you travel by car
 - Always keep your car locked, while you are riding and when it is parked.
 - When returning to your car, do so with your keys in your hand.
 - Check the back seat before you get in.
 - After you get in, re-lock the car immediately and keep the windows up.
 - Do not stop to assist stalled drivers. Drive on and call the police. Do not accept assistance if your car is stalled. Tell anyone who offers help to call the police.
 - Do not pick up hitchhikers.
- If you travel by bus
 - Go to the bus stop with other people whenever possible, particularly at night.
 - Don't accept rides from strangers.
- If you feel you are being followed
 - Walk to the nearest occupied or well-lighted building, not to your car or a bus stop. If on campus, contact security for assistance; if off-campus, call the police. Note the appearance of the person or persons; note the license plate number of the car. Your personal safety should come before the security of belongings, such as books, bags, etc. When in doubt, leave them behind.
- If you feel threatened
 - Shout "Leave me alone." Others may hear you and/or the potential criminal may be frightened away.
 - Trust your instincts. If you feel in danger, you probably are; don't be embarrassed to seek assistance.
- At home, keep the doors and windows locked. Ask repair, service or delivery persons for identification or have them wait outside while you call to verify their employment.
- Learn to defend yourself.
- Teach children about the potential for sexual assault and what to do if they are ever approached inappropriately. Children should be told that they are never responsible for sexual assault and to tell a trusted adult if an assault should ever occur.
- Report all incidents to Security if on campus, to the police if off campus.

Sexual Harassment

Sexual harassment includes any unwanted verbal or physical sexual advances, requests for sexual favors, sexually explicit derogatory remarks, and sexually discriminating remarks which are offensive or objectionable to the person at whom they are directed, or which cause a person discomfort or humiliation.

Sexual harassment can be as subtle as a look or as blatant as rape. Women are most often, though not solely, its victims.

Verbal harassment may include “humor” or “jokes” about women, sex, or sexual orientation, or remarks connecting a person’s sex with intellectual or academic abilities. Whether verbal or physical, sexual harassment is an act of aggression. It is a violation of both federal (Section 703 of the Civil Rights Act of 1964 and Title IX Education Amendments of 1972) and New York State Human Rights law. Verbal harassment may include sexual innuendos and comments and sexual remarks about clothing, body, or sexual activities; suggestive or insulting sounds; sexual propositions, invitations or other pressure for sex (“My office hours are limited. Why don’t you come by my house, or we can have dinner, and get to know each other better in privacy.”); implied or overt threats (“It’s simple; if you want to pass the course, you have to be nice to me and sex is the nicest thing I can think of. It’s up to you.”)

Physical harassment may include patting, pinching or other inappropriate touching or feeling; brushing against the body; attempted or actual kissing or fondling; coerced sexual intercourse. Other kinds of sexual harassment may include leering or ogling (for example, an advisor who meets with a student and stares at her breasts); obscene gestures. If you feel you are being sexually harassed at The Montefiore School of Nursing, you may request help from several sources: **School Personnel**
Allegations of sexual harassment should be reported to the School’s Dean extension 6220 or your faculty advisor.

NAME	PHONE NUMBER	WEBSITE
Safe Horizon Domestic Violence Rape & Sexual Assault Stalking	Domestic Violence Hotline: 800-621-HOPE (4673) Crime Victims Hotline: 866-689-HELP (4357) Rape & Sexual Assault Hotline: 212-227-3000	www.safehorizon.org
Office for the Prevention of Domestic Violence - New York State Domestic and Sexual Violence	NY State Hotline 800-942-6906 NY City Domestic and Violence Hotline (800) 621-HOPE (4673)	www.opdv.ny.gov
Westchester Government Rape & Sexual Assault Teen Dating Violence Domestic Violence Stalking	Family Helpline/Hotline Weekdays 9am – 5pm (914) 995-5972 Weekend & After Hours (914) 995-2099	www.women.westchestergov.com
Hopes Doors Domestic Violence, Emergency Shelter, Support and Counseling, Referrals for Assistance.	Crisis Hotline 1-888-438-8700	www.hopesdoornyc.org
My Sister's Place Domestic Violence, Emergency Shelter, Support and Counseling, Legal Services Human Trafficking	800-298-SAFE (7233)	www.mspny.org
Pace Women's Justice Center Legal Assistance, Emergency Orders of Protection	Legal Advise Hotline (914) 287-0739 or (914) 422-4188	www.law.pace.edu/wjc
Westchester Community Opportunity Program (WESTCOP)/Victims Assistance Services (VAS) Domestic or dating violence, rape or sexual assault, stalking, bullying (including cyber-bullying), harassment and hate crimes.	Local Hotline Number: (914) 345-9111 VAS - 855-827-2255	www.westcop.org
The Samaritans Helping People in Crisis (Suicide Prevention, etc.)	Completely Confidential Hotline: 212-673-3000 Mental Health Wellness Line: 212-673-3661	http://samaritansnyc.org/
National Hotlines	National Domestic Violence Hotline - 1-800-799-7233 National Sexual Assault Hotline 1-800-656-4673 National Hotline for Crime Victims 1-855-4-VICTIM (1-855-484-2846) National Alliance on Mental Illness 1-800-950-6264	www.victimsofcrime.org/

Gender-Based Misconduct Policy and Complaint Procedures for Students

**(Including Sexual Harassment, Sexual Abuse/Assault, Stalking, Domestic Violence &
Dating Violence)**

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I. Purpose

This Policy outlines standards of behavior and requirements for non-discrimination and gender-based misconduct at Montefiore School of Nursing (also referred to as “MSON”). Other forms of discrimination or harassment are addressed in the MSON Student Handbook.

II. Scope

To Whom Applicable

This Policy applies to all MSON students, as well as faculty, administration (whether supervisors, administrators, and managers), and other staff, whether full-time or part-time (hereinafter collectively, “employees”), employees of contracted service providers, interns, volunteers, visitors, and other third-parties conducting business with the College, and covers their treatment of each other as well as others with whom they come into contact at or near MSON and/or at MSON-sponsored and affiliated activities and events.

Where Applicable

This Policy is intended to protect all afore-mentioned individuals and applies to conduct that occurs on MSON premises, in buildings owned or controlled by a student organization officially recognized by MSON at MSON-sponsored and affiliated activities and events, and/or other circumstances where MSON exercises substantial control over the accused and the context, including, but not limited to, overnight trips, service learning programs and internships, practicums, preceptorships, study or research abroad, work-related travel, off-site conferences, and to all forms/uses of technology by all individuals covered by this policy. MSON may also address off-campus behavior that occurs other than at MSON-sponsored or affiliated events if it determines that the behavior, or the continued presence of the accused perpetrator creates or contributes to a hostile environment, or impairs, obstructs, substantially interferes with or adversely affects the mission, processes or functions of MSON.

Gender-based discrimination, harassment or sexual misconduct in any form (including Sexual Harassment, Sexual Abuse/Assault, Stalking, Domestic Violence and Dating Violence) is a violation of this policy and will be dealt with seriously, promptly and thoroughly. If any of the principles and procedures in this policy are inconsistent with those contained in another MSON policy, the principles and procedures in this policy will control, except that this policy does not override any applicable rights or provisions contained in any collective bargaining agreement or faculty policy.

Which Procedures Applicable

The specific set of investigative and disciplinary procedures that apply will depend on the parties involved as follows:

- If a student is involved as either an alleged victim (the “Complainant”) or an accused (the “Respondent”), the procedures set forth herein will apply.
- Where both the Complainant and Respondent are employees, faculty, or volunteers, the procedures set forth in the Title IX Policy and Complaint Procedures for Employees or the Gender-Based Misconduct Policy and Complaint Procedures for Employees will apply.
- Where a Respondent is both a student and an employee, faculty, or volunteer, the Title IX Coordinator will determine which of these procedures applies based on the circumstances (such as whether the student or employee role predominates, particularly in reference to the relevant incident).

MSON disciplinary authority may not extend to the third parties mentioned above (employees of contracted service providers, interns, volunteers, visitors, and other third-parties conducting business with the College) who are not students, employees, or faculty of MSON. However, a Report or Complaint that such a person engaged in Prohibited Conduct against a student will be investigated in accordance with this policy as will a Complaint of Prohibited Conduct by such a third party about a student. A Report or Complaint that such a third party engaged in Prohibited Conduct against an employee will be investigated in accordance with the Gender-Based Misconduct Policy and Complaint Procedures for Employees, as will a Report or Complaint of Prohibited Conduct by such a third party about an employee.

III. Policy

III.A. Executive Summary

The following is a brief summary of the policy. Please read the full policy for more details, including definitions and examples of discrimination and harassment; Complaint Reporting Procedures and Guidelines; and the Investigation & Resolution processes.

MSON prohibits discriminatory practices, harassment and sexual misconduct of any kind and in any form. Detailed definitions of Prohibited Conduct under this policy are set forth in Section III.C and Appendix E.

Complaints and Reports (each defined in Section III.F) may be made to MSON’s Title IX Coordinator, Security Manager, Dean, Assistant Dean, or Deputy General Counsel, as set forth in Section III.F.1. Complaints and Reports also may be made to any other MSON personnel including Student Services.

There is no time limit on when a Report or Complaint can be made.

No MSON employee may discourage an individual from making a Report or Complaint.

Any MSON employee (other than an employee serving in a privileged professional capacity or designated as a confidential resource as set forth in Appendix G) with any knowledge of Prohibited Conduct by employees, students, or third parties, must report the incident to the Title IX Coordinator, Security Manager, Dean, or Assistant Dean, even if the individual complaining of such discrimination, harassment or sexual misconduct is not interested in filing a formal Complaint. If anyone other than the Title IX Coordinator receives the Report or Complaint, they must immediately report it to the Title IX Coordinator. See Section III.D.1.

MSON will respond to all Reports and Complaints promptly, thoroughly, fairly and impartially, pursuant to the procedures set forth in Section III. Reports and Complaints will be overseen by the Title IX Coordinator.

MSON expects all members of the MSON community to cooperate with investigations.

Retaliation is prohibited against anyone who filed and/or participated in the investigation of a Report or Complaint, even if the Report or Complaint is unsubstantiated.

Those who knowingly make a false report will be subject to serious disciplinary action.

Individuals not wishing to make a Report or Complaint have the option of instead anonymously calling the Montefiore Health System Confidential Compliance Hotline, as set forth in Section III.F.1. Alternatively, an individual may confidentially contact the Office of Academic Support and Counseling, which will not trigger any investigation (see Appendix G, Section I.A).

Individuals who allege they are victims of Sexual Abuse/Assault, Stalking, Domestic Violence, or Dating Violence (defined in Section III.C.) have the right (i) to make a report to the Security Department, local law enforcement and/or State Police or choose not to report; (ii) to report the incident to MSON; (iii) to request MSON's assistance in notifying law enforcement authorities; (iv) to be protected by MSON from retaliation for reporting an incident; and (v) to receive assistance and resources from MSON.

Any questions regarding this policy may be directed to MSON Title IX Coordinator:

Susan Cohen
Human Resources
Montefiore New Rochelle Hospital
16 Guion Place
New Rochelle, NY 10801
susacohe@montefiore.org
914-365-4803

III.B. Statement of Non-Discrimination

MSON is committed to the principles of non-discrimination. MSON prohibits discrimination on the basis of race, religion, color, creed, age, national origin or ancestry, sex, marital status,

sexual orientation, gender identity and expression, physical or mental disability, pregnancy-related condition, veteran or disabled veteran status, military status, pregnancy status, genetic predisposition/carrier status, citizenship status, familial status, domestic violence victim status, prior arrest or conviction record, or any other personal characteristic protected under applicable federal, state or local law.

While this policy prohibits and addresses gender-based misconduct, MSON's non-discrimination prohibits and addresses other types of discriminatory and related conduct.

III.C. Prohibited Conduct and Definitions

MSON is committed to maintaining an academic, work and living environment in which all individuals are treated with respect and dignity. Each individual at MSON has the right to learn in a safe environment that promotes equal opportunities for all. This policy prohibits gender-based discriminatory practices or harassment and sexual misconduct of any kind ("Prohibited Conduct," as set forth below). Where Prohibited Conduct has occurred, MSON will act promptly to stop it, prevent its recurrence, and discipline and/or take other appropriate action against those responsible.

This policy is not intended to regulate protected speech. However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates this policy or otherwise violates federal, state or local anti-discrimination laws.

III.C.1. Prohibited Conduct

Prohibited Conduct for purposes of this policy includes discrimination or harassment based on, sex, sexual orientation, gender identity or expression, pregnancy-related condition, or pregnancy status, .¹

Applicable laws that prohibit such discrimination and harassment include, but are not limited to, the following: Title VII of the Civil Rights Act of 1964 ("Title VII"), which prohibits discrimination on the basis of sex, pregnancy status, and other characteristics; Title IX of the Education Amendments of 1972 ("Title IX"), which prohibits discrimination on the basis of sex; Violence Against Women Act of 1994 ("VAWA"); Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"); N.Y. Executive Law, art. 15, §290 et seq. (Human Rights Law); and Title 8 of the Administrative Code of the City of New York (Human Rights Law).

This policy prohibits discrimination against or harassment of any individual's characteristic or perceived characteristic based on sex, sexual orientation, gender identity or expression, pregnancy status, pregnancy-related condition, or sexual and reproductive health decisions, whether or not it rises to the level of unlawful discrimination or harassment.

¹ MSON also prohibits discrimination or harassment based on all other characteristics protected by applicable laws, ordinances and regulations (see Section III.B). Discrimination based on a characteristic not listed here is covered by MSON's [insert name of general non-discrimination policy].

Examples of conduct that may violate this policy include the use of slurs, jokes, stereotyping, or intimidating, hostile, or violent acts directed at any individual because of his/her protected class status as described above, as well as the failure to provide equal consideration, acknowledgment or access to educational opportunities to equally qualified individuals. Harassment does not have to include intent to harm or be directed at a specific target. Prohibited harassment may involve a single episode or ongoing behavior depending on the severity of the issue. In addition, this policy forbids not only verbal and physical harassment but also harassment in any medium, including email and electronic social media.

Discrimination and harassment can take many forms, including, but not limited to, Sexual Harassment, Sexual Abuse/Assault, Stalking, Domestic Violence and Dating Violence. These and related terms are defined below and in Appendix E. Such behaviors are prohibited by this policy as well as federal, state and local laws. Anyone found responsible by MSON for such conduct will face serious disciplinary sanctions, including suspension or expulsion from MSON for students, and disciplinary sanctions for employees as set forth in MSON's Non-Discrimination and Gender-Based Misconduct Policy and Complaint Procedures for Employees.

III.C.2. Sexual Harassment

Sexual harassment is offensive and includes harassment on the basis of actual or perceived sex, sexual orientation, gender identity or expression, pregnancy status, pregnancy-related condition, or sexual and reproductive health decisions. Sexual Harassment in any form is prohibited and constitutes a violation of this policy, regardless of whether it rises to the level of being unlawful. MSON may be liable for harm to victims of Sexual Harassment by MSON employees, students and others, and harassers may also be individually subject to liability.

For purposes of this policy, Sexual Harassment refers to any *unwelcome* or *unwanted* sexual advances, requests for sexual favors, or other verbal, physical, demonstrative, or electronic conduct or communication of a sexual nature, or which is directed at an individual because of the individual's sex, when:

- *Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational experience; or*
- *Submission or rejection of such conduct is used as the basis for a decision regarding an employment, academic, or other College-related activity affecting such individual; or*
- *Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or participation in a College program, department or extra-curricular activity; or*
- *Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working, learning, studying, or school environment.*

Examples of conduct which may constitute Sexual Harassment include, but are not limited to: verbal comments of an overtly sexual nature, whether in the form of jokes, innuendoes, slurs, or other statements; the use of sexual teaching materials or comments of a sexual nature not relevant to the material being taught or any other academic purpose; remarks of a sexual nature about an individual's clothing or body; remarks speculating about an individual's sexual orientation, activity or previous sexual experiences; verbal harassment or abuse of a sexual nature; making offensive gender-based remarks; the display or transmission of sexually offensive objects, photographs, drawings, graffiti, email, electronic social media communications, computer graphics or programs when sexual content is not relevant to any academic purpose; non-verbal behaviors of a sexually degrading or offensive nature, such as gesturing, or leering; unwanted touching, hugging, or brushing against an individual's body; requests, demands or persistent pressure for sexual favors, particularly when accompanied by an offer of rewards or threats of retaliation concerning work, grades, promotions, tenure or any other academic or related decision; and Sexual Abuse/Assault ("sexual violence"). In certain circumstances, such conduct may constitute a Title IX Violation (see Section III.C.3. below).

III.C.3. Title IX Violation

A Title IX Violation refers to one or more of the following:

- A MSON employee conditioning the provision of an aid, benefit or service on an individual's participation in unwelcome sexual conduct; or
- Sexual Harassment (as defined in Section III.C.2) that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to MSON's education program or activity.
- Sexual Assault (as defined in Section III.C.4.)
- Dating Violence (as defined in Section III.C.8.)
- Domestic Violence (as defined in Section III.C.9.)
- Stalking (as defined in Section III.C.7.)

III.C.4. Sexual Assault

Sexual Assault is any nonconsensual sexual act prohibited by law,² including when the victim is incapable of giving Consent. New York State does not specifically define Sexual Assault. However, for the purposes of this policy, Sexual Assault is a Title IX Violation (see Section III.C.3.) and includes offenses that meet the definitions herein and in Appendix D of Rape, Fondling, Incest, or Sexual Abuse. Sexual Assault includes:

Non-Consensual Sexual Contact: Any intentional sexual touching, however slight and with any object or body part, that is without Affirmative Consent (as defined below) and/or by threat, Intimidation, coercion, duress, violence, or by causing a reasonable fear of harm. This includes intentional contact with breasts, buttocks, groin, mouth, or genitals, as well as any other intentional bodily contact that occurs in a sexual manner.

² See below and Appendix D for a discussion and definition of specific crimes and related terms.

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, forcibly or without affirmative consent or where the victim is incapable of affirmative consent due to mental or physical incapacity.

Statutory rape is non-forcible sexual intercourse with a person who is under the statutory age of consent. In New York, the statutory age of consent is 17 years old.

New York State law specifically defines rape as sexual intercourse with another person by forcible compulsion, or where the person is not incapable of Consent, including in most circumstances where such person is a minor. It similarly defines a criminal sexual act as oral sexual conduct or anal sexual conduct with another person by forcible compulsion, or where the person is not incapable of consent, including in most circumstances where such person is a minor (statutory rape).

III.C.5. Affirmative Consent (“Consent”)

Affirmative Consent is defined as 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. This definition does not vary based upon a participant’s sex, sexual orientation, gender identity or expression.

- 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 (as hereafter described);
- Consent cannot be given when it is the result of any coercion, Intimidation, force, or threat of harm; and
- When Consent is withdrawn or can no longer be given, sexual activity must stop.

Children under 17 years of age cannot legally consent under New York State Law to having sex or sexual contact with an adult (i.e., someone who is 17 years of age or older). **Any sexual contact in New York between a child under 17 and an adult is a crime, and any such illegal behavior between a member of the MSON community who is under 17 and a member who is an adult will be reported to an appropriate law enforcement agency. Other jurisdictions may have different standards, and any illegal behavior in such jurisdiction also will be reported to the appropriate law enforcement agency.**

Additionally, state law identifies certain other individuals who are incapable of Consent, including, the mentally disabled, mentally incapacitated, physically helpless, and certain persons who are committed to the care and custody of a client or patient of a health care provider or certain governmental departments, offices or agencies (including the state department of correctional services, a hospital, the office of children and family services, the office of mental health, the office for people with development disabilities, or the office of alcoholism and substance abuse services), where the actor is an employee or volunteer of such department or health care provider.

III.C.6. Incapacitation

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.

Evaluating incapacitation requires an assessment of an individual's:

- Decision-making ability;
- Awareness of consequences;
- Ability to make informed judgments;
- Capacity to appreciate the nature and the quality of the act; and
- Level of consciousness.

An individual who engages in sexual activity with someone the individual knows or reasonably should know is incapable of making a knowing, reasonable decision about whether to engage in sexual activity is in violation of this policy.

Alcohol and Other Drugs: In general, sex while under the influence of alcohol or other drugs poses a risk to all parties. Alcohol and drugs impair a person's ability to provide Affirmative Consent, awareness of the consequences, and ability to make informed judgments. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication. If there is any doubt as to the level or extent of the other individual's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual misconduct and does not diminish one's responsibility to obtain affirmative consent.

See Appendix C for the Student Alcohol and Drug Use Amnesty Policy.

III.C.7. Stalking

Stalking is a Title IX Violation (see Section III.C.3.), and refers to engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her own safety or the safety of others, or to suffer substantial emotional distress (i.e., significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling). Such a course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Stalking may include contact through a third party.

Examples of conduct that may constitute prohibited Stalking include, but are not limited to: unwelcome/unwanted communications of any type, including face-to-face, telephone calls, voice messages, e-mail, text messages, postings, written letters or notes and unwanted gifts; use of threatening words or conduct; pursuing or following; observing and/or surveillance; trespassing or vandalism; entering or remaining on or near a person's property, residence, classroom, place of employment or any other location where the person is present; interfering with or damaging a person's property, including pets; and engaging in other unwelcome contact.

Additionally, New York State law specifically defines Stalking as when a person intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct (1) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or (2) causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or (3) is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

III.C.8. Dating Violence

Dating violence, for purposes of this policy, is a Title IX Violation (see Section III.C.3.) and refers to violence committed by a person who is or has been in a romantic or intimate relationship with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such

abuse. Dating Violence does not include acts covered under the definition of Domestic Violence.

Regarding the appropriateness of romantic or sexual relationships between MSON employees and students, see MSON's Workplace Romance & Fraternization Policy.

III.C.9. Domestic Violence

Domestic Violence is a Title IX Violation (see Section III.C.3.), and includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabitated with the victim as a spouse or intimate partner under applicable law, by a family or household member as defined by New York State law, or by any other person against an adult or youth victim who is protected from that person's acts under applicable law.

Examples of conduct that may constitute, whether alone or in combination, Domestic Violence include, but are not limited to: a pattern of name-calling, insults, put-downs; keeping or limiting a person from contacting family or friends; withholding money, food or other necessities; stopping a person from getting or keeping a job, getting to class, or staying in school; actual or threatened physical harm; Sexual Abuse/Assault ("*sexual violence*"); Stalking; possessiveness or extreme jealousy; Intimidation; physical assault or threats thereof; and emotional isolation/manipulation.

III.D. Bystander Intervention & Employees' Duty to Report

MSON expects all members of the MSON community to take reasonable and prudent actions to prevent or stop an act of discrimination, harassment, or sexual misconduct, and provide assistance if an act has occurred. As discussed below, taking action or providing assistance may include direct intervention, calling law enforcement, or seeking assistance from a person in authority. Employees who are not confidential resources or serving in a privileged professional capacity (as set forth in Appendix G, Section I.A) also have a duty to report.

Bystander Intervention

If someone suspects a friend, acquaintance, or stranger may be in a high-risk situation for becoming a victim, is being victimized, or has been victimized, it is important to decide as a bystander whether there is a safe and reasonable way to intervene effectively.

1) **Do's:**

Remind friends that Affirmative Consent is required, and it is the difference between sex and Sexual Assault and that someone can be too intoxicated to Consent.

Take the initiative to help friends who aren't thinking clearly from becoming targets of violence (or) take steps to stop a friend who chooses to use violence.

When possible, prevent an intoxicated friend/person from going to a private location with an acquaintance or friend.

Contact the Security Department, the Title IX Coordinator or another person of authority who can assist.

2) **Don'ts:**

Let friends engage in activities, such as excessive alcohol/drug consumption, that impedes judgment and that therefore could lead to actions, including sexual advances that are unwelcome and/or endanger the rights, safety, and well-being of others.

Let friends walk/run alone in secluded areas or at night.

Leave a friend or acquaintance alone at a party.

Place yourself in a vulnerable situation where you are unable to voice Consent.

III.D.1. Employees' Duty to Report

Any employee (other than an employee serving in a privileged professional capacity or as a confidential resource as set forth in Appendix G, Section I.A) with any knowledge, whether from firsthand observation, having been confided in or having heard about it in some other fashion, of a known or suspected instance of Prohibited Conduct *must* immediately report the incident to the /Title IX Coordinator, Deputy General Counsel, Security Manager, Dean or Assistant Dean, even if the alleged victim of such discrimination or harassment is not interested in filing a Complaint.

Employees who knowingly allow Prohibited Conduct to continue without reporting it will be disciplined.

Additionally, all employees have a duty to report immediately to the NYS Maltreatment Hotline (800-342-3720) if they have reasonable cause to suspect abuse or maltreatment of minors (individuals under the age of 18).

However, no employee is authorized to investigate or resolve a suspected violation of this policy without the involvement of the Title IX Coordinator.

If you are not sure what your duty or role is in a given situation, please contact the Title IX Coordinator.

III.E. Title IX Coordinator

Any questions, concerns, Reports or Complaints about this policy, Prohibited Conduct, and/or Title IX should be directed to the Title IX Coordinator:

Susan Cohen
Human Resources
16 Guion Place
Montefiore New Rochelle Hospital
New Rochelle, NY 10801
susacohe@montefiore.org
914-365-4803

Title IX prohibits discrimination on the basis of sex in education programs and activities, including admissions and employment. Sexual Harassment and Sexual Assault are forms of sex discrimination prohibited by Title IX. MSON has designated an individual to coordinate its efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator is responsible for ensuring Title IX compliance at MSON, as well as compliance with this policy. The Title IX Coordinator for MSON is currently Susan Cohen. The Title IX Coordinator is available to respond to inquiries about the application of Title IX and its regulations at MSON. The Title IX Coordinator is also responsible for overseeing all Title IX Reports and Complaints and other complaints under this policy, identifying and addressing any patterns of systemic problems that are found based on review of such Reports or Complaints or otherwise, and providing education and training about this policy to the MSON community. Ms. Susan Cohen's contact information is above.

In the event of Ms. Cohen's absence (or in the event of a conflict of interest), her duties will be carried out by:

Emy Velez
Human Resources
Montefiore New Rochelle Hospital
16 Guion Place
New Rochelle, New York 10801
evele@montefiore.org
914-365-4806

In addition to the Title IX Coordinator or Dean, inquiries regarding Title IX may be directed to the United States Department of Education's Office of Civil Rights ("OCR"). This agency may be contacted as follows:

United States Department of Education, Office for Civil Rights
Region 2 – New York
Jacob Javits Federal Building 26 Federal Plaza - Suite 3312
New York, NY 10278
Voice Phone: (800) 368-1019
Fax: (212) 264-3039
TDD: (800) 537-7697

III.F. Complaint & Reporting Procedures

For purposes of this policy, a “Complaint” is defined as a written document (in hard copy or electronic format) that is filed by anyone who believes they have been subjected to Prohibited Conduct (the Complainant or their legal guardian). The document must contain the Complainant’s physical or digital signature or otherwise indicate that the Complainant is the person filing the Complaint. The Title IX Coordinator also has the authority to initiate a Complaint. Other reports or complaints, such as verbal complaints or any complaints by individuals who have knowledge of Prohibited Conduct but are not the alleged victim (Reporters), will be deemed to be “Reports”.

The procedures for investigating and resolving Complaints and Reports depend on who is involved.

- If a student is a Complainant, or Respondent, the procedures set forth herein (in Sections III.F. through III.J.) will apply.
- If only employees, faculty, and/or volunteers are involved, the procedures set forth in the Non-Discrimination and Gender-Based Misconduct Policy and Procedures for Employees will apply.
- Where a Respondent is both a student and an employee, faculty, or volunteer, the Title IX Coordinator will determine which of these procedures applies based on the circumstances (such as whether the student or employee role predominates, particularly in reference to the relevant incident).

For more information on which procedures apply, see Section II. If you have any questions, such as which set of procedures apply, please contact the Title IX Coordinator.

There is no time limit on when a Complaint or Report pursuant to this policy can be made to MSON, however, evidence may be lost and MSON’s ability to investigate and respond may be affected by any time delay in reporting.

MSON strongly encourages alleged victims to promptly file a Complaint or for other persons with knowledge to promptly make a Report in order to ensure campus safety and to preserve important evidence that may be essential for a thorough and fair resolution, including future legal and proceedings. Evidence preservation is particularly important because as time goes by, an investigation becomes more difficult. Memories may become unreliable, and information and witnesses may become unavailable.

MSON employees may not discourage an individual from reporting Prohibited Conduct covered by this policy. Furthermore, any attempt to retaliate against or penalize an alleged victim or any other person who reports or participates in the resolution of an incident is strictly prohibited, and any party found to have engaged in retaliation will be subjected to discipline (see Section III.N).

III.F.1. How to File a Complaint or Make a Report to College Officials

Anyone who wishes to file a Complaint or make a Report regarding a violation of this policy may do so at any time by contacting any of the following:

Title IX Coordinator

Title IX Coordinator
Susan Cohen
Human Resources
Montefiore New Rochelle Hospital
16 Guion Place
New Rochelle, NY 10801
susacohe@montefiore.org
914-365-4803

Assistant Director of Human Resources
Emy Velez
Human Resources
Montefiore New Rochelle Hospital
New Rochelle, New York 10801
evele@montefiore.org
914-365-4806

Dean
Dr. Rebecca Greer
Montefiore School of Nursing
53 Valentine Street
Mount Vernon, New York 10550
rgreer@montefiore.org
914-361-6220

Assistant Dean
Dr. Paulette Thompson
Montefiore School of Nursing
53 Valentine Street
Mount Vernon, New York 10550
pauthomp@montefiore.org
914-361-6315

Deputy General Counsel
Loren Ratner, Esq.
Montefiore New Rochelle Hospital
16 Guion Place
New Rochelle, New York 10801
lratner@montefiore.org
914-365-4319

Individuals not wishing to make a Report or Complaint may instead anonymously call the Confidential Compliance Hotline. MSON will investigate anonymous calls to the extent possible, and also keep records of and report certain anonymous calls pursuant to the requirements of the federal Clery Act. However, all anonymous callers should be aware that reporting

anonymously may affect the College's ability to investigate and respond effectively. To the extent there is a concern regarding retaliation for making a call or filing a Complaint or Report, any such retaliation is prohibited and MSON will take steps to prevent such retaliation as well as strong responsive actions should it occur (see Section III.N). Anonymous calls may be made as follows:

Montefiore Health System Confidential Compliance Hotline

1-800-662-8595

See Appendix G for information regarding confidential support services. See Appendix D for the Student Alcohol and Drug Use Amnesty Policy.

In addition to the options listed above, Sexual Abuse/Assault, Stalking, Domestic Violence, and Dating Violence may also or instead be reported to other personnel identified by MSON as "campus security authorities" in the Annual Security Reports it publishes in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "*Clery Act*"), including:

Security Department

Don Mosher, Security Manager
Montefiore New Rochelle Hospital
16 Guion Place
New Rochelle, New York 10801
914-365-3562
dmosher@montefiore.org

Michael Tozzi, Security Manager
Montefiore Mount Vernon Hospital
53 Valentine Street
Mount Vernon, New York 10550
914-361-6007
mtozzi@montefiore.org

MSON Office of Student Services
914-361-6537

Students who allege they are victims of Sexual Abuse/Assault, Stalking, Domestic Violence, or Dating Violence (defined in Section III.C.) have the right (i) to make a report to the Security Department, local law enforcement and/or State Police or choose not to report; (ii) to report the incident to MSON; (iii) to request MSON's assistance in notifying law enforcement authorities; (iv) to be protected by MSON from retaliation for reporting an incident; and (v) to receive assistance and resources from MSON. Complaints or Reports under this policy and complaints with law enforcement may be filed simultaneously.

MSON will cooperate with police investigations, but will not delay its investigation of a Complaint in the absence of extenuating circumstances and will conduct its investigation simultaneously with any police/legal system investigation. The College system and police/legal system work independently from one another. Because the standards for finding a violation of criminal law are different from the standards in this policy, criminal investigations or reports are not solely determinative of whether or not misconduct under this policy has occurred.³

When any of these afore-mentioned individuals or any other MSON employee (other than someone serving in a privileged professional capacity or as a confidential resource as set forth in Appendix G, Section I.A) is first notified of a Report or Complaint, that person must promptly inform the Title IX Coordinator of the complaint. If the Complaint involves an allegation of Prohibited Conduct, the Title IX Coordinator will promptly inform Deputy General Counsel of such Complaint. No MSON employee is authorized to investigate or resolve a suspected violation of this policy without the involvement of the Title IX Coordinator

III.F.2. Other Resources and Reporting Options

Regardless of whether a victim of sexual violence wants to file a Complaint or make a Report to either MSON or the local police, he/she should promptly seek medical attention both to address his/her own health and to preserve potential evidence should he/she later decide to file charges or obtain a protective order.

For information on resources including emergency assistance, hospitals, law enforcement, security, medical care, mental health treatment, counseling, and other support services, see Appendix G. If desired, MSON can assist with accessing these resources.

III.F.3. Confidentiality in Complaints & Reporting

MSON will maintain as confidential the identity of anyone who makes a Report or Complaint, Respondent(s), and witnesses, except as required by FERPA, as defined below, or a government investigation, hearing, or judicial proceeding, or as otherwise required by law, and except that where a Complaint is filed, MSON must give notice to Complainant and Respondent of the identities of any individuals involved as well as certain information regarding the incident (see Section III.F.5). In all instances, MSON will endeavor to maintain the Complainant's and Respondent's privacy and reveal the parties' identities only to those individuals who need to know it in order for an investigation to commence or continue (as applicable) and the matter to be resolved.

MSON is not able to guarantee confidentiality because doing so may limit MSON's ability to provide parties with notice of allegations in a Complaint, to investigate the allegations and respond effectively, to ensure a safe, non-discriminatory and harassment-free environment and/or to comply with crime reporting or other legal requirements. In addition, consistent with

³ For an explanation of the differences between MSON's and law enforcement's complaint and investigation procedures, see Appendix E.

law, information regarding violations of this policy may be shared among MSON personnel as appropriate and necessary.

To the extent there is a concern regarding retaliation for making a Report or Complaint, any such retaliation is prohibited and MSON will take steps to prevent such retaliation as well as strong responsive actions should it occur (see Section II.N.). However, even MSON officers and employees who cannot guarantee confidentiality will maintain the privacy of the parties' involved to the greatest extent possible. The information provided by the parties involved to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution.

Clery Act: MSON has an obligation to report certain crimes in its annual security report pursuant to the Clery Act. However, it will do so in an anonymized manner that identifies neither the specifics of the crime nor the identity of the alleged victim or the reporting individual. The Clery Act also requires the College to issue timely warnings of certain crimes that represent a serious or continuing threat to students and employees, except in those circumstances where issuing such a warning may compromise current law enforcement efforts or when the warning itself could potentially identify the reporting individual; that a reporting individual shall not be identified in a timely warning.

FERPA: The Family Educational Rights and Privacy Act allows institutions to share information with Parents when: (i) there is a health or safety emergency, or (ii) when the student is a dependent on either parent's prior year federal income tax return. However, MSON will generally not share information about a report of Domestic Violence, Dating Violence, Stalking, or Sexual Assault with Parents without the permission of the reporting individual.

III.F.4. When a Report is Made

Following a Report of an incident to the Title IX Coordinator, the Complainant will be immediately advised in writing of MSON's policies and procedures, as described herein, including the availability of interim protective measures and accommodations (see Section III.E), and next steps and procedures, including any option for filing a Complaint, if the reporting individual is the alleged victim of the Prohibited Conduct.

Reports will be overseen by the Title IX Coordinator, in consultation with the Deputy General Counsel as appropriate. Every effort will be made, consistent with the need to discharge MSON's responsibilities and protect the safety of the MSON community, to respect the wishes of the alleged victim regarding further investigation. A Complaint will not be pursued without the alleged victim's consent, unless MSON is obligated to do so or, in its judgment, the allegations are serious enough to warrant further action. MSON at all times reserves the right to proceed as necessary to protect the safety of the campus community and workplace and to maintain compliance with all applicable laws and regulations. The Title IX Coordinator therefore

reserves the right to file a Complaint even if the alleged victim chooses not to do so. In such instance, the Title IX Coordinator would not be considered a party, but rather the alleged victim would be referred to as the “Complainant,” regardless of whether the alleged victim actually filed the Complaint.

III.F.5. When a Complaint is Filed

When a Complaint alleging Prohibited Conduct is filed by a Complainant or the Title IX Coordinator, the Complainant (alleged victim) will be immediately advised in writing of MSON’s policies and procedures, as described herein, including their rights and options, the availability of interim protective measures and accommodations (see Section III.G.), and next steps in terms of investigation and procedures. The Title IX Coordinator will discuss the Complainant’s rights and options, as well as any confidentiality concerns.

When a Complaint alleging a Title IX Violation under this policy is filed by a Complainant or initiated by the Title IX Coordinator, MSON will provide written notice to the parties who are known as follows:

- a) Notice of MSON’s Complaint, Investigation, Resolution, & Grievance Procedures
- b) Notice of the allegations, including:
 - sufficient details and time to allow for preparation of a response before any initial interview, including:
 - i. the identities of the parties involved,
 - ii. the alleged conduct constituting Prohibited Conduct with reference to applicable provisions in this policy,
 - iii. the date, time, location and factual allegations concerning the incident,
 - iv. a reference to the specific prohibited conduct the Respondent is alleged to have engaged in, and
 - v. possible sanctions;
 - 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;
 - an explanation that the parties may inspect and review evidence; and

- a reference to the prohibition on knowingly making false statements or knowingly submitting false information during the grievance process.

Complaints will be overseen by the Title IX Coordinator, in consultation with the Senior Counsel as appropriate. Where multiple Complaints arise out of the same factors or circumstances, MSON reserves the right to consolidate the Complaints for purposes of Investigation, Informal Resolution, Title IX Grievance Procedures, and/or General Grievance Procedures, as appropriate.

Every effort will be made, consistent with the need to discharge MSON's responsibilities and protect the safety of the MSON community, to respect the wishes of the Complainant regarding further investigation. A Complaint will not be pursued if the Complainant notifies the Title IX Coordinator in writing that he or she wishes to withdraw the Complaint, unless MSON is obligated to do so or, in its judgment, the allegations are serious enough to warrant further action. MSON at all times reserves the right to proceed as necessary to protect the safety of the campus community and workplace and to maintain compliance with all applicable laws and regulations.

III.F.6. Withdrawing or Dismissing a Complaint

A Complaint may be dismissed or withdrawn in several circumstances:

- If the Complainant notifies the Title IX Coordinator in writing that he or she would like to withdraw the Complaint;
- If MSON determines that conduct in a Complaint alleging a Title IX Violation does not meet the definition of that term, it will dismiss the Complaint as to such conduct (although a Complaint may be pursued for other Prohibited Conduct);
- If the Respondent is no longer enrolled or employed by MSON; or
- If specific circumstances prevent MSON from gathering evidence sufficient to reach a determination on the Complaint or the allegations therein.

If a Complaint is dismissed or withdrawn, any investigation or resolution or grievance procedures will be suspended, and MSON will promptly send written notice of the dismissal or withdrawal and the reason(s) for such dismissal or withdrawal. The dismissal of a Complaint of Title IX Violations may be appealed according to the process set forth in Appendix A.

III.G. Interim Protective Measures and Accommodations

MSON may take reasonable and prudent interim measures to protect and ensure safety, prevent retaliation, avoid an ongoing hostile environment, and/or restore or preserve equal access to MSON's nursing program. Interim measures may be available to the Complainant,

the Reporter (if different than the Complainant), the Respondent, and all third-party witnesses pending resolution of the Complaint or the Report, regardless of whether the Complainant or Reporter chooses to report the conduct to campus security or local law enforcement. Interim measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, restrictions on contact (MSON-issued “no contact” orders),⁴ leaves of absence, increased security and monitoring of certain areas of the campus, bans from areas of campus, and changes to academic, transportation, employment, or working situations (including transferring to a different class, and changing work or clinical assignment schedules). Non-student employees may also be placed on administrative leave. Otherwise, a Respondent will be subject to emergency removal from MSON’s nursing program or activity only if MSON determines that doing so is necessary to prevent an immediate threat to physical health or safety, and MSON also provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

Individuals may discuss their options for any such interim measures or accommodations, as applicable, with the Title IX Coordinator, who may assist with identifying and obtaining reasonably available accommodations. Upon request by the Complainant or Respondent, an individual’s request for an interim measure or accommodation will be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any such interim measure and accommodation that directly affects him or her, including potential modification, and shall be allowed to submit evidence in support of his or her request.

MSON may also assist an individual with obtaining an Order of Protection or other protective measures via reports to law enforcement or otherwise. If an Order of Protection or the equivalent is received by MSON, individuals have a right to receive a copy of it, and have an opportunity to meet or speak with an MSON representative, or other appropriate individual, who can explain the order and answer questions about it, including information about the accused’s responsibility to stay away from protected persons. An explanation of the consequences for violating such an order will also be explained, and may include, but not be limited to, arrest, as well as suspension or expulsion for students, and termination for employees. If an Order of Protection or the equivalent is violated, campus security may provide assistance by calling on and assisting local law enforcement in effecting an arrest for such violation.

Interim measures may be modified as necessary throughout while the complaint is pending.

⁴ No contact orders prohibit continued intentional contact with the Complainant. If the accused/Respondent and Complainant/reporting individual observe each other in a public place, it shall be the responsibility of the accused/Respondent to leave the area immediately and without directly contacting the reporting individual. MSON may establish an appropriate schedule for the accused/Respondent to access applicable institution buildings and property at a time when such buildings and property are not being accessed by the Complainant/reporting individual. Intentional and/or continued violations of a MSON-issued “no contact” order is a violation of this policy and may result in additional misconduct charges and additional disciplinary sanctions including suspension and expulsion for students, or up to and including termination of employment for employees.

MSON also will consider the safety of the MSON community when making decisions regarding appropriate interim measures. MSON will endeavor to maintain as confidential any accommodations or protective measures to the extent that maintaining them would not impair the ability of MSON to provide such measures.

III.H. Investigation of Reports & Complaints

MSON will respond to all Reports and Complaints in a prompt, thorough, fair, and impartial manner. All Reports or Complaints of Prohibited Conduct under this policy will be overseen by the Title IX Coordinator.

III.H.1. Investigation of Reports and Complaints

Upon receipt of a Report or Complaint of Prohibited Conduct, or upon receiving information which MSON determines on its own warrants further investigation (even if no Complaint is filed or even if a Complaint is filed and later withdrawn), a fair, prompt, and impartial investigation will commence in accordance with the procedures set forth below, assuming one or more of the parties (Respondent and/or Complainant) are students. (As discussed above in Section II above, if only employees are involved, the procedures set forth in the Non-Discrimination and Gender-Based Misconduct Policy and Procedures for Employees will apply). The investigation will be conducted by officials who are impartial, with no conflict of interest or bias for or against Complainants or Respondents generally, or an individual Complainant or Respondent. Training for such officials will be conducted pursuant to Section III.M.

Generally, the investigation will be conducted by the Title IX Coordinator, the Security Department or another appropriate entity as determined by MSON (it being understood that MSON reserves the right to use an outside individual or organization to conduct or assist with the investigation). Depending on the nature of the allegations, the investigation may include interviews with the Complainant and Respondent, interviews of witnesses, collection of documentation (including email and other communications relevant to the complaint), a review of documents or any other steps deemed important by the investigator in order to thoroughly and fairly conduct the investigation. The investigator will consult with the Deputy General Counsel, as appropriate, throughout this process. MSON will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

The Title IX Coordinator (or other designated investigator) will seek to conclude the investigation as promptly as practicable, and in any event generally within 30 business days after receipt of the Respondent's statement regarding the allegations, and generally within 40 business days after receipt of the formal Complaint. The facts and circumstances of each case may make it necessary to extend the resolution timeline (see Section III.K.).

Where a Report has been made, but no Complaint filed, the alleged victim may nevertheless decide at any point during the investigation to file a Complaint, or the Title IX Coordinator may initiate the Complaint process should it determine the allegations are serious enough to initiate the Complaint process, such action would trigger all procedures applicable to Complaints, including the provisions in Section III.F.5. Otherwise, investigation of a Report may be discontinued for failure to file a Complaint.

If, in the course of an investigation of a Complaint, MSON decides to investigate allegations of Title IX Violations that were not included in the notice regarding the original Complaint allegations (as discussed in Section III.F.5.), MSON will provide notice of the additional allegations to all parties whose identities are known, pursuant to the process set forth In Section III.F.5.

All members of the MSON community are encouraged to cooperate with investigations. However, in no event will a Complainant or Respondent be compelled to participate in the investigation. Further, MSON's ability to compel a third party to participate in the investigation process may be limited.

Investigation of Reports or Complaints of Title IX Violations

Any party who is invited or expected to participate in any investigative interview or other meeting will be provided with written notice of the date, time, location, participants, and purpose of the interview or meeting, with sufficient time for the party to prepare to participate. Parties will have the same opportunities to have others present during any interview or other meeting, including the opportunity to be accompanied by an advisor of their choice (who may, but need not be, an attorney), and any restrictions on advisors' participation will apply equally to both parties. The burden of proof gathering evidence rests with MSON and not on the parties, except that MSON cannot access a party's records maintained by a medical or other professional without the voluntary, written consent of that party.

Parties will have equal opportunities to present witnesses and other inculpatory and exculpatory evidence. Neither party is restricted from discussing the allegations under investigation or from gathering and presenting relevant evidence.

Parties will have an equal and timely opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Complaint, including information that may exonerate or show responsibility—subject to reasonable time, place, and manner restrictions as well as heightened restrictions on sensitive information that is not directly relevant. Such evidence will be provided regardless of whether MSON intends on relying on such evidence. Each party will have the opportunity to meaningfully respond to such evidence prior to the conclusion of the investigation. Prior to completion of the investigation, MSON must send to each party and the party's advisor (if any), the evidence subject to inspection and review in an electronic format or hard copy, and give the parties at least 10

business days to submit written response. The investigator will consider such written responses prior to completion of the Investigative Report.

III.H.2. Confidentiality During Investigations & Grievance Procedures

Information gathered during the Investigation, Informal Resolution, Title IX Grievance Procedures, and Grievance Procedure processes will be handled by MSON with due diligence and care. Discreet inquiry, corrective counseling, and trust will be stressed by MSON in dealing with all Complaints and Reports. MSON will maintain as confidential records and information concerning investigations, except as required by FERPA or a government investigation, hearing, or judicial proceeding, or as otherwise required by law, and except that where a Complaint is filed, MSON must give notice to Complainant and Respondent of the identities of any individuals involved as well as certain information regarding the incident (see Section III.F.5). In all instances, MSON will endeavor to maintain the Complainant's and Respondent's privacy and reveal the parties' identities only to those individuals who need to know it in order for an investigation to commence or continue (as applicable) and the matter to be resolved.

MSON is not able to guarantee complete confidentiality because doing so may limit MSON's ability to provide parties with notice of allegations in a Complaint, to investigate the allegations and respond effectively, to ensure a safe, non-discriminatory and harassment-free environment and/or to comply with crime reporting or other legal requirements. In addition, consistent with law, information regarding violations of this policy may be shared among MSON personnel as appropriate and necessary. Even MSON officers and employees who cannot guarantee confidentiality will maintain the privacy of the parties' involved to the greatest extent possible. The information provided by the parties involved to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution.

III.J. Resolution & Grievance Procedures

In any investigation of a Complaint involving a student as either a Complainant or Respondent, there are two sets of procedures that might apply, depending on the type of Prohibited Conduct described in the Complaint:

- For Complaints regarding Title IX Violations (as defined in Section III.C.3), the Title IX Grievance Procedures will generally apply, as set forth in Section III.J.2 below. If the Respondent is a student, the parties (Complainant and Respondent) may instead choose to participate in the Informal Procedures set forth in Section III.J.1. Informal resolution is not available if the Respondent is an employee.
- For Complaints regarding other Sexual Harassment or discrimination that do not qualify as Title IX Violations, the General Grievance Procedures will apply (see Section III.J.3.), unless the parties instead choose to participate in the Informal Procedures set forth in Section III.J.1.

As discussed above in Section II, if only employees and/or third-parties are involved, the procedures set forth in the Non-Discrimination and Gender-Based Misconduct Policy and Procedures for Employees will apply. If you have any questions, such as to which set of procedures apply, please contact the Title IX Coordinator.

Regardless of which process is used, it will be conducted by officials who are impartial, with no conflict of interest or bias for or against either the Complainant or Respondent. Training for officials involved in the resolution and/or grievance processes will be conducted pursuant to Section III.L.

III.J.1. Informal Resolution Process

The Informal Resolution Process may apply only where:

- a Complaint has been filed;
- all parties receive a written notice disclosing: the allegations in the Complaint, their options to pursue Title IX or General Grievance Procedures, the requirements of the informal resolution process (including the circumstances under which it precludes the parties from resuming Title IX Grievance Procedures or General Grievance Procedures arising from the same allegations), and the consequences resulting from participating in the Informal Resolution Process;
- all parties voluntarily agree to pursue the Informal Resolution Process, and sign written consent to do so; and
- the Respondent is not an employee.

The Informal Resolution process will be overseen by officials who are impartial, with no conflict of interest or bias for or against Complainants or Respondents generally, or an individual Complainant or Respondent. Training for such officials will be conducted pursuant with Section III.L.

Informal means of addressing the issues raised in a Complaint may include, but are not limited to:

- An informal direct discussion between the Complainant and the Respondent in the presence of the Title IX Coordinator
- Requesting additional education for the area or department where the Complaint originated; or
- Commencing mediation of the Complaint. The Complainant and the Respondent must agree to mediation if mediation is to go forward. **Mediation is optional.** The mediator will be designated by the Title IX Coordinator within 10 business days after the parties'

agreement to participate in mediation. The mediator will contact the parties to set the date, time, and location of the mediation session(s). Only the mediator and the parties will be participants in the mediation session(s), except as provided below. During the mediation process, the mediator normally will: (i) ask the parties to give their versions of the incident, including both factual information and their feelings; (ii) identify key issues; (iii) seek the agreement of both parties on the issues; (iv) facilitate discussion; and (v) work with both parties to develop a written document that will include a statement of agreement. If either party is dissatisfied with the mediation process at any time prior to the signing of a mediation agreement, that party may request that the mediation process cease.

The Complainant or Respondent may at any time prior to resolution decide to withdraw from the Informal Resolution Process and instead proceed with the Title IX or General Grievance Procedures process (see Sections III.J.2. and III.J.3.) by notifying the Title IX Coordinator of his or her desire to do so. No negative inference may be drawn from such a request.

III.J.2. Title IX Grievance Procedures

The Title IX Grievance Procedures apply to Complaints of Title IX Violations that a Complainant has filed with the Title IX Coordinator (see Section III.F.1).

For more information about the Title IX Grievance Procedures, please refer to **Appendix A**. In certain circumstances, parties may voluntarily agree to pursue an Informal Resolution Process in lieu of Title IX Grievance Procedures (see Section III.J.1.).

III.J.3. General Grievance Procedures

The General Grievance Procedures apply to Complaints of Prohibited Conduct other than Title IX Violations that are covered by the Title IX Grievance Procedures (see Section III.J.2). For more information about the General Grievance Procedures, please refer to **Appendix B**. Parties may voluntarily agree to pursue an Informal Resolution Process in lieu of General Grievance Procedures (see Section III.J.1.).

III.J.4. Remedies and Sanctions

MSON has the discretion to issue any disciplinary action it deems appropriate up to, and including expulsion and/or termination.

If MSON determines that an individual is responsible for a Title IX Violation, sanctions which may be imposed by MSON include suspension or expulsion for students and up to and including termination of employment for employees. Other sanctions that may be imposed include a warning, disciplinary probation, restriction from employment by MSON, removal from courses or activities, loss of privileges, no contact, exclusion from areas of the campus and facilities, removal or non-renewal of scholarships, a notation on the Respondent's official MSON

transcript, community service, restitution, and a fine. In addition, the Respondent may also be required to undergo an assessment and treatment by a therapist or counselor, attend an intervention treatment program and/or issue a letter of apology.

Students suspended or expelled for committing an act of Sexual Abuse/Assault, Stalking, Domestic Violence, Dating Violence, or a “violent crime,” as defined by the Clery Act,⁵ will have a notation placed on their transcript as follows: “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.” MSON will consider requests to remove transcript notations. Requests for removal of a transcript notation should be sent to the Title IX Coordinator. A transcript notation will not be removed prior to one year after conclusion of the suspension. If a finding of responsibility is vacated for any reason, a corresponding transcript notation will be removed. Expulsion notations will not be removed in any case. If an accused student withdraws from MSON while charges are pending and declines to complete the disciplinary process the following notation will be placed on his/her transcript: “withdrew with conduct charges pending.”

In addition to any disciplinary action, MSON may take action to eliminate a hostile environment created by discrimination, harassment or sexual misconduct, to prevent the recurrence of the discrimination, harassment or sexual misconduct, and to address the effects of the discrimination, harassment or sexual misconduct on the parties involved, the witnesses and the MSON community, as appropriate. Such efforts may include additional training and awareness programs for the MSON community.

More information about possible sanctions can be found in **Appendices A and B**.

III.K. Time Limits

MSON will exercise due diligence in complying with the stated time limits set forth in this policy. However, stated time limits may be extended for good cause depending on the nature of the allegations, the time of year, and any other unforeseen or extenuating circumstance. Good cause may include considerations such as 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. All parties will be notified in writing of any delay or extensions and the reason therefore. Any party may request an extension of any deadline by submitting a written request to the Title IX Coordinator detailing the reason for such request and the amount of additional time requested. The Title IX Coordinator has the discretion to grant or deny any such request.

III.L. Education/Training

As part of MSON’s commitment to providing a safe, non-discriminatory and harassment-free environment, this policy shall be disseminated widely to the MSON community through

⁵ “Violent crimes” defined by the Clery Act are murder, sexual offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, manslaughter, and arson.

publications, websites, student orientations, new employee orientations, current employee training and other appropriate channels of communication. MSON also provides training programs for MSON employees and students to promote awareness and a safe and respectful MSON environment.

Additionally, officials and/or Decisionmakers involved in responding to Reports and Complaints (as further set forth in Appendix A), conducting investigations and/or overseeing resolution and grievance procedures will receive appropriate training consistent with applicable law, including, as applicable, training on:

- the scope of the recipient's education program or activity,
- Prohibited Conduct and Title IX Violations
- how to conduct an investigation and grievance process that protects the safety of victims and the rights of Respondent and promotes accountability (including hearings, appeals, and informal resolution processes),
- the effects of trauma,
- how to serve impartially (including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias),
- issues of relevance of questions and evidence (including on when the Complainant's sexual predisposition or prior sexual behavior are not relevant),
- issues of relevance to create an investigative report that fairly summarizes relevant evidence, and
- technology to be used at a live hearing.

III.M. Documentation of Investigations and Resolution & Grievance Procedures

The Title IX Coordinator will maintain records of all Complaints (both formal and informal), investigations, findings (including the basis for those findings) and appeals. These records will be kept on file in accordance with MSON's records and retention policy.

Parties have the right to access a full and fair record of any disciplinary hearing involving allegations of a Title IX Violation. Such records shall be preserved and maintained for at least five years from the hearing and may include a transcript, recording or other appropriate record.

The Title IX Coordinator also will inform the applicable Registrar if any transcript notations are required (see Section III.J.4).

III.N. Retaliation

This policy prohibits retaliation against any individual for the purpose of interfering with any Title IX right or privilege, or 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 this policy, even if the Complaint is unsubstantiated. Retaliation includes threats, intimidation, coercion, discrimination, reprisals, harassment, and/or any other adverse action threatened (expressed or implied) or taken, including charges against an individual for code of conduct violations that do not involve sex discrimination or a Title IX Violation, but arise out of the same facts or circumstances as a Report or Complaint of sex discrimination, or a Report or Complaint of a Title IX Violation, for the purpose of interfering with Title IX rights or privileges. Retaliation may take place in person, over the telephone or through electronic or social media means. Regardless of how it manifests itself, retaliation is prohibited. MSON will maintain as confidential the identity of anyone who makes a Report or Complaint, Respondents, and witnesses, except as required by FERPA or a government investigation, hearing, or judicial proceeding, or as otherwise required by law, and except that where a Complaint is filed, MSON must give notice to Complainant and Respondent of the identities of any individuals involved.

Retaliation is a serious violation of this policy, as well as federal, state and local law. Anyone who either observes or becomes aware of such retaliatory behavior is strongly encouraged to report it to the Title IX Coordinator, and all MSON employees are under a business duty to do so. Complaints alleging retaliation may be filed according to the procedures in Section III.F, or (for violations that do not involve students) the procedures in the Non-Discrimination and Gender-Based Misconduct Policy and Complaint Procedures for Employees. Violations of this prohibition will be addressed through the procedures outlined in this policy.

III.O. Knowing False Claims or Information

MSON considers any allegation of discrimination, harassment or sexual misconduct a serious matter and encourages individuals to report all incidents to MSON. All good faith reports will be treated seriously. Any individual who knowingly files a false claim, or who *knowingly* provides false information during an investigation or proceeding may be subject to appropriate disciplinary action, up to and including suspension and expulsion for students and termination of employment for employees.

III.P. Re-Evaluation

MSON reserves the right to modify and/or amend any or all of the terms and/or procedures outlined herein at any time, in its sole discretion. In the event MSON determines that circumstances warrant modification or amendment of this policy, timely notice of the same will

be communicated to all affected parties. This policy is made available to the entire faculty, staff, and student body of MSON, as well as all interested others, and can be accessed via the MSON website or can be obtained from the Title IX Coordinator, Deputy General Counsel, Dean, Assistant Dean or the MSON Office of Student Services.

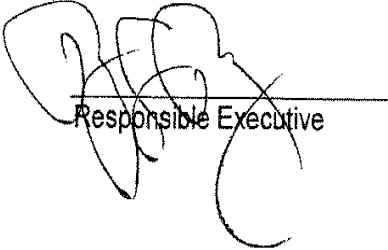
IV. Effective Date

Effective as of: August 14, 2020

V. Policy Management and Responsibilities

MSON's Human Resources department is the Responsible Office under this Policy. The Vice President Executive Director of Montefiore New Rochelle Hospital Anthony, J. Alfano is the Responsible Executive, and the Dean of MSON Rebecca Greer is the Responsible Officer for the management of this Policy.

VI. Approved (or Revised)



Responsible Executive

8/13/2020

Date

Appendix A: Title IX Grievance Procedures

These Procedures will apply to Complaints of Title IX Violations, following an Investigation and Investigative Report, unless the parties voluntarily agree to instead participate in the Informal Resolution Process where permitted. These Procedures are intended to implement 34 C.F.R. 106.45, and as such, should be interpreted consistently with its requirements.

The Hearing

The Title IX Coordinator (or his/her designee) will provide all parties involved with a copy of these Procedures:

- 1) Following the Investigation and issuance of the Investigative Report, the Complaint will proceed to a live Hearing, which will be conducted by a neutral Decisionmaker appointed by MSON (MSON reserves the right to appoint more than one neutral Decisionmaker to a given case). The Decisionmaker(s) will not have a conflict of interest or bias for or against Complainants or Respondents generally, or an individual Complainant or Respondent. Training for the Decisionmaker will comport Section III.M. The Title IX Coordinator will coordinate details of the Hearing and parties' submissions, but will not serve as a Decisionmaker.
- 2) At least 10 business days before the Hearing date, parties will receive notice of the Hearing date, the Complaint which will be heard at the Hearing, and a copy of the Investigative Report.
- 3) The Respondent will be presumed to be not responsible for the alleged conduct unless and until proven otherwise under a clear and convincing standard of evidence.
- 4) Parties will have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. However, at least 5 business days before the Hearing date, parties must:
 - a. Submit the name of their Advisor who will assist them at the hearing. The Advisor may be, but is not required to be, an attorney. If a party does not submit the name of an Advisor, MSON will select and provide an Advisor without charge.
 - b. Submit any request that the Hearing be conducted virtually via live video, with the parties located in separate rooms. The parties must be able to simultaneously see and hear the party or witness that is answering questions.
 - c. Submit a written response, if any, to the Investigative Report
 - d. Submit a list of any evidence or witnesses the party wishes to present at the Hearing, including names of possible witnesses, the nature and description of

possible evidence, and any relevant supplemental information that becomes available after the Investigation.

- 5) Prior to the hearing, the Decisionmaker(s) will review the Investigative Report, as well as any submissions from the Complainant or Respondent. The Decisionmaker(s) may ask that witnesses attend the Hearing, so that they may be asked questions in person.
- 6) The burden of proof is on MSON to gather sufficient evidence to reach a determination regarding responsibility. MSON will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. MSON cannot access, consider, disclose, or use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless MSON obtains that party's voluntary, written consent to do.
- 7) The Decisionmaker will preside over the Hearing, and may question the parties in order to assist him/her in deciding whether or not the charges are supported by clear and convincing evidence.
- 8) The Hearing will be recorded via audio recording, audiovisual recording, or transcript, and will be made available to the parties for inspection and review in sufficient time to allow them to meaningfully prepare for an appeal.
- 9) The parties are encouraged to attend the Hearing, so that they are given a full opportunity to explain their positions. However, the Decisionmaker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the Hearing.
- 10) At the Hearing, MSON will make available for parties' inspection, review, and use, all evidence obtained as part of the investigation that is directly related to the allegations in the Complaint.
- 11) At the Hearing, each party's Advisor will be given an opportunity to ask the other party and any witnesses all relevant questions and follow-up questions in real time, including questions challenging credibility. The party may not personally ask such questions.
- 12) Before a Complainant, Respondent or witness answers a question from an Advisor, the Decisionmaker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. 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. However, past findings of Domestic Violence, Dating Violence, Stalking, or Sexual Assault may be admissible solely for purposes of determining appropriate sanctions. Additionally, parties have the right to exclude questions and evidence about their mental health diagnosis and/or treatment.

- 13) The Advisor must abide by the Decisionmaker(s)' determination as to whether a question is relevant. The Advisor may be asked to leave the meeting/proceeding if he/she deviates from his/her role. In such case, the party would have an opportunity to appoint a different Advisor, or MSON would appoint an Advisor for the party. The Advisor will be subject to the same confidentiality expectations applicable to others in attendance at the meeting/proceeding.
- 14) If a party or witness refuses to submit to cross-examination at the Hearing, the Decisionmaker must not rely on any statement of that party or witness in reaching a determination regarding responsibility. The Decisionmaker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's refusal to answer cross-examination or other questions.
- 15) The Decisionmaker(s) will objectively evaluate all relevant evidence—including both inculpatory and exculpatory evidence.
- 16) Credibility determination will not be based on a person's status as a Complainant, Respondent, or witness.
- 17) Parties have the right make an impact statement related to appropriate sanctions.
- 18) Within 10 business days of the Hearing, the Decisionmaker(s) will issue a written decision on whether the Respondent is responsible for the alleged violation(s). The written determination will be provided to both parties simultaneously, and will include:
 - a. Identification of the allegations potentially constituting a Title IX Violation;
 - b. A description of the procedural steps taken from the receipt of the 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;
 - c. Findings of fact supporting the determination;

- d. Conclusions regarding the application of MSON's Non-Discrimination and Gender-Based Misconduct Policy and Complaint Procedures for Students to the facts;
- e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions MSON imposes on the Respondent, the rationale for each sanction, and whether remedies designed to restore or preserve equal access to MSON's education program or activity will be provided by MSON to the Complainant; and
- f. MSON's procedures and permissible bases for the Complainant and Respondent to Appeal.

Appeal Process

Both parties have the right to appeal from a determination regarding responsibility and from a dismissal of a Complaint or any allegations therein. The appeal must be submitted to the Title IX Coordinator within 5 business days of the date of the determination or dismissal of the Complaint. A request for an appeal must consist of a plain, concise, and complete written statement outlining the grounds for the appeal. In all cases, there are four possible grounds for appeal:

- Existence of a procedural irregularity that affected the outcome of the matter;
- 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; or
- The Title IX Coordinator, investigator(s), or Decisionmaker(s) had a conflict of interest for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter. or
- The sanction is excessive, inconsistent or insufficient with the nature of the offense.

Upon receipt of an appeal, the the Title IX Coordinator will promptly notify the other party in writing that an appeal was filed, and provide a copy of the appeal. The appeal will be referred to an **Appeal Panel**, which will include the Dean (or his/her designee) and at least one other individual to be selected by the Dean and the Title IX Coordinator. The Appeal Panel will not include any of the following: the Title IX Coordinator, anyone who investigated the Complaint, or any Decisionmakers involved in the determination regarding responsibility or dismissal of the Complaint. Both parties will receive notice of the appointment of the Appeal Panel.

Within 10 business days after receiving notice of the appointment of the Appeal Panel, parties may submit a written statement supporting or challenging the outcome.

The appeal will be conducted in a fair and impartial manner. The appeal is not a re-hearing of the underlying matter. The Appeal Panel will review the written investigation report, decisions and all supporting documents, and also may consult with both parties. The Appeal Panel (by majority vote of panelists, or by unanimous decision if less than 3 panelists) can affirm the original determination of responsibility, alter the determination of responsibility either in whole or in part, and/or alter the sanctions, depending on the circumstances. The matter can also be referred back for further investigation or consideration if appropriate. The Appeal Panel will issue its written decision within 10 business days from the date of the submission of all appeal documents by both parties. The decision will describe the result of the appeal and the rationale for the result. The Title IX Coordinator will simultaneously notify the parties as soon as practicable of the decision.

Appeal decisions are final.

If there is no appeal, the Title IX Coordinator will simultaneously notify the parties that the initial decision is final because the time for an appeal has expired.

Timing

MSON will endeavor to fully resolve all Complaints of Title IX Violations generally within 60 business days after receipt of the formal Complaint. The 60-day time period may be extended depending on the nature of the allegations, the time of year, and any other unforeseen or extenuating circumstance.

Confidentiality

Parties have the right to choose whether to disclose or discuss the outcome of this process. However, subject to the exceptions discussed in Section III.H.2 and unless otherwise required by law, MSON will to the extent possible maintain as confidential all information obtained during the course of this process and will refrain from public release of such information until the appeals panel makes a final determination.

Appendix B: General Grievance Procedures For Complaints of Prohibited Conduct Not Covered by Appendix A

These Procedures will apply to Complaints of Prohibited Conduct not involving Title IX Violations, following an Investigation and Investigative Report, unless the parties voluntarily agree to instead participate in the Informal Resolution Process where permitted. The Title IX Coordinator (or his/her designee) will provide all parties involved with a copy of these procedures.

- 1) The Title IX Coordinator (or his/her designee) will request the Complainant to provide to the Title IX Coordinator, within 5 business days after the Title IX Coordinator's request and preferably in writing, a description of all facts that bear on the allegations; specifically, the details surrounding the accusation, names of possible witnesses, and the nature and description of possible evidence. The Complainant is expected to share with the Title IX Coordinator, or other appropriate investigative entity as designated by MSON, any relevant supplemental information that subsequently becomes available.
- 2) The Title IX Coordinator (or his/her designee) will promptly inform the Respondent in writing (and send a copy to the Complainant) of the allegations (including the date, time, location, nature of the alleged misconduct, and factual allegations) and ask the Respondent to respond to them within 5 business days after such notice. Such response should include all facts that bear on the allegations, including the names of possible witnesses and the nature and description of possible evidence, and may also include defenses the Respondent will claim. The Respondent is expected to share with the Title IX Coordinator, or other appropriate investigative entity as designated by MSON, any relevant supplemental information that subsequently becomes available. The Title IX Coordinators (or his/her designee) may ask to meet with the parties separately to discuss the allegations.
- 3) Where appropriate, in the judgment of the Title IX Coordinator both the Complainant and the Respondent may be invited to engage in mediation or conciliation.
- 4) The Title IX Coordinator may also work with Senior Counsel, as appropriate, in responding to the receipt of a Complaint.
- 5) The Title IX Coordinator (or other designated investigator) will fully, fairly and impartially investigate the complaint, and each party equally will have the opportunity to present witnesses and other evidence to the investigator. Each party and appropriate officials will also be afforded equal and timely access to information that will be used to adjudicate the Complaint.
- 6) Both parties will be advised by the Title IX Coordinator (or his/her designee) that reasonable efforts will be made by MSON to protect the privacy of the parties, and to

maintain confidentiality to the extent possible and as is consistent with investigative needs and applicable laws (see Sections III.F.3 and III.H.2.).

- 7) The Title IX Coordinator will explore possible interim protective measures and accommodations with both parties.
- 8) The Title IX Coordinator (or other designated investigator) will endeavor, as promptly as feasible, to interview all relevant parties and review all evidence, including witnesses and evidence identified by the parties.
- 9) The Title IX Coordinator (or his/her designee) will provide the Complainant and the Respondent with periodic status updates.
- 10) Each party will be provided written notice in advance of any interview or hearing, with sufficient time to prepare for meaningful participation. The Title IX Coordinator (or other designated investigator) will seek to conclude the investigation as promptly as practicable, and in any event generally within 30 business days after receipt of the Respondent's statement regarding the allegations, and generally within 40 business days after receipt of the formal complaint. The facts and circumstances of each case may make it necessary to extend the resolution timeline (see Section III.K.).
- 11) The Title IX Coordinator (or other designated investigator) will compile a written neutral investigation Report, summarizing the evidence and making findings of fact and conclusions, and will then determine the credible evidence and make a finding as to whether this policy has been violated. A finding of a violation of this policy will be based on a preponderance of evidence (i.e., that it is more likely than not that the discrimination or harassment occurred).
- 12) The Title IX Coordinator will simultaneously inform the parties of the conclusion of the investigation and the finding. The Complainant and Respondent may respond to such findings, either verbally or in writing, and such response will be furnished to the appropriate disciplinary authority along with the investigation's findings. Neither the Complainant nor the Respondent is entitled to receive a copy of the internal investigative report or any other related documents. If MSON determines to furnish a document to one party, it will also simultaneously furnish a copy to the other party.
- 13) Findings and recommendations concerning a Respondent will be promptly referred to the Dean for consideration of appropriate disciplinary action. The Dean will consult with the Title IX Coordinator and the designated investigator (as applicable) to review the findings and recommendations, as well as any responses to such findings received from the Complainant or Respondent.
- 14) The Title IX Coordinator will simultaneously notify the parties as soon as practicable of the sanctions to be imposed, except that the Complainant will only be notified of

sanctions that directly relate to said Complainant. Such notice may also include any other remedial or preventative action being taken or provided by the school. A Respondent may appeal the sanctions to be imposed on him/her, but no other party has a right of appeal. Within 5 business days of notice of the sanctions to be imposed on the Respondent, the Respondent may appeal the sanctions by submitting a written request to the Title IX Coordinator. The only grounds for an appeal are that the sanctions are excessive or inconsistent with the nature of the offense. The appeal is not a re-hearing of the underlying matter. Upon receipt of the appeal, the Title IX Coordinator will provide the other party with notice of the appeal and the opportunity to respond in writing. The other party's response to the appeal must be submitted within 5 business days from receipt of notice of the appeal. The appeal will be reviewed by the Dean (or his/her designee), and he/she will issue a determination generally within 5 business days from the date of the submission of all appeal documents by both parties. The Title IX Coordinator/ will simultaneously notify the parties as soon as practicable of the decision. Appeal decisions are final. If there is no appeal, the Title IX Coordinator also will simultaneously notify the parties that the initial decision is final because the time for an appeal has expired.

- 15) MSON will endeavor to fully resolve all formal complaints generally within 60 business days after receipt of the formal complaint. The 60-day time period may be extended depending on the nature of the allegations, the time of year, and any other unforeseen or extenuating circumstance.

Appendix C: Community Members' Bill of Rights

MSON is committed to providing options, support and assistance to victims/survivors of Sexual Abuse/Assault, Stalking, Domestic Violence and/or Dating Violence to ensure that they can continue to participate in College-wide and campus programs, activities, and employment. All MSON community members have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad:

All MSON community members have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of Domestic Violence, Dating Violence, Stalking, and Sexual Assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the 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 suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the institution, any student, the accused and/or the Respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or Respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.

See Section III.F.1 for information about filing a Report or Complaint, Sections III.F.3. and III.H.2. for information about confidentiality during the Report/Complaint process and an investigation and Appendix F for confidential support options.

Appendix D: Student Alcohol and Drug Use Amnesty Policy

The health and safety of every student at MSON is of utmost importance. MSON 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. MSON strongly encourages students to report Domestic Violence, Dating Violence, Stalking, or Sexual Assault to MSON 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 MSON's officials or law enforcement will not be subject to a 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.

MSON will provide students with the assistance needed to respond to high risk drinking and/or other drug abuse. In a crisis, students are encouraged to seek such assistance by contacting the MMV or MNR Security Department or 911.

[Montefiore New Rochelle Hospital Security Department](#)
[16 Guion Place](#)
[New Rochelle, New York 10801](#)
[914-365-3562](#)
dmosher@montefiore.org

[Montefiore Mount Vernon Hospital Security Department](#)
[53 Valentine Street](#)
[Mount Vernon, New York 10550](#)
[914-361-6007](#)
mtozzi@montefiore.org

Additional resources and information can be found in MSON's Drug and Alcohol Policy.

Appendix E: Additional Crime and Related Definitions

The following definitions are drawn from the Violence Against Women Act (VAWA) and its regulations, as well as various New York State laws.

Family or Household Member

The following individuals: (a) persons related by consanguinity or affinity; (b) persons legally married to one another; (c) person formerly married to one another regardless of whether they still reside in the same household; (d) persons who have a child in common regardless of whether such persons are married or have lived together at any time; (e) unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; (f) persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an “intimate relationship” include, but are not limited to: the nature or type of relationship regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an “intimate relationship;” or (g) any other category of individuals deemed to be a victim of domestic violence as defined by the NYS Office of Children and Family Services in regulation. Factors that may be considered in determining whether a relationship is an “intimate relationship” include, but are not limited to: the nature or type of relationship, regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Intimate relationship status shall be applied to teens, lesbian/gay/bisexual/transgender, and elderly individuals, current and formerly married and/or dating heterosexual individuals who were, or are in an intimate relationship.

Incest

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Intimidation

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Parent

Natural or adoptive parent or any individual lawfully charged with a minor child's care or custody.

Sexual Misconduct

When a person (1) engages in sexual intercourse with another person without such person's consent; or (2) engages in oral sexual conduct or anal sexual conduct without such person's consent; or (3) engages in sexual conduct with an animal or a dead human body.

Rape in the Third Degree

When a person (1) engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) Being 21 years old or more, engages in sexual intercourse with another person less than 17 years old; or (3) engages in sexual intercourse with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

New York State law specifically prohibits forcible touching, defined as when a person intentionally, and for no legitimate purpose: (1) forcibly touches the sexual or other intimate parts of another person, or for the purpose of gratifying the actor's sexual desire; or (2) subjects another person to sexual contact for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire and with intent to degrade or abuse such other person while such other person is a passenger on a bus, train, or subway car operated by any transit agency, authority or company, public or private, whose operation is authorized by New York state or any of its political subdivisions. Forcing touching includes squeezing, grabbing, or pinching.

Sexual Abuse

When a person subjects another person to sexual contact without the person's consent or where the person is incapable of consent, including in most instances where such person is a minor.

Appendix F: A Plain Language Explanation of Distinctions between the New York State Penal Law and the MSON Disciplinary Processes

New York State Education Law Article 129-B requires that MSON officials explain differences between MSON processes and the criminal justice process in addressing sexual and interpersonal violence.

There are significant differences between the two systems because they have different, important goals. In the criminal justice system, prosecutors pursue cases when they believe there is sufficient evidence to prove, beyond a reasonable doubt, that an individual has committed a criminal act. A person who is convicted of a crime will face criminal penalties, such as incarceration, probation, or the imposition of a fine. MSON’s disciplinary process seeks to determine whether an individual has violated MSON policy. In this process, a clear and convincing standard of proof is used to determine responsibility for alleged Title IX Violations, whereas a preponderance of the evidence standard will apply to allegations of other violations. A person who is found to have violated MSON policy may be suspended, expelled or otherwise restricted from full participation in the MSON community. This document is intended to help explain the differences between the criminal justice system and MSON disciplinary processes.

	Criminal Justice System	College Disciplinary System
Goals.	Public safety, deterrence, and punishment.	Education; safety; safe and supportive campus environment.
Governing Law.	NYS Penal Code; NYS Rules of Criminal Procedure (or another state’s rules if the crime took place there), Federal Criminal Law, and Rules of Evidence.	Title IX; The Clery Act, as amended by the Violence Against Women Act; NYS Education Law Articles 129-A and 129-B; College’s Non-Discrimination and Gender-Based Misconduct Policies for Students and Employees; Student Bill of Rights; Faculty Policies; Code of Conduct.
How to report and whether there must be action once a report is made.	Crimes involving sexual violence may be reported to the local police agency or to the New York State Police. Certain crimes may also be reported to federal law enforcement agents. Once a report is made, the decision whether to investigate is made by the police/law enforcement agency, often in consultation with a District Attorney or other prosecuting agency. An investigation may be conducted without the consent or participation of a reporting individual. The ultimate decision of whether to initiate a criminal	Victims may disclose sexual violence to various MSON employees who are designated confidential resources or to others who will try to ensure privacy to the extent consistent with MSON’s obligation to provide a safe educational environment. Disclosures made to a confidential resource will not trigger an investigation. When a Report or Complaint is made to the Title IX Coordinator/Vice President for Human Resources(TIXC) or another Non-Confidential resource, the TIXC will generally commence

	prosecution is initially made by a prosecutor. In cases involving felony charges, the final charging decision is made by a Grand Jury.	an investigation of the incident.
Who investigates?	Police or other law enforcement officials.	Investigators employed or retained by MSON; these individuals may work for different departments within MSON, including, but not limited to, Human Resources, the Security Department, Student Services and Academic Affairs, and the Office of Legal Affairs.
Procedures.	See Governing Law. Procedures established by police departments, prosecutors' offices, etc.	MSON policies, which generally incorporate requirements of Governing Law. Collective bargaining agreements and faculty policies may impact some procedures.
Standard of Evidence.	Crimes must be proven "Beyond a Reasonable Doubt."	A violation of disciplinary rules must be found by a "Clear and Convincing" evidence, whereas any other violation must be found by a "Preponderance of the Evidence" standard.
Confidentiality.	Law enforcement agencies offer some confidential assistance, but a criminal charge and trial must be public.	MSON offers confidential resources, but filing a Complaint requires that relevant information be shared with those involved.
Privacy.	Criminal trials must be public.	Disciplinary proceedings are kept as private as possible, but information must be shared with certain individuals within MSON, the parties to the proceedings, and pursuant to law.
Who are the parties?	The prosecution/State and defendant. The victim/survivor is not a party, but often the critical witness for the prosecution.	Complainant and accused/Respondent.
Participation in the process.	In limited circumstances, a criminal prosecution can proceed without the participation or cooperation of the reporting individual, but without a reporting individual's participation, it is generally more difficult to prove a crime beyond a reasonable doubt.	Complainants and Respondents cannot be required to participate in MSON's process. However, MSON will be limited in its ability to respond if a Complainant or Respondent does not participate.
Who initiates the proceedings?	A prosecutor, acting on behalf of the State (or the United States in	MSON initiates proceedings, with the Complainant generally having

	federal cases).	an active role.
Testimony.	In a court, testimony is generally public. Other parties are, through counsel, entitled to cross-examine witnesses.	Upon conclusion of a formal investigation, a Hearing may be scheduled where the Decisionmaker(s) and/or the parties' Advisors may question the parties and witnesses. MSON permits both parties to participate in any Hearing.
Role of attorneys.	Both the State and the defendant are represented by counsel; counsel may question witnesses.	The parties may have a personal Advisor of their choice and at their expense (who may or may not be an attorney) present with them during any MSON meeting, interview or Hearing. If a party does not bring an Advisor to a Hearing, MSON will provide an Advisor without charge. The Advisor may ask relevant questions of parties and witnesses at the Hearing.
Mental Health and Sexual History.	In New York, a reporting individual's prior sexual and mental health history is generally, but not always, inadmissible in a criminal case. There are limited circumstances under which directly relevant evidence of that kind may be admitted.	Evidence regarding sexual history is generally not admissible, but subject to quite limited exceptions, such as if evidence about prior sexual behavior is offered to prove that someone other than Respondent committed the conduct alleged, or if the evidence concerns specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and is offered to prove consent. NYS Education Law Article 129-B also permits parties to exclude information about their own mental health history in the fact-finding phase of the disciplinary process.
Possible Results.	<p>If a prosecution takes place, the defendant may</p> <ul style="list-style-type: none"> • plead guilty or "no contest" • have the case dismissed by the judge (on legal grounds) • be found "guilty" or "not guilty" by a judge or jury 	<p>Parties may engage in a formal proceeding, and the Respondent may be found "responsible" or "not responsible" for violations of MSON's rules.</p> <p>Alternatively, parties may choose a method of Informal Resolution, such as mediation.</p>

Sanctions.

An individual found guilty may be fined, imprisoned, or both. In some courts, alternative sanctions are sometimes used.

An individual found responsible for violating MSON policy may be given a range of sanctions (depending on the severity of the conduct and other factors, such as prior judicial history), ranging from a warning to suspension or expulsion from MSON (for students), and up to and including termination (for employees).

* From <http://system.suny.edu/sexual-violence-prevention-workgroup/College-and-Criminal-Resource/>

Appendix G: Resources and Reporting Options

On-Campus Resources

Confidential MSON Resources

A report made to the following MSON resources will not trigger an investigation by MSON:

Carebridge Employee Assistance Program
844-300-6072
clientservice@carebridge.com

Additionally, if an individual discloses information through a public awareness event, such as candlelight vigils, protests, or other public event, the institution is not obligated to begin an investigation based on such information, though it may use the information to inform its efforts for additional education and prevention.

Non-Confidential MSON Resources

A report also may be made to MSON's Title IX Coordinator, Security Department, Dean, Assistant Dean, or other "campus security authorities" (See Section III.F.1.), however it will trigger an investigation by MSON.

Off-Campus Resources⁶

Law Enforcement

MSON's first and foremost concern for anyone who has been the victim of an incident of Sexual Abuse/Assault, Stalking, Domestic violence, Dating violence, or any other crime is their physical safety. Thus, if anyone who has been a victim of such unlawful behavior is feeling physically unsafe, he/she should immediately call the Security Department, the local police precinct, 911, or the state police for assistance.

New York City Police Department & State Police

911 (Emergency)

Local Police Precincts

Mount Vernon Police Department
1 Roosevelt Square
Mount Vernon, NY 10550
914-665-2300

Medical Care & Evidence Preservation

If anyone has been the victim of an incident of Sexual Abuse/Assault, Stalking, Domestic Violence, Dating Violence, or any other crime is in need of immediate medical treatment, he/she should go to the nearest hospital emergency room or call 911.

Additionally, victims of Sexual Assault should consider the following:

Sexual Assault Forensic Examination

⁶ Fees may apply to off-campus resources. Complainants should check with each resource to determine whether reporting is confidential.

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.

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.

To obtain a **Sexual Assault Forensic Examination (SAFE)**, a sexual assault victim may contact Jacobi Medical Center, Social Work Department, 1400 Pelham Parkway, room 1E4, Bronx, NY 10467, tel. 718-918-5800, or the North Central Bronx Hospital, Sexual Assault Treatment Program, 3424 Kossuth Avenue, Bronx, NY 10467, tel. 718-519-5722. Both Jacobi Medical Center and North Central Bronx Hospital are SAFE-designated hospitals. **Emergency care and support is available 24 hours/7 days a week, and a Victim Service Program social worker or volunteer advocate is on call at all times.**

Financial Assistance for Healthcare

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>.

Sexually Transmitted Infections

Sexual contact can transmit Sexually Transmitted Infections (STI) and may result in pregnancy. Testing for STIs and emergency contraception is available from Planned Parenthood in New Rochelle, New York.

Victims of Sexual Assault, Stalking, Domestic Violence, Dating Violence or other crime should also consider seeking mental health services.

MSON is well aware of the emotional trauma often suffered by a victim of sexual violence, and therefore it has designated trained counselors in its Counseling Center to serve as sexual assault coordinators for the College. They can be reached by calling (929) 246-6791 or emailing oasc@MSON.med.edu and asking for a sexual assault coordinator. Advice and support will be offered on a confidential basis as the victim begins to make choices regarding how to proceed post-assault.

Other Resources Not Affiliated with MSON

The NYC Alliance Against Sexual Assault on-line at www.svfreenyc.org or (212) 229-0345 has compiled numerous resources available to victims.

SOVRI (Support for Orthodox Victims of Rape and Incest) Hotline at Beth Israel Medical Center, (888) 613-1613 is a confidential hotline (no caller- ID is used) that may be called anonymously for information and support.

Manhattan Family Justice Center can provide a wide range of services and support. The Manhattan location is at 80 Centre Street, New York, NY, 10013; **Phone:** (212) 602-2800; <http://www.nyc.gov/html/ocdv/html/help/fjc.shtml>

Family Court Volunteer Lawyer Program (part of the New York State Access to Justice Program)

900 Sheridan Avenue
Bronx, NY 10451
Phone: (718) 618-2150
Hotline: (718) 618-2150

Safe Horizon (NYC)

2 Lafayette Street, 3rd Floor
New York, NY 10007
Phone: (212) 227-3000
<http://www.safehorizon.org/help@safehorizon.org>
Hotline: (866) 689-4357

Family Services of Westchester
6 Gramatan Ave.
Mount Vernon, NY 10550
Phone: (914) 668-9124

Planned Parenthood
New Rochelle Health Center
247-249 North Ave.
New Rochelle, NY 10801
Phone: (914) 632-4442

Lifenet Helpline 1-800-543-3638 is a general crisis hotline

Immigration & Visa Assistance Services for Victims of Sexual & Interpersonal Violence:

U.S. Citizenship and Immigration Services (USCIS)
<http://www.uscis.gov/citizenship/learners/find-help-your-community>

USCIS Find Legal Services Webpage
<http://www.uscis.gov/avoid-scams/find-legal-services>

Board of Immigration Appeals (BIA) (Listing of attorneys by state who provide immigration services either for free or for little cost)
<http://www.justice.gov/eoir/probono/states.htm>

American Immigration Lawyers Association (AILA) Immigration Lawyer Referral Service
<http://www.aialawyer.org/>

American Bar Association (ABA) (Information on finding legal services by state)
<http://apps.americanbar.org/legalservices/findlegalhelp/home.cfm>

APPENDIX A

END OF PROGRAM STUDENT LEARNING OUTCOMES

Upon completion of the Montefiore School of Nursing Associate Degree Program the graduate will:

1. Communicate effectively with clients, colleagues, intraprofessional, and interprofessional health team members through caring modalities and advanced information and communication technologies;
2. Apply critical thinking skills and demonstrate intellectual curiosity, critical reasoning, problem solving skills, and creativity through utilization of the nursing process when delivering client centered care;
3. Practice culturally competent, holistic client centered care to a variety of individuals, families, and communities;
4. Apply leadership concepts, principles of advocacy and decision making in the provision of quality client care, healthcare team coordination and accountability for delivery of care in a variety of settings;
5. Accept responsibility and accountability for personal and professional behavior and the ethical, legal and professional standards of the discipline of Nursing;
6. Apply knowledge and experience in identifying client needs that will direct clinical judgments and actions resulting in optimal client outcomes and minimize the risk of harm through system effectiveness and individual performance;
7. Prioritize and delegate nursing care, incorporating knowledge of growth and development, population health, health promotion, and disease prevention to achieve optimal health outcomes;
8. Evaluate alterations in physiological, psychological, and psychosocial integrity in order to provide safe and effective nursing care to clients and their families.

APPENDIX B

Grading Criteria for Clinical Evaluations:

- 4 Criterion met consistently and independently. Is consistent in safe performance and student demonstrates clinical preparation.
- 3 Criterion met in a safe manner. Needs average guidance to organize and deliver care.
- 2 Criterion met at minimum level. Needs guidance, structure, prompting, and direction to meet criterion successfully.
- 1 Criterion not met as behavior/skill was either not demonstrated correctly or student did not perform despite the opportunity to do so. Does not perform the behavior or skill consistently. Requires maximum assistance to function. Is unsafe/does not meet required agency, regulatory, nursing standards when functioning in the clinical area. Uses poor judgment & is consistently unprepared for clinical experiences.

Nursing 4 Students are expected to score a 3.50 or higher to pass clinical.

Nursing 3 Students are expected to score a 3.00 or higher to pass clinical.

Nursing 2 Students are expected to score a 2.50 or higher to pass clinical.

Nursing 1 Students are expected to score a 2.00 or higher to pass clinical.

APPENDIX C



Patient Information Confidentiality Agreement for All Users

Name: _____

Position: _____

Confidentiality Agreement/Computer Access Agreement:

I recognize that, in the course of performing services at Montefiore, I may gain access to Montefiore patient information, which is protected by federal and state law and by Montefiore Administrative Policies and Procedures.

I may be assigned a unique computer identification number and instructed to develop a personal password so that I may access Montefiore electronic medical record systems. In order to receive an identification number and password, I will be required to complete training in the use and responsibilities of the Montefiore electronic medical record systems. I understand that my access identifiers are the equivalent of my legal signature and I will take all reasonable and necessary precautions to protect them in order to maintain confidentiality of patient information stored in Montefiore electronic medical record systems, I agree that:

- I will keep confidential all patient information to which I gain access whether in the direct provision of care or otherwise.
- I will access and use patient information only on a "need to know" basis as necessary for the provision of patient services and/or hospital operations.
- I will disclose patient information only to the extent authorized and necessary to perform my job responsibilities.
- I will not discuss patient information in public places or outside of work.
- It is my obligation and responsibility to ensure the confidentiality of all patient information.
- I will keep my computer identification number and passwords confidential and will not share them with anyone for any reason. I understand that I will be responsible for all transactions performed using my access identifiers.
- I will not attempt to access information in the system using a user ID and password other than my own.
- I will not leave an in-hospital or remote computer terminal unattended without first logging off.
- I will take all reasonable and necessary precautions to ensure both in-hospital and remote terminals are protected from unauthorized access.
- I will contact security administration (718-920-4554) immediately if I have reason to believe that my computer identification number or password has been revealed for any system or if I suspect any unauthorized access to patient information.
- I will inform Montefiore's security administration (718-920-4554) if I leave my current employment so that my access to all Montefiore electronic medical record systems will be deactivated.

It is my responsibility to maintain the confidentiality of Montefiore's patient information even when I am no longer a member of Montefiore's workforce or no longer permitted access to the Montefiore information systems.

I understand that Montefiore will use my identification number and/or password to monitor Montefiore electronic medical record systems by means of patient and user-specific audit trails and that my use of the systems may be audited at any time. It is my obligation and responsibility to protect my unique user identification number and password from improper use, and not to do so is a breach of Montefiore policy, which will result in disciplinary action including possible loss of access to the Montefiore electronic medical record systems and/or dismissal.

Signature: _____

Date: _____

Date revised October 2017

APPENDIX D

Montefiore School of Nursing COVID-19 Addendum to Student Handbook Fall 2020

The New York State Department of Health issued a guidance document that must be implemented by colleges and universities to safely re-open for fall semester. The policies listed below are in effect for fall 2020 semester as part of the plan in consideration of the health and safety students, faculty and staff on the Montefiore School of Nursing (MSON) campus. These policies supersede any prior policies published in the Student Catalog, Student Handbook, and Course Syllabus.

- Clinical sites and Montefiore School of Nursing are requiring that all students and employees get a COVID-19 test in the one to two -week time frame prior to the first day of classes or clinical rotations whichever comes first. Students must be tested between the dates of 7/31/20 and 8/7/20. Testing is done on Lockwood Avenue in the tents near the Montefiore New Rochelle employee parking lot Monday through Friday between 8:00 a.m. and 4:00 p.m. Results must be faxed to Betty Ann Lynch in Occupational Health (OHS) at 914-365-5492. She must clear you to go to your clinical rotation or come on site to classes. You may not attend clinical or classes without this clearance.
- Students and employees are required to get the COVID-19 PCR test every two weeks as follows:
 - Between 8/24/20 and 8/28/20
 - Between 9/4 and 9/8/20
 - Between 9/21 and 9/25/20
 - Between 10/5 and 10/9/20
 - Between 10/19 and 10/23/20
 - Between 11/2 and 11/6/20
 - Between 11/16 and 11/20/20
- Students and employees may be tested during the semester if they develop symptoms or if recommended by OHS.
- MSON ID badges and face coverings will be required to enter the building. Students will hand their completed COVID-19 Screening Form to the Screener at the desk. The Screener will check the student's temperature. Students who screen positive for symptoms and/or have a temperature of 100°F or above will not be allowed to attend classes or clinical rotations.
- Students are encouraged to arrive 15 to 30 minutes prior to scheduled class/lab time to allow time for screening. Class will start promptly at the designated time. Students may be denied entrance into the classroom/lab if late.
- Students and employees are required to use hand sanitizer located at the entrance to the building prior to entering the classroom or lab setting.
- On clinical days, students will send their screening forms to their clinical instructor prior to leaving their homes. If the student screens positive for symptoms the student will be instructed to stay at home and to notify OHS at MNR Monday through Friday between 8:00 a.m. and 4:00 p.m. for further instructions and arrangement for COVID-19 PCR testing. The student's temperature will be checked at the entrance to the hospital. Students are expected to arrive 15 to 30 minutes prior to clinical start time to allow for

screening. They will be denied entrance if they have a temperature of 100°F or higher. If the student is denied entrance, then the student will contact their clinical instructor and will be instructed to notify OHS at MNR for further instructions and arrangement for COVID-19 PCR testing.

- On weekend clinical days the procedure will be the same as above, except the student will be instructed to go to the Emergency Department at MNR for further instructions and arrangement for COVID-19 PCR testing or to wait until Monday morning and contact OHS for further instructions and arrangement for COVID-19 PCR testing.
- Face coverings must always be worn while in the building and at the clinical site.
- In the event a student is placed in quarantine or becomes ill with COVID-19 and is prohibited from attending clinical rotations by Occupational Health the student will be allowed to use the Kaplan Virtual Simulation and Focused Review assignment(s) designated in the course syllabus for a maximum of 4 weeks for make-up clinical. The student must achieve a passing score of 70 or higher on Kaplan mid-fidelity simulations, score of 60 or higher on Kaplan i-Human simulations and 78 or higher on focused review tests to demonstrate competency for the make-up clinical.
- Students will be allowed to attend all classroom and laboratory instruction remotely, except for exam days and practice/validation days. Students must be proctored for exams. Students who are ill on exam days will be allowed to make-up the exam within five business days, or at the end of their quarantine/isolation period. Students who are ill on practice/validation days will be allowed to make up the session by appointment.
- Social distancing guidelines must always be followed including:
 - Maintaining 6 feet of distance between others when waiting in line
 - Only 2 persons at a time are allowed on the elevator or in the bathroom
- No food or beverages can be consumed in the building. Food and beverages must be consumed in the cafeteria or off premises using social distancing guidelines of 6 feet or more.
- Desks or tables must be wiped with a disinfectant cloth before and after class.
- Sharing of objects such as laptops, notebooks, touchscreens and writing utensils are not allowed.
- Study rooms are closed fall semester and students are encouraged to use virtual platforms such as Zoom or Microsoft Office for meetings or collaboration for team assignments. The 5th floor is closed to students except for bathrooms.
- Bathrooms on the 3rd and 5th floors are open to students. Only 2 students are allowed at a time in the 3rd floor bathroom and only 3 students at a time are allowed in the 5th floor bathroom. Bathrooms on the 4th floor are not open to students.
- Students or employees who have come into close or proximate contact with a person with COVID-19, and have been alerted to such exposure via tracing, tracking or other mechanism will notify OHS at 914-365-3684
- Students are expected to leave the building once their classroom or lab section has ended.

My signature below indicates I have read, understand, and agree to abide by the above policies. Failure to abide by these policies constitutes violation of the Student Code of Conduct and may result in disciplinary action including dismissal from Montefiore School of Nursing.

Student Signature

Date

Student Name Printed

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