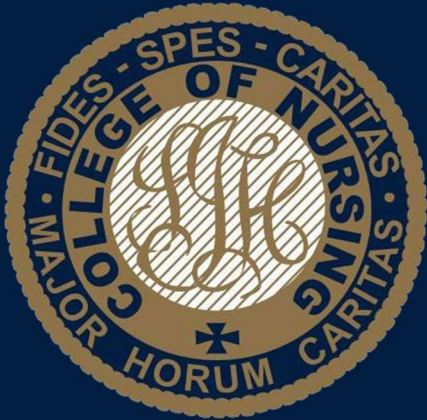


2026-2027 Student Handbook



**Registered by the New York State Board for Nursing**

*New York State Education Department, Office of the Professions*

*State Education Building – 2 Floor, Albany, New York 12234  
(518) 474-3817 [www.op.nysed.gov/home.htm](http://www.op.nysed.gov/home.htm)*

**Accredited by the Accreditation Commission for Education in Nursing, Inc. (ACEN)**

*3390 Peachtree Road NE, Suite 1400 Atlanta, GA  
30326  
(404) 975-5000 <https://www.acenursing.org>*

**Accredited by Middle States Commission on Higher Education (MSCHE)**

*1007 North Orange Street  
4th Floor, MB #166  
Wilmington, DE 19801 <https://www.msche.org/>*

Information in this handbook should not be considered an irrevocable contract between the student and the College. The College reserves the right to change policies and revise costs as deemed necessary with proper notice. This current handbook replaces all prior versions. Information in this handbook applies to all matriculated students in the Weekday & Evening/Weekend options.

**Non-Discriminatory Policy**

St. Joseph's College of Nursing at St. Joseph's Hospital Health Hospital does not discriminate in the administration of educational policies or programs, admission policies, scholarship and loan programs, and other school-administered programs.

The College's non-discrimination policy is inclusive of, but not limited to, race, age, color, national or ethnic origin, marital status, gender, pregnancy, sexual orientation, gender identity, gender expression, veteran/military status, religion, disability, or political ideology.



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## **ST JOSEPH'S COLLEGE OF NURSING PHILOSOPHY, VISION, MISSION, and VALUES**

**PURPOSE:** The philosophy, vision, mission, and values of St. Joseph's College of Nursing is congruent with St. Joseph's Health and Trinity Health and reflects the beliefs of the faculty, staff, and administration committed to educational excellence, compassion, and a healing ministry that honors the sacred in each individual. The foundation of the educational and clinical practices of The College of Nursing is based on Jean Watson's Theory of Human Caring. This theory emphasizes compassion, human dignity, and holistic, patient-centered care. This philosophy guides faculty and students in developing caring relationships and delivering ethical, evidence-based nursing practice.

### **PHILOSOPHY**

Each student is a unique being whose cultural, intellectual, developmental, and spiritual attributes affect his/her ability to seek, find, and use health information and resources in order to critically think and make decisions using evidence-based information.

**Society** is comprised of individuals from diverse backgrounds. The College of Nursing contributes to society by preparing graduates who advocate for health promotion, disease prevention, and treatment of acute and chronic illness reflecting the spirit of social justice in a global health care environment. Understanding and advocating for the needs of individuals, their families, and the community are essential in promoting active participation in selfcare management.

**Health** is a dynamic state of healing; one of optimal physiological, psychosocial, and spiritual well-being. An individual's personal definition of health is influenced by age, gender, cultural factors, and experience. An individual's participation in self-care and health promotion behaviors is affected by his/her personal definition of health.

**Nursing** is an art and a science with a unique body of knowledge and skills. Caring is the foundation for all nurse patient relationships. Nurses are responsible for providing relationship-based care throughout the life span.

**Learning** is a dynamic life-long process proceeding from simple to complex, allowing individuals to develop their human potential. We believe that correlation of classroom theory with clinical experience is essential. Innovation in educational activities in a student-centered environment encourages collaboration among students, faculty, and other health care professionals.

**Nursing Education** prepares the student to meet global health care needs by applying the nursing process, critical thinking, clinical reasoning, and evidence-based practice. Concept based principles provide the framework for students to become compassionate professional nurses exhibiting integrity, clinical competence, and effective communication. We strive for excellence in nursing education and prepare our graduates as future leaders.

**Faculty, Administration, and Staff** are dedicated to excellence in nursing education and nursing practice as transforming healing presences within the community. They educate and inspire learning in a student-centered culture of caring, trust, and openness, while responding to learning styles and developmental levels, and demonstrate leadership and service. Faculty serve as role models to promote professional socialization, research, and lifelong learning. Staff collaborate to provide outstanding student services to support students' academic, personal, and professional goals.

### **VISION STATEMENT:**

7 Our St. Joseph's Health and Trinity Health Roots are inspired by our Franciscan tradition; we are passionate healers

dedicated to honoring the Sacred in our sisters and brothers.

St. Joseph's College of Nursing strives for outstanding educational outcomes exemplified by graduates who will be recognized for excellence, leadership, and compassionate care.

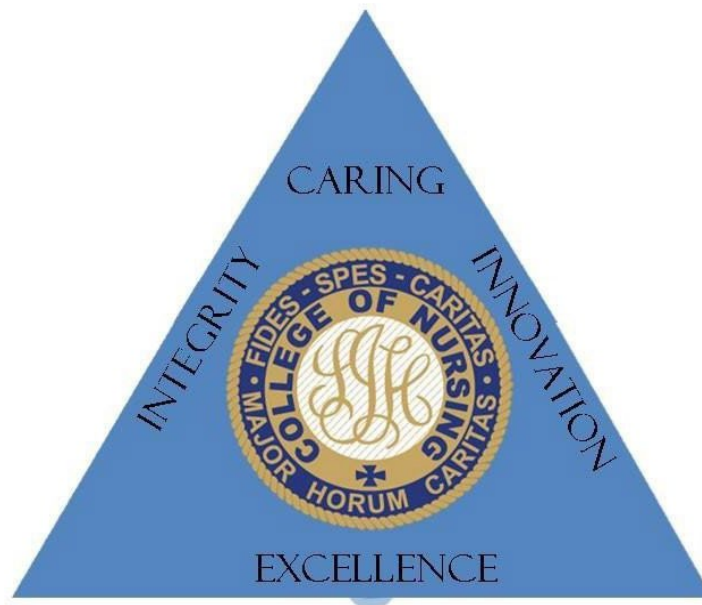
### **MISSION STATEMENT:**

St. Joseph's College of Nursing (SJCON) inspires students to become compassionate healers who demonstrate the core values of integrity, innovation, caring and excellence while embracing the principles of social justice. SJCON provides the educational foundation for students to deliver safe, holistic, client-centered care using an evidence-based and interprofessional framework in an evolving healthcare environment.

### **VALUES:**

Our St. Joseph's Health and Trinity Health values include: Reverence-We honor the sacredness and dignity of every person, Commitment to Those Who are Poor-We stand with and serve those who are poor, especially those most vulnerable, Justice-We foster right relationships to promote the common good, including sustainability of Earth, Stewardship-We honor our heritage and hold ourselves accountable for the human, financial and natural resources entrusted to our care, Integrity-We are faithful to who we say we are, and Excellence-We expect the best of ourselves and others.

St. Joseph's College of Nursing values include: Caring- Displaying kindness and concern for others, Integrity- The quality of being honest and having strong moral principles; moral uprightness, Excellence- The quality of being outstanding or extremely good, and Innovation- The creation, development and implementation of a new product, process or service, with the aim of improving efficiency, effectiveness or competitive advantage.



## **CONCEPTUAL FRAMEWORK**

The conceptual framework is devised from evidenced-based practice research, professional development, and analyses of trends in health care, nursing, and nursing education. The vision, mission, and philosophy provide the foundation of the conceptual framework incorporating principles from behavioral, educational, and nursing theorists. The curriculum design is concept- based and integrates the tenets of Relationship Based Care (RBC).

The pillars of the curriculum are the core values of integrity, innovation, caring, and excellence which are identified as essential for professional nursing practice within a faith-based culture. Caring behaviors are the foundation of all nursing relationships and are modeled through integrity, innovation, and excellence. The RBC model is the framework for caring in a healing environment where caring is essential and reflected in all relationships.

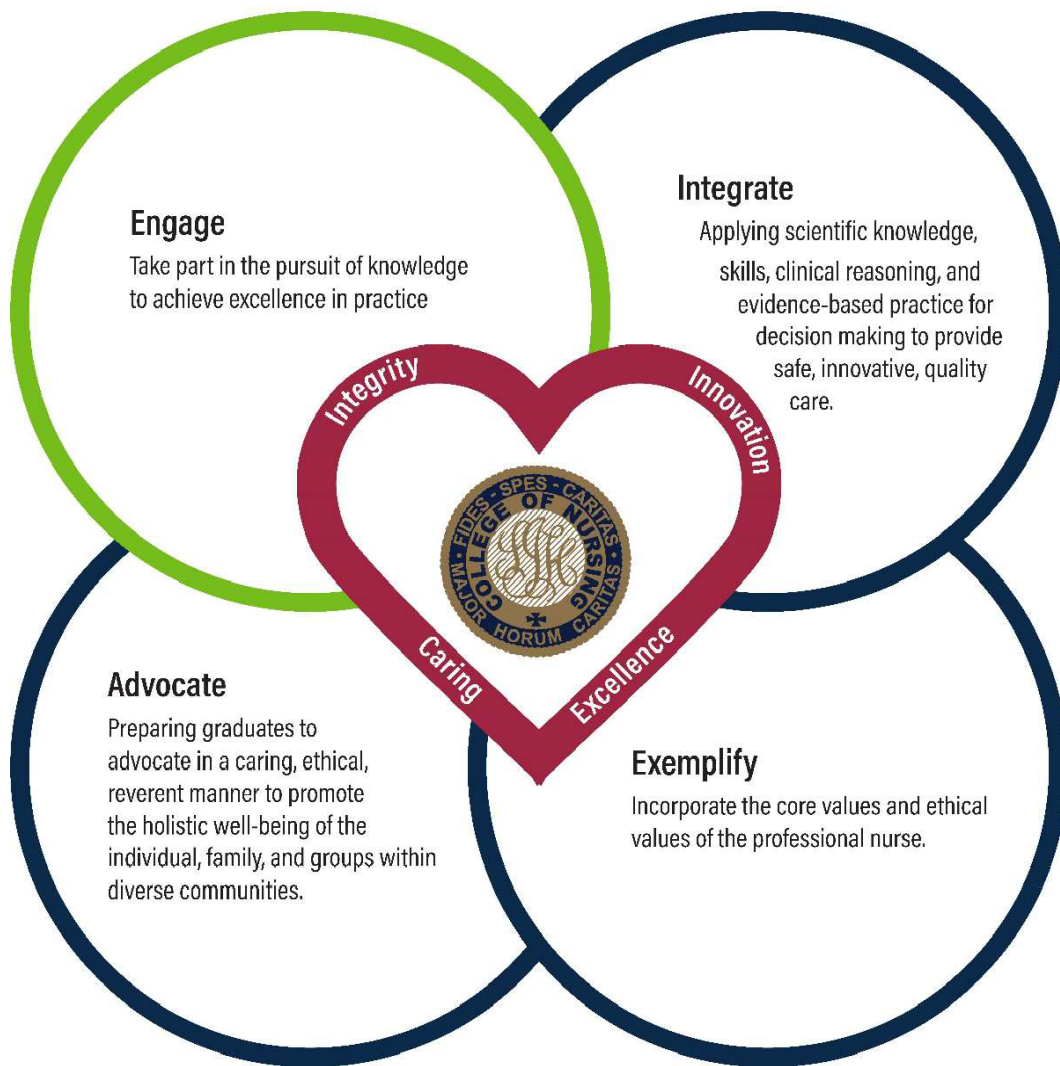
A concept based curriculum guides life-long learning through concepts, exemplars, and interactive instructional strategies. The curriculum focuses on the overall concept then discusses its relevance to the various cultural factors, diverse population groups and environments most encountered in health care. Concept-based learning facilitates deeper understanding, activates prior knowledge, and allows the student to recognize transcendent themes.

Curricular threads are derived from the National Academy of Medicine (formally the Institute of Medicine) recommendations, the Quality and Safety Education for Nurses (QSEN) competencies, and National League of Nursing (NLN) Outcomes and Competencies for Associate Degree Graduates. The threads are knowledge and skills, caring relationships, professional practice, leadership, communication, safety, and health care management. These threads organize the educational experience and guide the assessment and evaluation of student learning for the achievement of the program outcomes.

Nursing and general education comprise the educational experience. The purpose of the educational experience is to build upon the intellectual, cultural, developmental, and ethical foundation by developing a commitment to lifelong learning. Additionally, by increasing social and global consciousness and expanding academic and professional competencies leads to a knowledgeable and responsible citizen who demonstrates social justice behavior. The four nursing program student learning outcomes are:

- Advocate in a caring, ethical, reverent manner to promote the holistic well-being of the individual, family, and groups within diverse communities.
- Integrate scientific knowledge, skills, clinical reasoning, and evidence-based practice for decision-making to provide safe, innovative, quality care.
- Exemplify the core values and ethical behaviors of the professional nurse.
- Engage in the pursuit of knowledge to achieve excellence in practice.

The conceptual framework model illustrates the core values; the relationships among individuals, families, students, faculty and communities; the curricular threads, and the program outcomes. All of the components of the model are fluid and dynamic as reflected by the open design of the circles.



## **PROGRAM OUTCOMES**

Graduates of St. Joseph's College of Nursing will:

- Achieve a 90 percent passing rate on the NCLEX-RN licensing examination on the first attempt.
- Secure employment at a rate of 90 percent of cohort in a nursing position within six months following graduation.
- Report a 90 percent satisfaction rate with the educational program.
- Complete the program at a rate of 70 percent of the cohort.

Employers will: • report a 90 percent satisfaction rate with the educational program

### **End of Program Student Learning Outcomes (EPSLOs)**

EPSLO.1 Advocate with integrity by addressing social determinants of health to promote the holistic well-being of the individual, family, and groups.

EPSLO.2 Integrate scientific knowledge, skills, clinical judgment, and evidence-based practice to improve client outcomes across the lifespan.

EPSLO.3 Exemplify the core values and ethical behaviors of the professional nurse.

EPSLO.4 Apply principles of diversity, equity, and inclusion to foster acceptance, awareness, and advocacy across all communities and cultures.

## General Policies

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

#### **PURPOSE/PROCESS:**

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

1. The right to inspect and review the student's education records within 45 days after the day the St. Joseph’s College of Nursing receives a request for access. A student should submit to the Dean of the College of Nursing, Academic Dean, registrar, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. St. Joseph’s College of Nursing’s official will arrange for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official should advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student’s education records that the student believes is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

A student who wishes to ask St. Joseph’s College of Nursing to amend a record should write the College official responsible for the record, clearly identify the part of the record the student wants changed and specify why it should be changed.

If St. Joseph’s College of Nursing decides not to amend the record as requested, the College will notify the student in writing of the decision and the student’s right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before St. Joseph’s College of Nursing discloses personally identifiable information (PII) from the student's education records, *except to the extent that FERPA authorizes disclosure without consent*: St. Joseph’s College of Nursing discloses education records without a student’s prior written consent under the FERPA exception for disclosure to College officials with legitimate educational interests. A College official is a person employed by the St. Joseph’s College of Nursing in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A College official also may include a volunteer or contractor outside of St. Joseph’s College of Nursing who performs an institutional service of function for which the College would otherwise use its own employees and who is under the direct control of the College with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another College official in performing his or her tasks. A College official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for St. Joseph’s College of Nursing.

Upon request, St. Joseph’s College of Nursing also discloses education records without consent to officials of another college in which a student seeks or intends to enroll. (FERPA requires a college to make a reasonable attempt to notify each student of these disclosures unless the college states in its annual notification that it intends to forward records on request.) St. Joseph’s College of Nursing has a contractual partnership with Le Moyne College. Education records will be disclosed to Le Moyne College.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by St. Joseph’s College of Nursing to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue  
SW Washington, DC 20202  
<https://studentprivacy.ed.gov>

## Notice for Directory Information

5. The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that St. Joseph's College of Nursing, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your education records. However, St. Joseph's College of Nursing may disclose appropriately designated "directory information" without written consent, unless you have advised the St. Joseph's College of Nursing to the contrary in accordance with St. Joseph's College of Nursing procedures. The primary purpose of directory information is to allow the St. Joseph's College of Nursing to include information from your education records in certain publications. Examples include:
- Dean's List or other recognition lists;
  - Graduation programs; and
  - Employment/Education Verification

St. Joseph's College of Nursing has designated the following information as directory information:

- Student's name
  - Address
  - Telephone listing
  - Electronic mail address
  - Photograph
  - Date and place of birth
  - Major field of study
  - Enrollment status
  - Dates of attendance
  - Degrees, honors, and awards received
  - The most recent educational agency or institution attended
  - Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user
6. If you do not want St. Joseph's College of Nursing to disclose any or all of the types of information designated above as directory information from your education records without your prior written consent, you must notify St. Joseph's College of Nursing in writing.
7. FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to St. Joseph's College of Nursing officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student.
- To other College officials, including teachers, within the [college] whom the college has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the college has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) – (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
  - To officials of another college where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject

- to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university’s State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To organizations conducting studies for, or on behalf of, the College, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the college has designated as “directory information” under §99.37. (§99.31(a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the college determines the student is an alleged perpetrator of a crime of violence or nonforcible sex offense and the student has committed a violation of the college’s rules or policies with respect to the allegation made against him or her. (§99.31(a)(14))
- To parents of a student regarding the student’s violation of any Federal, State, or local law, or of any rule or policy of the college, governing the use or possession of alcohol or a controlled substance if the college determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))

## **DRUG FREE COMMUNITY POLICY**

### **PURPOSE:**

As an institution of higher education receiving federal funds, St. Joseph's College of Nursing is required by the Drug-Free Schools and Communities Act of 1986 (the "Act") as amended by the Drug-Free Communities Act Amendments of 1989 (the "1989 Amendments") to certify to the US secretary of education that it has adopted and implemented a program to prevent the unlawful use, possession or distribution of illicit or prescription drugs and alcohol by students and employees. Accordingly, the College adopts the following policies:

1. The College of Nursing prohibits the unlawful possession, use, sale, or distribution of illicit or prescription drugs by its students, employees, or guests on its property or as part of any activities. The possession, use, sale, or distribution of drug paraphernalia is also strictly prohibited. Such substances and/or objects will be permanently confiscated by Administration or Security. Violation of this policy results in disciplinary action, up to and including dismissal, and may have legal consequences.
2. Moreover, the College's policy stipulates that students are required to report to the academic or clinical area on time and in appropriate mental and physical condition which enables them to carry out their clinical and theoretical learning objectives and duties.
3. The purpose of these policies is to provide a drug-free, healthful, safe and secure environment for the students of St. Joseph's College of Nursing during all activities that are necessary to accomplish their goal of becoming a licensed professional.
4. The College recognizes drug abuse as a potential health, safety and security problem. Drug dependence is recognized as an illness and major health concern. The use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful.
5. Conviction of illegal use of these substances may result in failure of a student to be eligible for licensure under the by-laws of the New York State Educational Department Division of Professional Licensing Services.
6. Students needing help in dealing with drug abuse and/or drug dependency are encouraged to use Carebridge. Conscientious efforts to seek help are supported by the College.
7. If a student is suspected of reporting to the clinical or classroom setting in an impaired condition, the student will be required to report to the Emergency Department and will be given a test. If the student refuses this test, he or she is subject to dismissal. Impaired conditions can be caused by alcohol, prescription or illicit drugs.

### **Medical Marijuana**

Students with medical marijuana prescriptions must following the below guidelines.

The student must be registered through the Department of Health (DOH) and carry their DOH registry card.

Only the student prescribed to medical marijuana may carry it on their person, in the original dispensary container labeled per DOH regulations ("possession").

Medical marijuana will not be allowed on St. Joseph's Health Hospital property, including the College of Nursing.

## **TOBACCO FREE CAMPUS**

### **POLICY:**

Consistent with New York State law, it is the policy of St. Joseph's Hospital Health Center and our affiliate corporations to provide an environment free of Tobacco use. This policy exists as one of many methods for St. Joseph's Hospital Health Center to promote and encourage healthy lifestyles throughout our community.

Students who violate this policy will be issued one warning and if there are further violations of this policy, students are subject to dismissal from the college.

For more on how you can quit smoking contact NY QUITs: 1-866-697-8487

### **ELIGIBILITY:**

Individuals covered by this policy include, but are not limited to, employees, patients, visitors, volunteers, physicians, residents, **students**, medical staff, contractors and vendors, with the exception of Behavioral Health Residences.

### **General Provisions:**

1. Geographical Areas Covered by Policy
  - a. The main hospital campus is covered by this policy. State law requires that a smoke free perimeter be drawn around every Article 28 Licensed Hospital Campus. This includes parking lots and parking garages, even if you are in your vehicle.
  - b. All other properties owned by and / or affiliated with St. Joseph's Hospital Health Center will also have established a tobacco free environment.
2. Prohibited Products
  - a. Smoking products – including, but not limited to cigarettes, cigars, pipe smoke and other smoke delivery mechanisms.
  - b. Tobacco products – including, but not limited to chewing tobacco.
  - c. Electronic devices – including but not limited to, e-cigarettes and other vapor delivery devices.
3. Clinical Responsibilities / Inpatient Smokers.
  - a. Physicians and Clinical Affiliates: the attending physicians or clinical affiliates shall assess and discuss appropriate options with the patient who indicates the use of any of the products referenced in Section 2.
  - b. Nursing: upon admission the Registered Nurse will ask each patient if they currently use any of the products referenced in Section 2 and document the responses on the nursing assessment documents. Refer to System category policy Smoking Cessation for more details.

4. Visitor Responsibilities:

- a. Informational cards are available for all staff to give to visitors. Employees can use the card as a cue to format discussion with the visitor by explaining St. Joseph's Hospital Health Center's policy and the property boundaries or, if interested, where they can go for tobacco cessation counseling.
- b. Visitors are asked to be courteous to the surrounding neighborhood residents if they choose to smoke or use tobacco products.
- c. Visitors can be referred to the New York State quit line.(1-866-NY-QUITS or 1-866697-8487)Cell Phone Policy

5. Employee Responsibilities:

- a. Compliance: Employees are expected to be in compliance with this policy and not use prohibited products as defined in Section 2 of this policy, within the confines of the defined perimeter of the property.
- b. Enforcement: Employees are expected to use appropriate protocols, including but not limited to, reminding individuals who are not in compliance with the policy to become compliant by either stopping the use of the prohibited products, or by moving beyond the perimeter of the main hospital campus. If the individual willfully continues to smoke or use tobacco products, the employee shall inform security of the incident. Security will then notify the appropriate Director in the case of an employee or the appropriate service manager / charge nurse in the case of a patient or visitor.
- c. Health: Employees should remember that the intent of the policy is to provide a smoke free / vapor free / tobacco free environment for all patients, visitors and staff.
- d. Professional image: Employees help to provide a professional image by maintaining compliance with the protocols and overall intent of this policy.
- e. Assistance: Employees may offer information about smoking cessation and about temporary nicotine replacement therapy.
- f. Good neighbor: Employees are expected to be good, courteous, neighbors, and respect the rights of individual property owners. This includes, complying with requests from Security, requests from neighbors, disposing properly of cigarette butts and trash, and keeping noise levels down.
- g. For employees that choose to use any of the products listed in Section 2, they must leave the hospital campus in order to do so and remain in compliance with the policy. When leaving the hospital campus for non-work related activity an employee is required to log out and then log in upon their return. Employees leaving work for reasons other than a

meal break must receive approval from their supervisor.

- h. Employees, who fail to comply with any portion of this policy, including unauthorized extension of designated meal and break times, will be subject to disciplinary action which could include suspension and / or termination from employment from St. Joseph's Hospital Health Center.
- i. Employees seeking assistance with tobacco cessation can contact the Wellness place at 315-458-3600. Ext 298. Employees can be referred to the New York State quit line. (1-866-NY-QUITS or 1-866-697-8487) Employees seeking immediate assistance can access the Employee Health Office, (Monday through Friday 7:00 AM to 3:30 PM)

## **CELL PHONE POLICY (PERSONAL COMMUNICATION DEVICES)**

### **PURPOSE:**

The purpose of this policy is to establish guidelines for use of cell phones by students at St. Joseph's College of Nursing while in the classroom, clinical experiential lab (CEL), and clinical settings as well as to educate students on how to use this technology in a responsible and respectful manner. The College of Nursing recognizes that portable digital communications technology is emerging as the dominant communications technology. The classroom, clinical experiential lab, clinical areas, and library must be conducive to learning and foster mutual respect.

### **POLICY:**

#### **Classroom/CEL/Library**

Cell phones must be on 'silent mode' while students are in this setting. Taking videos/recording any class or lab/simulation experience is strictly prohibited unless approved by the faculty conducting the class or lab. Filming any part of a class or lab and/or posting or distributing any recorded content without written permission is strictly prohibited.

#### **Testing/Test Review**

To ensure a fair and honest environment cell phones are not permitted during the testing or test review process. Cell phones, wireless ear devices, smartwatches or any such device must be turned off and placed in the back of the room with the students' personal belongings. **Clinical** Cell phones are not permitted in clinical settings. Posting and sharing any information that may identify a patient, refer to a patient or their care, photographing or recording patients is a violation of HIPAA and is strictly prohibited. As stated in St. Joseph's College of Nursing clinical requirements, students are expected to always demonstrate professional behavior. Student nurses have a responsibility to always protect patient confidentiality and privacy. In an emergency, the faculty may give a student permission to have a cell phone in 'silent mode' while on clinical. Refer to [Personal Communication Devices - Cell Phones](#) policy.

Failure to comply with these policies will result in disciplinary action as deemed appropriate by administration and faculty.

## EMAIL POLICY

### **PURPOSE:**

Email is the primary method of communication between St Joseph's College of Nursing and the student body. This policy ensures that all students are aware of the importance and necessity of this communication method. Furthermore, it ensures that a student can be contacted through a standardized channel by College of Nursing Faculty & Staff.

### **POLICY:**

Upon enrollment, each student is issued a Trinity Health email. This email account is the official address of a student which the College of Nursing will use for all communications. Due to security firewalls in place to protect information integrity, not all messages to or from personal emails accounts will reach the intended mailbox. Therefore, the organizations provided must be used for all College correspondence and/or business. The College does not have an obligation to use personal or preferred emails for communication between institute and student.

All students are expected to check their College of Nursing email account frequently and consistently to remain informed of College related communication and updates. The College of Nursing requires students to check their email at least once per day.

Faculty reserve the right to set specific criteria in addition to this policy for use of email within a course. These definitions and criteria must be prominently displayed on all course syllabi when in effect.

*Note: College of Nursing issued emails provide an appropriate degree of security and privilege of access. However, email is not always the appropriate method for transferring sensitive or confidential information and students must be aware of these concerns when communicating. All email use must comply with local, state, and federal laws including, but not limited to, HIPAA & FERPA.*

## CAMPUS DRESS CODE

### **PURPOSE:**

Students are expected to be neat in appearance, practice good personal hygiene, and make intelligent judgements about items specifically not addressed in this policy. Students act as an extension of the institution and as such are required to follow appropriate attire when representing the college. This accounts not only for clinical units, but also anywhere within the hospital network.

- Appropriate attire for the college and hospital campus is required. Footwear should be clean and safe. Clothing should not expose areas of the chest, abdomen, buttocks, midriff, back or underwear.
- Students are expected to follow the hospital dress code while in the hospital network or while participating in lab simulations on campus.
- Administration and Faculty reserve the right to suggest and/or ask students to change into more appropriate attire while on the college campus and hospital network.

### **Clinical Requirements**

St. Joseph's College of Nursing believes that professionalism begins with appearance and attire. The values of asepsis, client safety, and client sensitivity are also incorporated into this policy. Our person and clothing can harbor microorganisms which increase the risk of infection and the risk of contamination in clinical areas, hence, the need for cleanliness and good grooming.

The Campus Dress Code ensures high standards of dress and appearance while representing our college in all settings. Faculty reserve the right to ask a student to leave the clinical area if appearance is not keeping with the Campus Dress Code published in the Student Handbook.

The uniform is considered a symbol of St. Joseph's College of Nursing and is only worn when functioning as a student. The hospital-issued identification badge must be visibly worn on the upper torso at all times while in the hospital network. All uniform attire must be neat and clean.

The uniform consists of navy-blue pants and a khaki uniform top. T-shirts must be covered with a scrub top and must be white, navy blue, black or the same color of the required scrub. The St. Joseph's College of Nursing logo is embroidered on the left upper chest of the uniform top. When involved in clinical preparation or observational experiences, scrub attire and identification badge must be worn, lab coat is optional.

While on clinical units, students are expected to adhere to the dress code standards of their designated hospital. When working at St. Joseph's Hospital Health Center the standards are as follows:

- Students must practice appropriate personal hygiene (including oral hygiene) and be free of offensive odor (including the smell of tobacco).
- All cosmetic products, including make-up and lotions must be fragrance free. Make-up must be applied conservatively and in a manner that does not detract from the professionalism of the student's appearance. Perfume, cologne or aftershave, may not be used by direct care providers, or if such use causes adverse physiological symptoms for others in the work environment.
- Hairstyles may not obstruct vision or limit eye contact. Hairnets, including for beards, will be required in certain departments. As a safety precaution and for infection control purposes, students providing direct patient care with hair exceeding shoulder length or longer should have hair pulled back or restrained.
  - Nothing in this Policy is intended to prevent students from wearing a hair or facial hair style that is consistent with their cultural, ethnic, or racial heritage or identity, except for safety reasons that cannot be reasonably accommodated.
  - Head covers that are worn for religious purposes or to honor cultural tradition are acceptable.
- Students' footwear must provide safe, secure footing and offer reasonable protection. In accordance with infection control and safety standards, Students who work in patient, resident or client care areas must wear closed toe shoes.
- Fingernails will be clean and well groomed. Artificial nails and overlays are not permitted while in patient care areas. Students who participate in direct patient care or are in contact with the patient's environment will not wear artificial nails (including, but not limited to, acrylics, overlays, wraps, tips, gels, or bonding).
- Students must be professional in their use of jewelry/accessories, including amount, size, and styles. Visible body piercings must be small and minimal during the work shift.
  - Wearing of jewelry may be limited for safety reasons dependent on the work area and functions performed.
  - As a safety precaution, students providing direct patient care may not wear long necklaces, dangling earrings, scarves or ties.
- Any tattoos that may be offensive to others must always be covered, including but not limited to those that contain pictures/symbols/words of a sexual nature, gang affiliations, violence, profanity, or derogatory words/images.

## **IDENTIFICATION BADGE POLICY**

### **PURPOSE:**

Identification (ID) badges provide constant and immediate identification of students, faculty, staff, volunteers, medical staff, affiliates and employees. In addition, the system provides authorized entry into buildings, a tool for the security of the campus and employee, volunteer and student identification for transacting business on hospital grounds. Identification badges must be worn at all times while on duty.

1. Each student will be issued a hospital identification (ID) badge with photo during orientation to the College.
2. The ID badge is required and expected to be worn in a visible place above the waist at all times when in the hospital or College.
3. Identification Badge Replacement: Lost, damaged or worn ID badges must be replaced. The student must notify the College of Nursing's front desk that their ID badge needs to be replaced. A member of the College will complete the electronic request for a new badge. The ticket must include the student's name, identification number, and reason for the badge request. Replacement fee for the lost badge is \$10.00. Students may pick up new badges/return old badges at the Office of Patient Experience Monday-Friday between the hours of 0730-1600.
4. New badges may be purchased in the Security Department of the Hospital.
5. Identification badges must be returned to the College administration upon graduation or termination from the program.

## **STUDENT PARKING POLICY**

1. All students who wish to have student parking must have a valid parking sticker. These stickers are available at orientation for students at the College. Students may register for a parking permit online: [Student Parking Pass](#)
2. Student parking is designated in the 24/7 staff/student surface lots. Students may never park in “A” or “M” lots. On-street parking is also available however it is the responsibility of the student to abide by all metered signs and payment.
3. Security escorts are available to and from the 24/7 staff/student surface lots by calling 315-448-5173.
4. Students provided with handicapped parking accommodations must possess a State or County Handicapped Parking Permit. Temporary requests for handicapped parking must be supported, in writing, by the requesting parties’ provider specifically indicating the need for temporary parking accommodations.
5. When students are required to attend clinical at outside agencies, it is the students’ responsibility to pay for parking or obtain a discounted monthly pass.

### **Liability**

While we endeavor to protect the property of our staff, patients, and visitors, the hospital/college is not responsible for loss or damage to vehicles or their contents.

### **Parking Services**

Upon request, Security will provide jump-starts only. All other motor vehicle related assistance shall be referred to an auto club or local service station.

## **PERSONAL LAPTOP & MINIMUM REQUIREMENTS POLICY**

### **PURPOSE:**

All students are required to own or have access to a laptop capable of meeting the minimum system specifications outlined in this document. Minimum software requirements include, but are not limited to, the applications used for electronic testing, completing clinical paperwork, and accessing course content.

Electronic testing is facilitated on campus through your personal device, and you will be required to bring a laptop capable of running the testing software for all exams unless otherwise granted an exception. Laptops will not be provided by the College and the College is not obligated to ensure you have a laptop for testing; this responsibility falls upon the student. The College will offer technical support and troubleshooting for all students prior to and during testing provided the device meets the minimum specifications.

This document is also designed to serve as a guide for purchasing or upgrading a laptop to meet the system requirements necessary to use and access the resources at the College. If you are purchasing a new laptop these guidelines can be used to ensure you have everything you need to meet the requirements. If you already have a device, you can use these guidelines to determine if you will need an upgrade or additional software.

### **Helpful Tips:**

- Your *Operating System* is often overlooked. Make sure you find one that works for you.
- Most modern systems will meet the minimum requirements. However, Androids, iPads and Chromebooks are not licensed to, or will not run the software Exemplify.

**Common Brands:** HP, Dell, Apple, Lenovo, etc.

### **Incompatible System Specifications (DO NOT PURCHASE)**

- **Chromebook:** Chromebook/Chrome OS. Chromebooks are NOT compatible with the testing software. Although they may be sufficient for accessing content, you will not be able to take an exam with a Chromebook.
- **Microsoft Surface Book:** Exemplify is not compatible with the detachable keyboards of Microsoft Surface Books. Surface Pro models are approved.
- **ARM Architecture** Our apps do not run on ARM CPUs. These are most often found in tablets or phones but can also be used in some newer architecture.

## MINIMUM COMPUTER REQUIREMENTS

- High-Speed Internet Access (Spectrum, Verizon FIOS)<sup>1</sup>
- Operating System: 64-bit Windows 11, MAC OS 14 or higher
- 8GB RAM Memory
- 100 Gigabytes Hard Drive
- Web Browser: Google Chrome, Microsoft Edge
- Web Camera & Microphone
- Microsoft Office / Office 365<sup>2</sup>
- Supportive Software: Exemplify

<sup>1</sup> Wireless access points (Wi-Fi) are provided by the College of Nursing on campus.

<sup>2</sup> St. Joseph's provides a free license to the online version of Office 365 but it is highly recommended you purchase a personal version that grants access to the downloadable desktop apps.

## **WEATHER RELATED EMERGENCY CLOSING/CANCELLATION POLICY**

### **PURPOSE:**

When severe weather emergencies (snow, ice, flooding, power failures) require the College to delay or cancel classes, notification will be made through announcements by local radio, television stations, and the College's SONIS system via text message. In the absence of any announcement, the College is open and students, faculty, and staff are expected to be in attendance. (If you have not setup your text-me alert you can do so under your "Update Bio" page in SONIS.)

Since the College serves a large geographic area, students, faculty, and staff are expected to exercise their own judgement when hazardous conditions exist.

### **POLICY:**

#### **Students:**

- The cancelling of classes includes theory, clinical, and outside experiences for students.
- If the cancellation of classes occurs **after** the theory, clinical, or outside experience has begun, these events will continue as scheduled.
- If the cancellation of classes occurs **before** the theory, clinical, or outside experience has begun, all will be cancelled.
- If an outside agency closes, even if the College remains open, students will be required to make up the clinical hours at no charge.

#### **Administration, Faculty, and Staff:**

When classes are cancelled at the College of Nursing, all Administration, Faculty, and Staff have the option to commute to work, or provided they are equipped to work remotely, they may Work at Home (WAH). Those who choose not to commute or work remotely are expected to take Paid Time Off (PTO).

#### **Delayed Opening:**

When the College delays opening due to inclement weather, classes will then resume during their regular time periods. For example, if the College delays opening until 11:00 a.m. on Tuesday, the 11:00 a.m. classes/clinical will meet, followed by all regularly scheduled classes after this time.

## Academic Policies

### **GRADING AND STANDARDS FOR ACADEMIC PROGRESS POLICY**

#### **NURSING THEORY & CLINICAL COURSES:**

- Students must achieve a minimum passing grade of **78% “C+”** in all nursing courses and a satisfactory grade in clinical to pass and progress in the nursing program. St. Joseph's College of Nursing reserves the right to not round grades.
  - Failure to complete clinical objectives will result in failure of the course.
  - Students are required to comply with the Clinical Attendance Policy.
- The student must successfully repeat both theory and clinical components of a failed nursing course.
- A first failure by a student in any nursing course will be eligible to request for reinstatement. Refer to the Academic Probation Policy.
- A second failure in any nursing course will result in academic dismissal. Refer to the Readmission Policy.
- The student forfeits the opportunity for returning on academic probation and/or readmission to the program if dismissed due to failing to provide safe care, academic dishonesty, failing the same course twice and/or failing a course after they have been on academic probation and/or readmitted.

#### **NURSING ASSESSMENT AND SKILLS LAB COURSES:**

- Refer to the CEL Policy.
- If a student fails the lab course, they cannot progress to the next theory course.
- If the student passes the lab course but fails the theory course, the lab course does not need to be repeated. Students returning to complete a theory course after being withdrawn from the College for more than one term, will be required to pass all competencies in the lab course associated in order to provide safe care in clinical. Students returning after a leave of more than two terms will be reviewed on a case-by-case basis for potential requirement of passing all competencies from previous lab courses.

#### **LIBERAL ARTS/SCIENCE COURSES:**

- The student must successfully repeat a liberal arts course in which a minimum grade of “C” was not achieved. A second grade achieved below a “C” in a liberal arts course will be referred to administration for review.

**Additionally:**

- Students overall testing grades that are <78 are referred to the Student Success Coordinator.
- Students overall testing grades that are < 80 are recommended to meet with the Student Success Coordinator.
- The grading policy for NSG 111, 121, 211, and 214 is strictly pass/fail. Lab competencies, quizzes and the medication math exam are considered when grading.
- Grade point averages (GPA) will be computed at the end of each semester/term. In the event a student fails a course and later retakes it, both grades will be recorded. However, only the second grade will be computed in the index. If the student retakes a course at an institution other than St. Joseph's or Le Moyne College, the course will revert to a transfer status credit and neither grade will be computed in the index. All grades and grading codes will be sent electronically to the Registrar/Bursar. **St. Joseph's College of Nursing requires a minimum grade of 78% "C+" in all nursing.** Transfer credits are not included in the computation of the cumulative GPA. Refer to the Transfer Credit Policy.
- Students must successfully complete all pre- and co-requisite courses.

**Grading Criteria:**

Letter	A	B+	B	C+	C	D+	D	F	I
Percentage %	100-90	89-86	85-82	81- <b>78</b>	77-76	75-72	71-69	<69	Incomplete

**Tiered Grading for Late Assignments:**

Any work that has been submitted after a deadline has passed is classified as late except in cases where an extension has already been agreed due to mitigating circumstances and approved extensions.

A student who submits work at 1 minute past a deadline or later will therefore be subject to a penalty for late submission. An assignment is considered late if it is submitted any time past the due date/time listed in the syllabus. At that point, a penalty for late submission will be applied as follows:

- 1 day late (up to 24 hours past submission day/time) = **10- points deduction**
- 2 days late (24 to 48 hours past submission day/time) = **20-point deduction**
- Anything submitted more than 48 hours after the assignment due date/time will receive a grade of **zero**.

**\*\*Please note:** If a student submits their assignment on time but the link does not work or the file format does not open when being graded by the faculty, the following will occur:

- Faculty will notify the learner via e-mail and give them a time frame of 24 hours to resubmit a working link or file format, but the grade will still reflect the late assignment deduction(s) (see above).

Grading codes:

- I** **Incomplete** indicates the student has not completed course requirements within the established timeframe. It is a temporary grade assigned by faculty and must be resolved within the time period specified in writing by faculty. Failure to do so results in the grade of “F”.
- M** **Military Leave**
- W** **Withdrawal** prior to designated drop date
- WP** **Withdrawal in good academic/clinical standing** after designated drop date
- WF** **Withdrawal not in good academic/clinical standing**
- AD** **Administrative Dismissal** due to failure to meet school obligations including financial, moral, ethical or any Trinity/College of Nursing policies; Transcript will reflect “F”
- P** **Pass** will be used for final grading of lab
- S** **Satisfactory** will be used for final grading of clinical practice
- U** **Unsatisfactory** will be used for final grading of lab & clinical practice
- US** **Unsafe** will be used for final grading of clinical practice. Students who have demonstrated unsafe clinical behaviors are not eligible for reinstatement
- Z** **Code of Conduct Violation**

## CLASSROOM PROTOCOL

### **PURPOSE:**

St. Joseph's College of Nursing provides a classroom environment conducive to learning. It is important that students and faculty show mutual respect.

### **Policy:**

Students are expected to conduct themselves respectfully and appropriately in the classroom setting. Actions or behaviors that annoy, disturb, or otherwise prevent orderly conduct in the classroom may be subject to disciplinary action. Faculty have the right to ask students to leave the classroom if they are unable to demonstrate respectful behavior.

Possession or consumption of alcohol, cannabis, illegal or controlled substances *is prohibited* in classrooms, laboratories, clinical and all other instructional spaces. In addition, a student who appears to be under the influence of alcohol, cannabis, illegal or controlled substances shall not be permitted entry into classrooms, laboratories, clinical and all other instructional spaces.

Cell phones/computers/tablets are permitted only in the classroom for educational purposes. Students will be asked to place their cell phones on vibrate and should excuse themselves from the classroom to answer emergency calls.

Permission of the teaching faculty member must be obtained prior to taking any audio recording of lectures or labs. Video recording is prohibited. Sharing and/or posting of the audio or visual lecture(s) is prohibited. Refer to the St. Joseph's Hospital Social Media Policy.

Class attendance will be noted by the faculty daily. Students are encouraged to attend the class in its entirety. At the completion of class, students are asked to ensure that the classroom is left in an orderly arrangement.

## Clinical Attendance Policy

### **PURPOSE:**

Clinical time is essential to meet course student learning outcomes and end of program learning outcomes. Students are required to attend all scheduled clinical time. Clinical attendance is recorded by the clinical faculty and is a part of the student's permanent record. Students who miss clinical jeopardize their ability to meet the clinical objectives. Failure to complete all clinical hours may result in failure of the course.

### **CLINICAL ABSENCE**

Clinical absence is defined as missing a day of clinical. Students are not allowed to miss more than **three** clinical days within the same course. If a student has additional days after the third clinical absence, the student will be unsatisfactory in clinical and will fail the course. Each course will have three scheduled clinical make-up days at the end of the course. Failure to attend scheduled clinical make-up will result in failure of the course.

### **CLINICAL TARDINESS**

- Clinical tardiness is defined as arriving later than the designated start time for any clinical experience. If a student **arrives late to clinical**, the student will be sent off the clinical unit and will receive a clinical absence for the day. Faculty will set up a time to meet with the student to discuss the occurrence and provide counseling on the correct procedure/behavior. This counseling event will be documented in Sonis and a Student Opportunity for Improvement (SOFI)/Self-Reflection form (#20669) will be completed. The original will be uploaded to the student's file in the database and a copy will be given to the student.

- Clinical unpreparedness is defined as being unable to provide safe competent care determined by your clinical faculty. If a student is unprepared for clinical, faculty will address this **unpreparedness** by meeting with the student to discuss the occurrence and provide counseling on the correct procedure/behavior. This counseling event will be documented in Sonis and a Student Opportunity for Improvement (SOFI)/Self-Reflection form (#20669) will be completed. The original will be uploaded to the student's file in the database and a copy will be given to the student.

If an absence is anticipated, it is required that the student notify their clinical instructor thirty (30) minutes prior to their clinical experience. If a student does not notify faculty prior to the start of clinical, this being 1 minute past the start of clinical, this is considered a no call no show and will receive a SOFI. If assigned to a community agency, the agency must also be notified in the same timeframe. In the event of an unanticipated absence, the student must contact the clinical faculty as soon as possible, but no later than the end of the clinical day. The procedure outlined above will be followed for all absences. The student will receive an email notification for an absence.

Should a death occur in the immediate family of a student (grandparent, parent, child, grandchild, spouse, brother, sister, brother-in-law, or sister-in-law) or their spouse (grandparent, parent, child, brother-in-law, or sister-in-law), the student will be given up to three days off that coincide with bereavement leave. Proof of relationship to the deceased may be required if requested. A fraudulent claim for bereavement leave may result in disciplinary action.

A student may be required to obtain a medical release statement and/or be cleared by the Health Office for any clinical absence that lasts for seven consecutive calendar days due to illness, injury, or surgery. A note from the treating physician indicating the student's ability to return to the clinical setting without restrictions is also required. Please note: If the student does not disclose the illness/injury/surgery to the Course Leader and further injury occurs as a result, the College will not be held responsible.

#### **CLINICAL MAKE-UP PROCESS:**

No matter what the reason for absence, all missed clinical time must be made up. Students may be required to attend clinical make-up outside of their regularly scheduled clinical time.

## **Student Clinical Progression Policy**

### **PURPOSE:**

To notify and track students whose clinical behavior(s) is/are unsafe or demonstrate unsatisfactory progression. **PROCEDURE:**

The following are guidelines for occurrences that merit a Student Opportunity for Improvement (SOFI)/Student Progress Report (SPRT), although they are not all-inclusive:

The basic “six rights” of medication administration include the following guidelines:

- Right medication
- Right dose
- Right time- student will follow hospital policy unless extenuating circumstances arise.
- Right route
- Right patient-student will correctly identify patient per hospital protocol each time medications are given.
- Right documentation, including injection site, amount of medication delivered and computer program procedure.

Medication administration occurrences include the following guidelines:

- Not knowing correct procedure for medication administration
- Incorrect computer procedure
- Administering medications without checking with the instructor
- Recapping contaminated needles or incorrect use of needle safety device
- Incorrect isolation procedure with medications
- Not checking or knowing

parameters/labs prior declaring medications IV

management occurrences include the

following guidelines:

- Failure to check site/IV bag every hour
- Allowing bag to run dry
- Failure to date, time, initial IV bag or tubing
- Not assessing that IV bag or tubing have expired
- Air in tubing
- Failure to record information accurately in the computer
- Incorrect IV calculation or calculation not completed

- Accessing/flushing any IV

access site without faculty

Patient/Learner Safety occurrences

include the following guidelines:

- Medication safety errors as listed above
- Side rails not up as needed
- Bed/chair alarms not utilized per policy
- Patient not restrained as ordered
- Leaving a medication, syringe and/or needle unattended.
- Occupied bed left unlocked or in elevated position
- Call bell not within reach of the patient
- Break in sterile/aseptic technique.
- Use of improper technique or devices when moving or lifting patient
- Failure to report significant patient events or statements.

Professionalism includes the following guidelines:

- Late arrival to a clinical experience
- Failure to notify clinical faculty of clinical absence.
- Lack of preparation for a clinical learning experience
- Unprofessional behavior such as language, dress, and actions
- Lack of accountability
- Late or missing clinical paperwork or clinical evaluation.
- Not following Clinical Process Guide (CPG) guidelines

Miscellaneous: Failure to perform initial, ongoing, and thorough assessments specific to the individual patient and the course level of the student include the following guidelines:

- Failure to follow standard safety precautions.
- Not following through on medical or nursing care orders
- Incomplete or inaccurate documentation
- Failure to accomplish core competencies listed in the clinical eval tool

1. If a student demonstrates an unsatisfactory or unsafe behavior in the clinical setting the clinical faculty will discuss the occurrence with the student and counsel the student on the correct procedure/behavior. The faculty member will initiate the SOFI/Self Reflection in the database and the event will be documented in SONIS. If there is a concern or question regarding the process the faculty should contact the Course Leader. The database will forward the SOFI to the student for their response. The student will complete the responses to the SOFI in the database and

will return the form to the faculty within 7 days.

2. Any error including the 6 rights of medication administration (or any other error per faculty discretion) will require a CEL referral for remediation. Notification to the CEL Supervisor/Lab Faculty regarding a remediation deadline will occur. The completed referral will be maintained in the database. The student may not perform the skill in clinical until this remediation has been successfully accomplished. The CEL Supervisor will review the SOFI/SPRT reports on an ongoing basis.
3. The Course Leader will be notified by the faculty regarding the SOFI in a timely manner and will be notified by the database as well.
4. If a student demonstrates an unsatisfactory behavior in the clinical setting with a second occurrence in the same category as the previous SOFI, the faculty will complete the SOFI/Self Reflection and discuss with the course leader.
5. If the student demonstrates an unsafe behavior in the clinical setting with a second occurrence in the same category as the previous SOFI, the faculty will discuss with the course leader and/or

administration to determine if the student will be placed on a SPRT. This will be handled on a case-by-case basis.

6. If the student demonstrates an unsatisfactory behavior in the clinical setting with a third occurrence in the same category per course the faculty will meet with the course leader to discuss the identified difficulties. The faculty will initiate a SPRT and document the assessment of progress, summary of counseling/remediation to date, and a detailed individualized remedial plan with deadline for remediation and re-evaluation. The faculty will then formally meet with the student to review the SPRT and the remedial plan. The completed SPRT will be signed by the faculty, student, and course leader, and will be maintained in the database.
7. The faculty will meet with the student to discuss progress according to their remedial plan. For students who satisfactorily achieve the objectives by the end of the student's clinical rotation, an addendum to the SPRT should be completed in the database outlining the student's progression and resolution. Students that are unsuccessful with their remedial plan will be unsuccessful for the clinical rotation.
8. Course leaders will report any SOFI/SPRT at the progression committee meeting.

## **EXAM/TESTING POLICY**

### **PURPOSE:**

To set forth the College's examination (tests, quizzes, exams) requirements and procedures. St. Joseph's College of Nursing dedicates itself to maintaining the highest standards of integrity. Students must accept the responsibility to be honest and to respect moral, legal, and ethical standards of the nursing profession in meeting their academic and clinical assignments and requirements. The College utilizes both remote and onsite online testing modalities for particular on-line testing which pose unique risks to the integrity of the testing process. This policy is intended to provide instruction on the technical and academic requirements when using online testing to reduce risks and deter and detect academic dishonesty. **ACADEMIC DISHONESTY IS A VIOLATION OF THE CODE OF STUDENT CONDUCT AND MAY RESULT IN DISMISSAL FROM THE COLLEGE.** Refer to Code of Student Conduct Policy.

### **Onsite Campus Quiz/Exam/Test:**

The student is encouraged to arrive 15 minutes prior to the start of the exam. The student's computer must meet the requirements for ExamSoft use or other computer application that the College utilizes. Please refer to the Personal Laptop and Minimum Requirements Policy. The computer must be fully charged and able to have power for the duration of the exam. Exams must be downloaded during the specified download availability and prior to the beginning of the testing period. Students are expected to come with their own assigned username and password (e.g. ExamSoft computer login). All faculty members have the right to review exams and any flagged notations on any exam at any time on behalf of St. Joseph's College of Nursing. Faculty reserve the right to determine any suspicions of violation of the code of student conduct. When one or more violations of the Code of Student Conduct is suspected, it is the responsibility of the faculty or staff that suspect such violation(s) to first discuss the matter with the student and submit a written allegation(s) to the Academic Dean or designee.

The Academic Dean or designee shall review the matter with the Dean of the College of Nursing and meet with the accused student to discuss the alleged misconduct within two (2) business days of receiving the complaint and determine whether the allegations, if true, would constitute a violation(s) of the Code of Student Conduct.

Students must arrive on time or will be ineligible to take the exam. Students will need to contact the Course Leader to reschedule their exam. A student may only reschedule an exam **ONE** time per semester. Students who fail to notify faculty/course leader or no call/no show to an exam (including ATI Proctored exams & lab quizzes) will receive a grade of zero. Rescheduling an exam due to tardiness will result in a two-point reduction of the exam score, with the exception of assessment and skill quizzes. All exams will be proctored and/or audio, visual and/or screen recorded. Grades on exams are not final until each exam is reviewed for academic integrity. In limited emergency circumstances a student will be allowed to postpone an exam or take an exam early. The student must contact the Course Leader prior to the time of the exam to determine whether the change will be approved. The student may be responsible for providing sufficient documentation supporting the circumstances.

The student may not attend clinical, classroom/lab theory, or lab skills until the postponed exam is taken. The postponed exam must be completed within 48 hours of the exam or a grade of zero will be applied. Exceptions to this time frame due to extenuating circumstances will be handled on a case-by-case basis. Under no circumstances may students taking an exam at an alternate time discuss with anyone the content of exams

#### Test Integrity:

Students are not permitted to discuss exams outside of the classroom and/or during test review. Discussion can compromise test integrity and can lead to violation of the Code of Student Conduct.

If an exam is postponed for extenuating circumstances, the student taking the exam at the alternative time cannot ask questions or discuss with anyone the contents of the exam. Under no circumstances may students write down questions from an exam for the use of review. This is a direct violation of this policy.

**A student must voice any concerns to the Course Leader or exam proctor about their ability to take an exam before the exam commences. Once the pre-exam notice has been accepted, the student forfeits the right to an appeal. The grade a student achieves on an exam is final.**

Once the exam is submitted, the student is not permitted to review or change answers. Before leaving the exam area, the student must raise their hand so the proctor can verify that the exam upload was successful.

St. Joseph's College of Nursing will allot:

- 200 minutes = 100 question exam;
- 100 minutes = 50 question exam; and
- 5 minutes = 5 questions for lab quiz;
- 30 minutes = 10 questions Math Quiz

All exams with the exception of the final exam will be student-to-student peer-reviewed following the testing time. The final exam can be reviewed at the student's request. Peer-exam review is a learning experience; therefore, all students are encouraged to attend. Exam review is not a time for debate. If there are concerns regarding specific exam questions following peer-exam review, students are encouraged to schedule an appointment with the course leader/advisor/designee to review their exam. Individual exams are available for review after peer-exam review. Students may only review the exam until the next exam is administered. Exam/Quiz grades will be posted within 48 hours of the exam. All students who achieve a grade less than or equal to 80 will be referred to meet with their faculty advisor.

Students may only have paper provided by the college, and their computer at the table during the exam. Students must turn in the sheet of paper to the proctor prior to leaving the exam area. There will be no belongings on or under desks/chairs or on students' person. No food is permitted, but drinks are allowed during the exam. Any violation of this policy or of the student code of conduct may result in academic dismissal. See Code of Student Conduct Policy.

#### **Remote Quiz/Exam/Test:**

During remote exams, students will be monitored. Faculty reserves the right to determine any suspicions of violation of the honor and integrity code of student conduct and will refer their suspicion and the student to the Academic Dean for Academic Affairs for further review in accordance with the Code of Student Conduct investigation procedures. Grades on all exams are not final until each exam is reviewed by faculty, if applicable.

To control the remote testing environment, strict safeguards are required. The test must be taken in a private room with no other individuals present in the room at any time. Breaks are not permitted, and the student is not permitted to leave the visual recording field at any time once the test has commenced. Students should use the bathroom immediately before the test begins. Students may only have blank paper and their computer at the table during the

exam. The paper must be shown to the camera prior to the beginning of the exam. The student is responsible for destroying the paper while being monitored by proctor when they have completed their exam. Cell phones, other papers, books and the use of tape recorders, smart watches, and other electronic and/or recording/photographing devices are prohibited from being accessible on the table.

If a technical issue or emergency arises during the test, students are to contact the faculty member as outlined below. Cell phones are permitted for the student to contact faculty or staff only. Refer to the Process for Remote Exams as described below.

### **Process for Remote Exams:**

#### **Prior to exams, students must:**

- Have a functional electronic device with access to the internet, equipped with a camera and microphone in order to take remote exams.
- Ensure that the remote exam room environment is quiet and free of distractions and in compliance with the restrictions outlined above.
- Sit at a clean desk or table if available, with the computer placed on a hard surface for optimal head and shoulder visualization. Do not lay on a bed during the exam.
- Be sure the desk or table is cleared of all materials except your computer, a sheet of paper, and a writing tool.
- Show a complete panoramic visual of the room/exam environment with a complete view of the room and surface the computer is on; this should be slow enough to clearly visualize all walls, floor, seat, work surface, and ceiling.
- The ringer to the cell phone must be muted and any voice activated functionality of the cell phone must be disabled prior to beginning the test. IF THERE IS ANY NOISE COMING FROM A CELL PHONE OR OTHER DEVICE DURING THE TEST THE STUDENT WILL BE INVESTIGATED FOR POTENTIAL ACADEMIC DISHONESTY.
- Have no other computer monitors, screens, or tablets on during the exam, or writing that is visible on the desk or walls.
- Do Not have a radio or television playing in the background.
- Dress in accordance with the *Campus Dress Code Policy* in the Student Handbook.

#### **During exams, students must:**

- Remain completely in the visual field of the webcam and not adjust the angle of the webcam or computer screen.
- Remain in an upright position at all times, head and shoulders in view of the web camera.
- Not leave the exam environment once the exam begins; in emergency situations please call your assigned faculty.
- Maintain appropriate lighting during the entire testing time. Room lighting should be bright enough to be considered “daylight” quality. Overhead lighting is preferred; however, if overhead is not possible, the source of light should not be behind the test taker.
- Not talk to anyone else. No communicating with others by any means. No one other than the test-taker should be permitted to enter or be in the room during testing.
- Not take the computer into another room to finish testing (exam must be completed in the same room the “Exam Environment View” is completed in).

## **Medication Math Competency Testing Policy**

### **PURPOSE:**

The ability to calculate medication dosages correctly is an essential skill for Registered Nurses. Many medication errors are directly related to the administration of an incorrect dose or incorrect infusion rate caused by calculation errors; therefore, medication calculation competency is required throughout the curriculum.

### **USE OF CALCULATORS IN THE CURRICULUM**

Students must use the online calculator provided in designated testing software for all quizzes and tests.

### **MEDICATION MATH COMPETENCY**

Students who do not achieve 100% on the medication mathematics calculation test in all Nursing Assessments Skills courses (I, II, III) will have mandatory remediation and be required to re-test. Each student will receive three opportunities to meet the math requirement. Failure to score 100% after the third attempt will result in referral to administration.

The following resources are available for medication math in all courses:

- Online tools available. Refer to course syllabus.
- Math calculation books located in library
- Medication mathematics theory and lab skills classes in Nursing Assessments Skills course I, II, III.
- Student Success Coordinator

# **PLAGIARISM POLICY**

## **DEFINITIONS:**

*Artificial Intelligence (AI):* Any technology that enables computers and machines to simulate human intelligence and problem-solving capabilities. This includes generative intelligence.

*Assistive Writing AI:* Defined as any AI tool that is capable of assisting an author with basic or more complex grammatical and structural changes to their originally written text. (ex. Grammarly, ProWritingAid)

*Generative AI:* Defined as any AI tool that is capable of generating various types of content, including but not limited to, text, imagery, audio, and video based on input or queries from the user. For the context of this policy, such use includes content that may be all or in part generated by AI (ex. ChatGPT, OpenAI, DALL-E)

*Self-Plagiarism:* Re-purposing material that has already been completed for another course or assignment, or otherwise submitting work you have previously rendered.

## **PURPOSE:**

Plagiarism is “to steal and pass off as one’s own the idea or words of another”, “to use without due credit the ideas, expressions, or productions of another” (Webster’s New Collegiate Dictionary). It is the policy of St. Joseph’s College of Nursing that all students also properly cite and produce reference lists for all written assignments as outlined by APA.

## **POLICY:**

Plagiarism is not acceptable in any form. This includes, but is not limited to:

- Failing to acknowledge the source(s) used<sup>1</sup>
- Stating an incorrect source
- Copying another student’s work or allowing another student to copy their work
- Self-plagiarism
- Utilizing generative AI to create work from prompts or input, or another author’s material
- Utilizing assistive writing AI to significantly alter the original structure, ideas, or articulations of your own work<sup>2</sup>
- Utilizing any AI to alter another authors work to be used as your own, or otherwise presented as an original articulation.

<sup>1</sup> *This can be the result of lack of knowledge or understanding as to proper academic citation procedures, so please seek assistance if you are not sure as to whether the appropriate procedures for intentional or unintentional plagiarism are the same.*

<sup>2</sup> *Use of assistive writing AI tools to suggest or implement minor edits to a sentence or use of verbiage within your own work is permitted provided it maintains the integrity of your original work.*

Refer to the Code of Student Conduct Policy ([link](#)) for procedure of Student Conduct Board Hearing and determination.

Violation of the plagiarism policy will be noted in the student’s permanent file. In addition, violation of the plagiarism policy will result in no credit (a grade of 0) on the test or written assignment. This violation may result in no opportunity to retest or rewrite, failure of the course or dismissal from the College.

## **Student Resources**

### **Accommodations Policy and Documentation Guidelines**

#### **PURPOSE:**

In compliance with the Americans with Disabilities Act of 1990 (ADA) and Section 504 (subsection E) of the Rehabilitation Act, St. Joseph's College of Nursing does not discriminate against any students with disabilities. All efforts will be made to arrange reasonable academic adjustments/accommodations for qualified individuals. The College is not required to lower or substantially modify requirements that would fundamentally alter the nature of a service, program or activity that would result in undue burden.

#### **PROCESS:**

Students must follow the below steps to request and receive their academic adjustments/accommodations.

1. Complete the [Request for Accommodations Form](#).
  - a. Submit appropriate medical documentation from a qualified, licensed professional following the guidelines below.
  - b. If requests are not submitted in a timely manner, academic adjustments/accommodations may be delayed.
2. Once all documentation is received, the Student Success Coordinator will review the file and request a meeting with the student to discuss the request and review the appropriate academic adjustments/accommodations. The Student Success Coordinator needs a minimum of three business days to review supporting documentation prior to implementation.
3. Together, the student and Student Success Coordinator will review and sign a form that outlines the policy and procedures related to maintaining academic adjustments/accommodations.
4. Following the meeting, the Student Success Coordinator will inform course leaders of academic adjustments/accommodations on behalf of the student.
5. If at any point the student would like to review their academic adjustments/accommodations, the student must contact the Student Success Coordinator. Additional documentation may be requested of the student if the student is looking to make changes to their academic adjustments/accommodations.

#### **General Documentation Guidelines:**

- Documentation must be the completed SJCON form by a qualified and licensed medical professional such as a psychologist, psychiatrist or medical doctor, including the date of which the student was seen. Handwritten documentation or documentation provided via a prescription pad is not sufficient.
- Documentation must be current (within three to five years) and relevant. The College reserves the right to request that students with outdated or insufficient documentation be reevaluated prior to implementation of academic adjustments/accommodations.
- Documentation must state the major life activities that the diagnosis is substantially limiting. Examples include breathing, respiratory functions, seeing, or concentrating.
- Documentation must include requirements for academic adjustments/accommodations, including rationale.
- The medical professional may not be related to the student.
- All documentation is kept confidential and will be used for the sole purpose of supporting the requested academic adjustments/accommodations.

- All situations will be considered on an individual, case-by-case basis.

### **NCLEX-RN Accommodations Requests for The Office of Professions:**

Directions for documentation: Candidates requesting reasonable accommodations because of disabilities covered by applicable laws must provide photocopies of documentation according to these standards:

1. The documentation must be an evaluation and/or diagnosis by a licensed professional. The diagnosis must be within the professional's scope of practice. If testing was performed on the candidate, the results of those tests must be provided.
2. The documentation must be signed by the licensed professional on official letterhead from that person's practice. The professional must be clearly identified by name and profession.
3. The documentation must be from within the last three (3) years. This is a standard requirement of all professional organizations that own national licensing examinations.
4. The documentation must state the diagnosis clearly and must specify what accommodations are required for the candidate to experience a fair administration of the examination. The accommodations must be presented as a requirement given the nature of the disability, not as a suggestion.
5. Documentation from a school psychologist is only acceptable if the candidate is still a student in that school system. IEPs and 504 plans from a candidate's secondary education or earlier are not acceptable because they are administrative documents, not the evaluations of licensed professionals, and they are not assessments of the candidate as an adult.
6. In addition to the documentation described above, the candidate must provide a letter from her or his professional program attesting to the nature of accommodations that were provided for testing throughout the course of study.

## Academic Advisement

### **PURPOSE:**

The faculty of St. Joseph's College of Nursing, by recognizing their responsibility to the academic, emotional, and physical development of the student, accepts the role of academic advisor. Advisement is a progressive relationship that allows the exchange of confidential information in an atmosphere of safety and privacy. This relationship between faculty and students is proactive, and assists the student to identify academic and skill deficiencies. The faculty is aware that the promotion of intellectual growth, enhanced self-esteem, and development of leadership skills allows the student to achieve his or her educational goal.

In conjunction with the Dean, Academic Dean, Student Success Coordinator, Administration, Academic Advisors, and Community Referral Services, the student will be supported throughout their academic career. Effective advisement fosters appropriate educational and career plans and potentially increases retention of students. Students will receive an academic advisor at orientation and will keep this advisor for the duration of their studies unless they request a new one, change options, or the faculty member is no longer active in that option.

### *Developing a relationship with Advisees:*

1. All full time and part time clinical faculties with the addition of the Center for Experiential Learning (CEL) Coordinators will be assigned advisees.
2. First level students will be randomly assigned at the beginning of the academic year and advisors will keep these students through the duration of their enrollment.
3. Photographs of the advisees will be accessible by the advisor on the College's Student Information System, SONIS.

### *What to expect from your Advisor:*

4. The student will be welcomed during orientation week and again during their first week back to school in their level.
5. The student will meet with advisor as needed throughout their studies.
6. *Availability:* Academic advisors are available during office hours and by appointment

### *\* When student is in academic difficulty:*

7. The Progression Committee will let the student's academic advisor know whenever a student is having academic or clinical difficulty.
8. The Student Success Coordinator will work with the academic advisor to set forth a remedial plan for the student and refer the student to tutors, CEL, or outside agencies as necessary.

*Other resources:*

One of the most important roles of an academic advisor is to facilitate appropriate referrals. The Advisor is in a key position to identify situations or conditions that may negatively affect the student's progress. Students often need assistance in dealing with educational difficulties, emotional problems, and skill deficiencies. Below, please find some people you may be referred to with specific issues.

9. Academic difficulties –faculty, team leaders, Associate Dean(s), or Student Success Coordinator who can make referrals for tutoring, etc.
10. Career choice – faculty or Student Success Coordinator
11. Financial – Coordinator of Financial Aid or Registrar/Bursar
12. Personal –Student Success Coordinator or for counseling services provided by the College's Employee Assistance Program (Carebridge).

## **PROBATION POLICY**

### **PURPOSE:**

Students are expected to perform at a level which leads to academic and clinical achievement.

### **POLICY:**

1. The student who is at-risk or fails to meet the standards of satisfactory academic progress may be placed on probation (i.e.: This may occur from an unsatisfactory grade in a non-critical clinical objective, not meeting the lab requirements for attendance, or after a course failure.). The faculty member will review the student progress with the Course Leader. The faculty member and the Course Leader will present the case to the Faculty Council Progression Committee. The Faculty Council Progression Committee will determine if the student will be placed on Probation with the outlined probation expectations and length of time to be on probation.
2. The student will meet with the Student Success Coordinator to review the probation conditions and sign a Student Success Plan. The student will receive a copy of the Student Success Plan. The Student Success Coordinator will upload the signed Student Success Plan into the student's SONIS account and inform the Faculty Council Progression Committee of the status.
3. The student will follow the Student Success Plan. Documentation of meetings with faculty and the student will be in SONIS. If there are concerns about the student's progression or deliverables from the Student Success Plan, the course leader, Student Success Coordinator or applicable faculty will bring the concerns to the Faculty Council Progression Committee for review to discuss.

## ACADEMIC PROBATION POLICY

**If any of the following have occurred, the student will not be considered for continuation in the SJCON nursing program.**

- **Failure to Provide Safe Care:** A student is dismissed from the program for failing to provide safe care.
- **Academic Dishonesty:** A student is dismissed from the program for academic dishonesty.
- **Course Failures:** A student is dismissed from the program for failing the same course twice.
- **Code of Student Conduct:** A student not abiding the College's Code of Student Conduct Policy. Each student will be dealt with on a case-by-case scenario.

### **PURPOSE:**

Students receiving less than a "C+" (78%) in one nursing course will be placed on Academic Probation. Students placed on Academic Probation will need to follow the criteria listed below.

Academic probation will take into consideration the "Time Limitation for Completion of Program" policy which states the degree must be completed within five years from the date of original matriculation.

### **Criteria for Students:**

1. A student must complete the [Return Request Form](#). Once a student is offered a seat for return, they are required to accept that seat at minimum 30 days prior to the first day of class. Failure to do so will result in losing their seat.
2. Meet with Student Success Coordinator and create a Student Success Plan.
  - a Student is required to follow their Student Success Plan for the entirety of the semester, or they risk Administrative Dismissal.
3. A student will be placed on academic probation for one term/semester.
4. Failure to return to good academic standing or a second failure in a nursing course may result in dismissal from the program. See Readmission Policy.
5. Students must be in good financial standing with St. Joseph's College of Nursing to be enrolled.
6. Enrollment for courses offered will be considered based on space availability.
7. Students returning to complete a theory course after being withdrawn from the College for more than one term, will be required to pass all competencies and the Medication Math exam in the lab course associated in order to provide safe care in clinical. Students returning after a leave of more than two terms will be required to pass all competencies from previous lab courses and all medication math tests. The Lab

## Readmission Policy

**Under no circumstance will a student be considered for readmission if one of the following occur:**

- **Failure to Provide Safe Care:** A student is dismissed from the program for failing to provide safe care.
- **Academic Dishonesty:** A student is dismissed from the program for academic dishonesty.
- **Course Failures:** A student is dismissed from the program for failing the same course twice.
- **Failure after Readmission:** A student fails a course after they have been readmitted.

### **Process for Readmission:**

1. Applicants must submit the following to the Office of Admissions: [Admissions@sjhcon.edu](mailto:Admissions@sjhcon.edu)
  - a. Readmission application and two professional letters of recommendation (excluding St. Joseph's College of Nursing administrators, faculty and the Office of Admissions).
  - b. The readmission application is available on-line, [Readmission Application](#)
  - c. Any supporting documentation for extenuating circumstances.
  - d. A type-written personal statement addressing the following:
    - i. Insight into the causes for failures and include explanation of supporting documentation for extenuating circumstances. Include resolution of any documented concerns;
    - ii. Obstacles encountered that prevented success in coursework;
    - iii. A detailed plan including strategies for future success;
    - iv. Why the applicant feels they should be readmitted;
    - v. What life changes will be made to foster success if readmitted;
    - vi. Any additional information the panel should consider when making their decision.
2. The application will be reviewed by the Office of Admissions for completeness. Once the application is complete, the Assistant Dean of Admissions or designee will recommend whether the applicant should be interviewed by the readmission panel.
3. For those applicants who are recommended to be interviewed by the readmission panel, the Office of Admissions will coordinate scheduling a date and time for the faculty panel to convene.
4. The readmission panel and student will meet for approximately 1 hour.
5. The readmission panel will be chaired by the Assistant Dean of Admissions or designee, as a non-voting representative, and the panel will consist of three voting neutral faculty members. A nursing faculty member from Le Moyne College will be a part of the readmission panel if the applicant is part of the DDPN or A-DDPN option. Course Leaders and Faculty members who have had the applicant on clinical and/or was the academic advisor are generally exempt from participating in the faculty panel.
6. All students eligible for readmission are considered on a case-by-case basis and at the discretion of St. Joseph's College of Nursing.

7. All readmission panel members and the applicant will be required to sign a confidentiality statement.
8. The application, transcripts, and any additional confidential documents related to the dismissal will be available in the Office of Admission for review by the readmission panel prior to interviewing the applicant.
9. Any discussion and all written materials related to the applicant's readmission are confidential. Written notes must be destroyed at the end of the meeting. All relevant documents will be placed in the applicant's confidential file.
10. Following the readmission panel, a written summary of the meeting including recommendations and the readmission rubric will be given to the Office of Admission from a designated faculty panel member.
11. The Office of Admission will notify the applicant in writing regarding the final decision, recommendations, contingencies, and semester/date of enrollment.
12. Readmitted students must comply with all enrollment requirements and complete any contingencies/obligations (financial, academic, and social) prior to returning to the program.
13. Any student on readmission will be on a Student Success Plan.
14. Readmitted students are ineligible to withdraw from the course they are readmitted to.

***\*\*If the student does not complete the degree requirements within the five-year timeframe from the date of original matriculation, the student will be required to follow the readmission policy and repeat the nursing program starting in Term 1. This includes general education coursework that is outdated.***

## STUDENT GRIEVANCE POLICY

### **Definition:**

A grievance is defined as a perception by the student of being harmed by being treated unfairly and/or arbitrarily related to academic progression.

### **Purpose:**

The grievance process exists as a means of resolving an issue as quickly as possible following the event/issue/decision to ensure fair and equitable treatment for the student. The intention is to address and resolve the issue in a professional, confidential manner.

### **Grievance Process:**

The student may grieve an event/issue/decision in which they believe they have been harmed and received unfair and/or arbitrary treatment related to academic progression. In order to file a grievance, the student must demonstrate actual harm. It does not involve perceived rude treatment, classroom style or general grading policies. However, a student can informally talk with administration about the perception of inappropriate behavior.

A student may grieve an event, issue, or decision related to academic progression when they believe they have experienced actual harm due to unfair or arbitrary treatment. Grievances cannot be filed for perceived rude behavior, teaching style, or general grading policies.

1. Prior to submitting formal grievance, the student must complete the following three (3) steps within **five (5) business days of the event:**
  - A. **Meet With Faculty**  
At the student's request, the student and the involved faculty member must meet to discuss the concern.
  - B. **Meet With Course Leader**  
If the concern is not resolved with faculty, the student must request a meeting with the Course Leader to further review the alleged event/issue/decision and seek resolution.
  - C. **Consultation With Student Success Coordinator**  
If resolution is still not achieved, the student must meet with the Student Success Coordinator for guidance on the grievance process and next steps.
2. If it is still not resolved, move into the formal Grievance process.
3. The grievance policy does **not** apply to allegations of sexual harassment, sexual misconduct, or discrimination. Students with these concerns will be referred to the **Code of Student Conduct** and/or the **Sexual Violence and Response Title IX Policy**.

⌘\* It is the student's responsibility to initiate and complete all steps of the grievance process within ten (10) business days of the event. Grievances that have not completed all steps above within this timeframe will not be considered.

### **A. Formal Grievance Process:**

1. The student is entitled to file a grievance by completing the [Grievance – Fill out form](#) available on

- the College's website.
2. The Student Grievance Form must be submitted within three days of meeting with the Student Success Coordinator and include the following:
    - a. a detailed description of the event/issue/decision the student believes adversely impacted their academic progression,
    - b. If applicable, what policy or procedure is of concern,
    - c. A detailed description of the attempts at an informal resolution with the faculty and course leader, and
    - d. A detailed description of the relief the student is seeking.
  3. Once a Student Grievance form has been submitted, the Student Success Coordinator will investigate the grievance request. If the investigation does not yield evidence of a student being harmed, and/or treated arbitrarily, the Student Success Coordinator will bring the investigation findings to ~~the then~~ the Academic Dean. Upon review, the Academic Dean will notify the student in writing that the grievance will not move forward to a formal grievance panel.
  4. If the investigation determines the need for a Formal Grievance panel, the Student Success Coordinator will ensure that all steps of the grievance process are followed. The Student Success Coordinator will facilitate the issuing of formal notice to include a date/time for the student and all parties relevant to the matter to attend the Grievance Panel.
  5. An advisor/support person of the student's choice, excluding legal counsel, may attend the grievance. However, the student's advisor/support person may not speak at the grievance hearing.
  6. Students cannot request letters of support from faculty/staff or other students. Letters of support voluntarily offered by faculty, staff or other students will NOT be part of the grievance record or be reviewed by the hearing panel. Students can request factual information from faculty or staff related to the student's own performance but cannot ask for information about other students' performance or evaluation of their work.
  7. The student will be allowed to attend class/clinical until the grievance is decided. Exception: clinical attendance will not be allowed in cases involving alleged unsafe clinical practice or inappropriate clinical behavior.
  8. The Student Success Coordinator will submit the grievance panel decision to the Dean of the College of Nursing for a final decision.
  9. Grievance decisions are final and will be immediately enforced by the Dean.

### **The Grievance Panel**

The Grievance Panel includes the following members:

- Three faculty members randomly selected who were not involved in the matter itself or any prior level of review and a Le Moyne college representative if the student is in the DDPN or ADDPN program option.
- Three Class Representatives serve as student representatives on the Grievance Panel. Class Representatives can serve on panels in which a member of their cohort is not the student grievant. For example, if a Weekday Level 1 student is the student grievant, Weekday Level 2, Evening/Weekend Level 1, and Evening/Weekend Level 2 Class Representatives would be eligible to serve on the panel.
- Student Success Coordinator will serve as the moderator.

### **Steps in the Grievance hearing:**

1. Review background material, including the written grievance, in the administrative suite within two hours prior to the meeting.
2. The moderator will convene the meeting by reading the following: "This discussion and all written materials related to the grievance are confidential. Any written notes/questions must be destroyed at the

- end of the meeting. All relevant documents will be placed in the student's confidential file.”
3. All panel members sign a confidentiality form prior to hearing the grievance.
  4. The meeting secretary will record minutes of the grievance to be filed in the administrative suite.
  5. The student may have an Advisor/Support Person in the hearing. The Advisor/Support Person is there for moral support only and cannot speak on behalf of the student.
  6. Audio and/or video recording of any kind is not permitted.
  7. The hearing may not last longer than one hour. The moderator will act as timekeeper.
  8. The grievant and faculty member will relay their evidence related to the grievance. Panel members may ask questions or request clarification as needed.
  9. Panel members will refrain from offering opinions or personal views during the hearing.
  10. Persons not part of the Grievance Panel will be excused prior to the panel vote.
  11. There will be discussion of the hearing material once the student has left the room.
  12. Panel members will vote by confidential ballot. The moderator acts as teller and only votes in the event of a tie. The vote tally remains confidential and only the moderator is aware of the vote tally.
  13. Following the vote, the moderator will inform the panel of the decision and then will dismiss the panel members. The moderator with the help from the secretary, will immediately submit the grievance panel decision to the Dean of the College of Nursing for a final decision.
  14. Grievance decisions are final and will be immediately enforced by the Dean.
  15. A written summary of the decision will be emailed to the student grievant within three business days of the m

## WITHDRAWAL POLICY

**PURPOSE:** Provide guidance on withdrawal procedure.

If a student wishes to withdraw from a course or the program for personal, medical, or academic reasons, they must complete a [Change in Status Form](#). The date of withdrawal is based on official notification to the College or last date of attendance at an academically related activity. Any student considering a withdrawal, should consult with the Financial Aid Office to determine how their financial aid will be affected. The Student Success Coordinator will review with Financial Aid and the Bursar office for approval.

A student withdrawing prior to the designated drop date (see SJCON Academic Calendar) will receive a W (withdraw) on the transcript. A student withdrawing after the designated drop date will receive a grade of WP (withdraw passing) if in good academic and clinical standing. A grade of WF (withdraw failing) will be received if not in good academic and clinical standing. A WF will be calculated into the grade point average as zero points.

A student wishing to withdraw from a Le Moyne College course, must also contact Le Moyne's administration for requests.

### WITHDRAW: TUITION REFUND

If the student withdraws, tuition costs will be refunded as shown in the chart below. Fees are separate from tuition and are nonrefundable.

<u>Amount Refunded</u>	<u>Withdrawal Date</u>
100 percent	first week of classes
75 percent	second week of classes
50 percent	third week of classes
25 percent	fourth week of classes
0 percent	fifth week of classes and later

### TITLE IV REFUND:

In accordance with the Higher Education Amendments of 1998, a portion of Title IV grant or loan funds must be returned to the Title IV Program upon a student's withdrawal from college. This may result in a student incurring a liability to St. Joseph's College of Nursing after the Title IV funds are returned. Once the institution has determined an official withdrawal date, regulation provides a formula for the calculation of the amount of Title IV aid that the student has "earned" and the school may retain. This will depend on the percentage of the enrollment period that the student has completed up to withdrawal. This percentage is calculated by dividing the number of calendar days (not weeks) completed by the total number of calendar days in the period. Up through the 60% point of the enrollment period, the student is eligible for the actual percentage of aid the calculation provides. After the 60% point of the semester, 100% of the Title IV aid is considered "earned" by the student.

## **LEAVE OF ABSENCE POLICY (LOA)**

### **PURPOSE:**

To provide structure to the leave of absence process.

If a student wishes to take a leave of absence from the program for personal or medical reasons, the student must complete a [Change in Status Form](#). The Dean or designee will review with Financial Aid and the Bursar for approval. An LOA is based on official notification to the College and last date of attendance at an academically related activity.

A student LOA will receive an I (Incomplete) grade on the transcript. Incomplete indicates the student has not completed course requirements within the established timeframe. It is a temporary grade assigned by faculty and must be resolved within the time period specified in writing. Failure to do so results in the grade of a F (Failure). If the LOA exceeds 180 days, enrollment status will be changed to withdrawn (reference Withdraw Policy).

A student wishing to take a leave of absence from Le Moyne College, must also contact Le Moyne's administration for requests.

### **LOA: TUITION REFUND**

Upon return from LOA, the institution may not assess the student any additional institutional charges. Therefore, the student is not eligible for a tuition refund.

### **TITLE IV:**

The purpose of this policy is to confirm St. Joseph's CON is in compliance with federal regulations, regarding the process for students requesting a leave of absence. A leave of absence (LOA) is a temporary interruption in a student's program of study. The following criteria outlines the requirements to process an approved LOA:

- A LOA cannot be granted for academic reasons (i.e. to keep a student from failing).
- A student granted an approved LOA is not considered withdrawn, therefore, no return of Title IV calculation is required.
- There must be reasonable expectation that the student will return from LOA. Federal educational loan regulations state that when a student borrower ceases to be enrolled at least half-time for 180 days (6 months) in any 12-month period, the borrower will be considered as withdrawn from school for loan repayment purposes.
- Schools may neither credit a student's account nor deliver loan proceeds to the student borrower while the student is on an approved leave of absence.
- A student returning from a LOA must resume training at the same point in the academic program that they began the LOA. If the student will be unable to pick back up where they left off, and would have to re-start the coursework, it would be considered a Title IV withdraw.
- Upon return from LOA, the institution may not assess the student any additional institutional charges. Therefore, the student is not eligible for any additional federal student aid (Title IV funds).
- If a student is a Title IV recipient, the institution must explain the requirements and regulations of his/her financial aid status (grace period, repayment, etc.) prior to granting the LOA. The information that will be provided will include the financial consequences if the student fails to return from LOA. A student who is granted an approved LOA is considered to remain in an in-school status for Title IV repayment purposes.

## CODE OF STUDENT CONDUCT POLICY

### **PURPOSE:**

As a learning community committed to the Franciscan ideals of truth and caring, St. Joseph's College of Nursing dedicates itself to maintaining the highest standards of integrity. Students must accept the responsibility to be honest and to respect moral, legal, and ethical standards in meeting their academic and clinical assignments and requirements.

Students at St. Joseph's College of Nursing are expected to conduct themselves in a manner supportive of the educational mission of the institution. Integrity, respect for the person and property of others, and a commitment to intellectual and personal growth in a diverse population are values deemed fundamental to membership in this College community.

Failure to comply with the Code of Student Conduct may result in a Student Conduct Board hearing. If the student is found in violation by the Student Conduct Board, the Dean will give final formal sanctions, which may include suspension or dismissal from the program.

St. Joseph's College of Nursing considers the following behavior, or attempts thereof, by any student, whether acting alone or with any other persons, to violate the Code of Student Conduct that follows:

1. Physical harm or threat of physical harm to any person or persons, including but not limited to: assault, sexual abuse, or other forms of physical abuse. Refer to the [Sexual Violence and Response Title IX Policy](#).
2. Harassment, whether physical or verbal, oral or written, which is beyond the bounds of protected free speech, directed at a specific individual(s), easily construed as "fighting words," by their very utterance, inflict injury or tend to incite an immediate breach of the peace. Refer to the [Hate, Bias, and Bullying Policy](#).
3. Conduct which threatens the mental/physical health or safety of any person or persons including but not limited to hazing, drug or alcohol abuse, and other forms of destructive behavior. Unprofessional or dishonorable conduct or any violation of acceptable professional practice including but not limited to threatening, harassing or intimidating or any attempt to deceive, defraud, or injure patients, the public, faculty member, administrator, staff member, or other students.
4. Academic dishonesty, including but not limited to: plagiarism and cheating, and other forms of academic misconduct, for example; misuse of academic resources or facilities; inappropriate use of third party resources on independent assignments; misuse of computer software, data, equipment, or networks. Refer to the [Exam/Testing Policy](#) and the [Plagiarism Policy](#).
5. Intentional disruption or obstruction of lawful activities of the College or its members including their exercise of the right to assemble and to peaceful protest.
6. Vandalism, theft of, or damage to personal property; the property of a Hospital/College/ faculty member, administrator, staff member, or student's property or services or illegal possession/use of same.
7. Forgery, alteration, fabrication or misuse of identification cards, records, grades, diplomas, College documents, or misrepresentation of any kind to a College office or official.
8. Unauthorized entry, use, or occupation of Hospital/College facilities that are locked, closed, or otherwise restricted.
- 54 9. Disorderly conduct including, but not limited to: public intoxication, lewd, indecent or obscene behavior, libel,

slander, and illegal gambling on Hospital/College property when engaged in student academic, social or clinical activities of the College.

10. Illegal manufacture, purchase, sale, use, possession, or distribution of alcohol, drugs, or controlled substances, or any other violation of the Drug Free Campus. Refer to the [Drug Free Community Policy](#).
11. Failure to comply with the lawful directives of Hospital officials who are performing the duties of their office, especially as they are related to the maintenance of safety or security.
12. Unauthorized possession, storage, or use of any weapon or ammunition including but not limited to stun-guns, firearms, BB-guns, air rifles, explosive devices, fireworks, or any other dangerous, illegal or hazardous object or material, and improper use as a weapon of any otherwise permitted object or material.
13. Interference with or misuse of fire alarms, elevators, or other safety and security equipment or programs.
14. Violation of any federal, state, or local law, which has a negative impact on the well-being of Hospital/College or its individual members.
15. Violation of policies, rules, or regulations that are published in the Student Handbook, or any Hospital/College/Trinity official publications or agreements.

The behaviors identified in the Student Code of Conduct as listed above could be determined to be acts of unprofessional conduct for licensed nurses as well as these behaviors do not conform with Provision 5 of the American Nurse Association Code of Ethics with interpretive statements. Specifically, the nurse has the responsibility to preserve the wholeness of integrity and character.

#### **New York Consolidated Laws, Education Law - (EDN § 6443). Students' bill of rights**

Every institution shall adopt and implement the following "Students' Bill of Rights" as part of its code of conduct which shall be distributed annually to students, made available on each institution's website, posted in campus residence halls and campus centers, and shall include links or information to file a report and seek a response, pursuant to [section sixty-four hundred forty-four](#), and the options for confidential disclosure pursuant to [section sixty-four hundred forty-six](#).

All students 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.

### **STUDENT CONDUCT REVIEW BOARD PROCEDURE FOR ALLEGATIONS OF VIOLATIONS OF THE STUDENT CODE OF CONDUCT (OTHER THAN TITLE IX REVIEWS)**

1. Alleged violations of the Code of Student Conduct other *than those subject to Title IX procedures*, entitles the accused student of due process during the investigation and an impartial Student Conduct Review Board Hearing (the “Hearing”).
2. When one or more violations of the Code of Student Conduct is suspected, it is the responsibility of the faculty or staff that suspect such violation(s) to first discuss the matter with the student and submit a written allegation(s) to the Academic Dean Academic Dean, who shall serve as the Chairperson of the Student Conduct Review Board. If the Academic Dean is unavailable or has a conflict of interest in the matter, the Dean of the College of Nursing shall appoint designee to serve as the Chairperson.
3. When a student suspects misconduct of a peer, the student peer has a responsibility to report alleged misconduct to the lead instructor or relevant staff member. The reporting student, lead instructor or staff member must then submit the allegation(s) of misconduct to the Academic Dean. If the matter proceeds to a Hearing, the reporting student is expected to participate as a witness at the scheduled Hearing. All questions are to be directed through the Chairperson so as to not be directly cross examined by another student.
4. The Academic Dean shall notify the Dean of the College of Nursing. The Academic Dean will meet with the accused student to discuss the alleged misconduct within **five (5) business days of receiving the complaint** and determine whether the allegations, if true, would constitute a violation(s) of the Code of Student Conduct, not covered under Title IX procedures. If the student fails to meet to discuss the allegations with the Academic Dean within the five business days, the Academic Dean will move to the next step in the code of conduct process. If the determination is that it would constitute such a violation, the Academic Dean shall implement these procedures set forth herein and shall maintain a detailed account of all documentation, emails, communication, etc regarding the students’ conduct/behaviors. The Academic Dean in their capacity as Chairperson may also meet with relevant faculty/staff if necessary to gain clarity regarding any submitted documentation.
5. Interim Suspension. In cases where the Dean of the College of Nursing is concerned that the student poses a potential threat to self or others or property, especially in clinical cases related to patient safety, the student’s academic and clinical educational progression may be temporarily suspended by the Dean of the College of Nursing. Pending the outcome of the Hearing and action by the Dean of the College of Nursing, the suspension may be lifted without the imposition of sanctions or other actions.
6. The purpose of the Student Conduct Review Board is to review the circumstances giving rise to the allegation(s), afford the student with a Hearing and rights and due process as set forth herein in order to provide the student with sufficient opportunity to the know the allegations, review the evidence supporting the allegations and respond to the allegation(s) and offer factual information in defense of the allegation(s)

and make findings of fact to enable the Dean of the College of Nursing to make the ultimate determinations regarding guilt or innocence and determine any necessary sanctions, including not limited to, probation, suspension or dismissal from the program.

7. The Student Conduct Review Board shall be comprised of:
  - The Academic Dean/designee serving as the Chairperson of the Student Conduct Review Board and preside over and facilitate the Hearing,
  - Student Success Coordinator,
  - Two (2) Faculty, and
  - One (1) student.

\*\* Conduct hearings may be held either in person or through a virtual platform. The format of the hearing will be determined by the Hearing Board Chairperson based on the needs of the case, availability of participants, and procedural considerations. All parties will be notified of the selected format in advance and provided with the necessary instructions for participation.
8. Any student suspected of a violation(s) of the Code of Student Conduct has the right to due process prior to any formal decision. An accused student has the right to:
  - Receive written notification of the alleged incident or suspicion and specific allegations citing section(s) of the Student Code of Conduct alleged to have been violated with sufficient enough detail to allow the student to respond to the allegation(s) from the college's faculty or staff who made the accusation.
  - A presumption of innocence unless/until proven guilty.
  - An impartial Hearing and a written account of the Hearing procedures and verbal explanation of the process by the Chairperson if requested by the student.
  - Freedom to defend any and all accusation(s) of misconduct.
  - Know the members selected to serve on the Student Conduct Review Board and object in writing to any members who have a conflict of interest, with a description of the alleged conflict of interest. The Dean of the College of Nursing shall make the final decision about whether any member shall be removed for potential conflict of interest and replaced with an individual free from conflict.
  - Know the witnesses participating at the Hearing and submit his or her own witnesses with factual information related to the matter and any mitigating evidence at the Hearing.
  - Submit witnesses and evidence prior to the hearing, to be considered by the committee.
  - Respond in writing to the charges before and submit a closing statement in writing following the Hearing.
  - The accused student and an advisor of the student's choosing if desired (this can be a peer, family member, faculty member, attorney or anyone else of the student's choosing but the advisor may not speak or actively participate in the Hearing and is allowed to be present to advise the student only).
9. Hearings are considered closed meetings (i.e., only the participants and the recorder are permitted to attend). All persons involved in the Hearing, other than the accused student, are required to maintain confidentiality at all times and must sign a confidentiality agreement to not discuss the student conduct/behavior with anyone except those directly involved in the review of the matter.
10. Within **ten (10) business days** of the Chairperson determining that a Hearing is required, the Chairperson shall:
  - Appoint the other members of the Student Conduct Review Board.
  - Set the date for the Hearing (to take place within the (10) business days' time frame, provided, however, that an extension of this timeline may be necessary, and can be requested by the student or the Chairperson, and approval is made at the discretion of the Chairperson.)
  - Issue a formal written Notice of Hearing with the time and place to the accused student, the Student Conduct Review Board and all witnesses, including copies of all documents relevant to the allegation(s). The accused student has two (2) business days upon receipt of Notice and supporting

documentation to review and provide any additional mitigating evidence to the Chairperson, (which shall also be provided by the Chairperson to the Student Conduct Review Board).

- Convene a Hearing. The participants at the Hearing shall consist of the following parties: the Student Conduct Review Board, the accused student and an advisor of the student's choosing if desired (this can be a peer, family member, faculty member, attorney or anyone else of the student's choosing but the advisor may not speak or actively participate in the Hearing and is allowed to be present to advise the student only), and the referring faculty/staff member or student.
- All appropriate fact witnesses at the discretion of the Chairperson. Character witnesses are not permitted.

11. Conduct of the Hearing.

- At the opening of the hearing, the chairperson shall read the rights of and the charges against the accused student.
- During the Hearing, the student is provided the opportunity to speak on their behalf and/or read and submit a written statement, call witness and cross-examine any other witnesses presented at the Hearing and submit materials to be considered as mitigating evidence.
- The faculty/staff may also present witnesses, and both the student and the Student Conduct Review Board members may question witnesses.
- The College of Nursing shall ensure that an audio recording of the Hearing is made.

12. Burden of Proof; Standard of Review. The faculty/staff alleging the accusations carries the burden of proving the alleged misconduct. "Preponderance of the Evidence" is the threshold whereby all the information is determined by the Student Conduct Review Board to substantiate, more likely than not, the allegations. This preponderance is based on the more convincing evidence and its probable truth or accuracy, and not on the amount of evidence. Thus, one clearly knowledgeable witness may provide a preponderance of evidence over a dozen witnesses with hazy testimony. The "preponderance of the evidence" means the greater weight of the evidence, i.e., that the evidence on one side outweighs, preponderates over, or is more than, the evidence on the other side.

13. Deliberations. At the close of the Hearing, the Student Conduct Review Board shall deliberate in private and through majority vote, make a determination either to substantiate or not substantiate each and every allegation of violation of the Student Code of Conduct.

14. Findings. Within one (2) business day following the determination, the Chairperson shall submit the written findings to the Dean of the College of Nursing. These findings are for informational purposes only for the Dean of the College of Nursing who shall consider the findings of the Student Conduct Review Board and as the ultimate final finder of fact, shall determine whether the accused student was afforded all of the applicable procedural due process rights and whether the allegation(s) are or are not substantiated. If the Dean of the College of Nursing substantiates any of the allegation(s), the Dean shall determine, in their sole discretion, any appropriate sanctions to impose up to and including dismissal from the College.

15. The Dean of the College of Nursing shall promptly issue a letter to the accused student, via email and certified mail advising of the findings of the Student Conduct Review Board and the Dean's final determinations. If the allegations are substantiated, the letter shall also clearly state any sanctions imposed and whether sanctions are imposed or not, the letter shall also include a copy of the Appeal procedures and shall clearly advise the student of their right to file such Appeal and the time frame and manner for doing so.

## PROCEURE FOR APPEALS

Students found responsible for violating the Code of Student Conduct, have the right to appeal the final decision. The decision to appeal must be made in writing within **five (5) business days** from the date the student was notified of the final decision to the designated Chairperson for appeal board hearing (**not** the same Chairperson who served

on Student Conduct Review Board Hearing). The decision remains final if an appeal is not submitted within the specified time. While an appeal is pending, the student must comply with all sanctions and restrictions from the Student Conduct Review Board's decision, unless otherwise specified.

1. Appeals are limited to a review of the record of the hearing and supporting documents that were available at the time of the original Student Conduct Hearing Board. An appeal is not a rehearing of the case. An appeal will only be granted on one or more of the following:
  1. Procedural irregularity that affected the outcome of the matter;
  2. 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
  3. A member of the Student Conduct Review Board had a conflict of interest or bias for or against the accused student that affected the outcome of the matter.
  4. The sanctions imposed were too harsh for the violation.
2. The designated Chairperson will review the appeal and the recording of the hearing to determine one of the following actions:
  - Deny the appeal.
  - Send the appeal to the Dean to review the record of the case, make any necessary modifications and render a final decision.
  - Grant the appeal and convene the Appeal Committee to review the record of the case. New information will be considered at this time.
3. Members of the Student Code of Conduct Review Board cannot serve on the Appeal Hearing Board. The Appeal Hearing Board shall be comprised of:
  - Designated Chairperson will preside over and facilitate the Hearing,
  - One (1) staff representative,
  - Two (2) Faculty; and
  - One (1) student

### **The Appeal Hearing Board:**

1. The Appeal Hearing Board shall review the recording, violation, charges, and/or sanction against the student from the original hearing. They will then review the written documentation and new material that has been submitted as evidence for an appeal.
2. During the Appeal Hearing, the student is provided the opportunity to speak on their behalf discussing any new material to be considered as mitigating evidence. The student may have an advisor if desired (this can be a peer, family member, faculty member, attorney or anyone else of the student's choosing but the advisor may not speak or actively participate in the Hearing and is allowed to be present to advise the student only).
3. Upon the conclusion of the Appeal Hearing, the Chairperson will adjourn the meeting so that the Appeals Hearing Board can determine levels of responsibility, and if appropriate, change sanctions.
4. The Appeal Hearing Board then has one of the following options following this review:
  - Uphold the finding of responsibility and the sanctions as originally imposed;
  - Uphold the finding of responsibility but reduce the sanction;
  - Overturn the finding of responsibility; or
  - Return the matter to the Student Conduct Hearing Board for further action or for a new proceeding.
5. Findings. Within two business days following the determination, the Chairperson of the Appeal Hearing Board shall submit the written findings to the Dean of the College of Nursing. The Appeal Hearing Board findings are final and binding. The Chairperson will submit the findings of the Appeal Hearing Board to the Dean of the College of Nursing.

6. The Dean of the College of Nursing shall within two business days issue a letter to the accused student, via email and certified mail advising of the findings of the Appeal Hearing Board.

**Suggested format for a student writing an appeal:**

1. Specify the reason(s) for the appeal. You may appeal on any or all of the following grounds:
  - The finding of responsibility
  - The sanction imposed
  - Procedural errors
2. Provide a clear and detailed explanation for each reason cited
3. Include any new supporting documentation
4. Be sure to sign your appeal
5. Include the following in the opening paragraph of your appeal:
  - Date of the original hearing
  - Date time and location of the incident
  - State the reason for the appeal
6. In the body of the appeal explain the basis for the appeal (in other words provide the information to support your reason(s) for appealing).

## **HATE, BIAS, AND BULLYING POLICY**

### **PURPOSE**

St. Joseph's College of Nursing at St. Joseph's Hospital Health Center (SJHCON) welcomes and respects the fundamental dignity of students, faculty and staff from all backgrounds and identities. The College strives to create a community that does the same and facilitates the education and development of students. Bias-related incidents, hate crimes, and bullying in all forms are unacceptable and antithetical to these goals as they send a powerful message of intolerance and discrimination, disrupt the community and educational environment, and erode standards of civility. This includes, but is not limited to, inappropriate use of the internet, mobile phones, and any other digital communication technologies. Refer to the Non-Discriminatory Policy in the Student Handbook for additional details.

In accordance with Section 6436, Article 129A, of the New York State Education Law, and in order to inform the college community about bias related crime prevention and reporting procedures, the College provides education on student safety. In addition, security procedures and the availability of counseling and support services are discussed with incoming students. In addition, Title IX and Student Conduct Board members are trained to respond to hate crimes, bias-related incidents, bullying, and other crimes on campus

The College is committed to maintaining an environment in which the dignity and worth of each member of its community is respected. It will not tolerate any actual or attempted harassment or retaliation of its members by students, faculty, staff, guests, or visitors. Anyone engaging in the above-mentioned conduct is subject to disciplinary action as described herein.

### **DEFINITIONS:**

#### **HATE CRIMES**

Hate crimes are conduct, such as threats of violence, property damage, personal injury and other illegal conduct (Refer to New York State Penal Law Section 485), which are motivated and/or accompanied by bias. New York State Penal Law Section 485, Article 129A, also known as the "Hate Crimes Act of 2000," sets forth the definition of a hate crime. Specifically, a person commits a hate or bias-related crime when he or she commits a specified offense and either:

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

#### **BIAS-RELATED INCIDENT/CRIMES**

The College defines a bias-related incident as behavior that constitutes an expression of hostility against the person or property of another because of the targeted person's race, religion, sexual orientation, gender identity, ethnicity, national origin, age or disability.

Bias-related incidents include, but are not limited to, non-threatening name calling and using degrading language or slurs that are directed toward a person because of his or her membership or perceived membership in a protected class and that create a hostile environment for that person. New York State

Penal Law Section 485, Article 129A, also known as the “Hate Crimes Act of 2000,” sets forth the definition of a bias-related crime. Specifically, a person commits a hate or bias-related crime when he or she commits a specified offense and either:

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

### **BULLYING**

Bullying is defined as repeated, unreasonable, or unwanted actions of a person or group of persons directed towards another person or group of persons, which are intended to hurt a person physically or emotionally, intimidate, degrade, humiliate, and/or undermine an individual.

Bullying can include covert and/or overt actions and take on many forms including, but not limited to, verbal behavior (such as teasing, threats, name-calling), social actions (such as spreading rumors, excluding individuals, posting inappropriate messages, vandalism), and physical acts (such as hitting, punching, shoving).

### **POLICY**

This policy applies to conduct that occurs involving any member of the College on any part of St. Joseph’s campus or acting as an extension of the institution. St. Joseph’s Hospital Health security will investigate complaints, and the College will determine the appropriate action to be taken, which may include contacting local law enforcement. Campus Security may be contacted at 315-448-5173.

### **PROCEDURE**

Whether a particular act is considered a hate crime, bias related incident/crime or bullying, the individual will be referred to the protocol in the Student Code of Conduct policy.

### **CONFIDENTIALITY**

The College understands that an individual who has been the victim of a hate crime, bias-related incident or bullying may wish to talk about the incident with the assurance that the discussion will be confidential. There are several support resources that students may utilize on a confidential basis. Resources are available via the Student Success Coordinator or the College’s website. Because these services are confidential, a discussion with any of these sources may not result in a complaint being filed with the College or result in action being taken by the College to respond to the incident. The College endeavors to respect and follow the wishes of an individual who brings forward a hate, bias-related or bullying concern. However, individuals should understand that St. Joseph’s may have ethical and legal obligations to investigate, attempt to resolve or adjudicate such incidents that come to its attention. Therefore, depending on the circumstances, it may not always be possible for a conversation with St. Joseph’s Hospital Health Security or other administrators to be kept in confidence always or, said another way, for these individuals simply to listen without taking action.

### **REPORTING TO THE COMMUNITY**

The College publishes crime statistics annually, including bias-related conduct, in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. A copy may be acquired by contacting Campus Security and is also published online on the Department of Education’s website at:

<https://ope.ed.gov/campussafety/#/institution/search> and on St. Joseph's College of Nursing's website at <https://www.sjhcon.edu/student-consumer-information>

Further, as required by the Act, the College provides timely warnings to the campus community of certain crimes if they represent a threat to students and employees.

### **PENALTIES FOR COMMISSION OF A HATE/BIASRELATED CRIME**

College sanctions against a student, student group or organization can include a wide range of penalties including actions such as warning, restitution, suspension, probation, and up to and including dismissal from the College.

In addition, the New York State Hate Crimes Act of 2000 revised the State Penal Law to impose criminal penalties for hate crimes. Such penalties include but not limited to incarceration.

## **SEXUAL VIOLENCE PREVENTION AND RESPONSE, TITLE IX**

### **PURPOSE:**

St. Joseph's College of Nursing (SJCON) is committed to maintaining a healthy and safe learning, living, educational, and working environment that is free from gender discrimination, harassment, and creates an environment that promotes responsibility, dignity, and respect in matters of sexual conduct.

This policy is designed to address conduct that falls within Title IX of the Education Amendments of 1972, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the Campus Sexual Violence Elimination Act (SaVE Act), and NYS Education Law Sections 6432 and 64396449.

Title IX prohibits discrimination, harassment, and retaliation of any kind on the basis of sex. Title IX also prohibits Violence Against Women Act offenses ("Sexual and Interpersonal Offenses") such as sexual assault, sexual misconduct, sexual violence, domestic violence, dating violence, and stalking. Any person, regardless of gender, can be a victim/survivor of a Title IX violation.

This Policy applies to conduct that occurs and actions committed by students, faculty, staff, or third parties against a person in the United States, whenever the conduct or action occurs:

1. On SJCON campus property. St. Joseph's College of Nursing's Campus is defined as any property owned and operated by the governing organization, St. Joseph's Health; or
2. Off SJCON campus property. If the conduct was in connection with SJCON or a SJCON recognized program or activity which includes locations, events, or circumstances over which SJCON exercised substantial control over both the person accused of the conduct and the context in which the sexual harassment occurred.

### **I. CONTACTS:**

The Title IX Coordinator/Investigator handles matters related to Title IX, and will help students

- access medical and mental health treatment;
- report the sexual or interpersonal offense internally and/or to local authorities;
- access support resources; and
- assist the victim/survivor in obtaining a SJCON no-contact order, a court-issued restraining order, or other lawful order of protection.

**The St. Joseph's College of Nursing Title IX Coordinator/Investigator is:**

Sara Peña  
315-448-5594  
[sara.pena@sjhcon.edu](mailto:sara.pena@sjhcon.edu)

## II. NEW YORK STATE (NYS) CONSOLIDATED LAWS, EDUCATION LAW – STUDENTS’ BILL OF RIGHTS

*All students 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 complainant, 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.

## III. PROHIBITED CONDUCT DEFINITIONS

**a. Acquaintance Rape:** Rape by a person who is known to the victim.

**b. Domestic Violence:** Under New York law domestic violence is an act which would constitute a violation of the penal law including, but not limited to (and is committed by an intimate partner or family member):

- disorderly conduct
- harassment
- aggravated harassment
- sexual misconduct
- forcible touching
- sexual abuse
- stalking
- criminal mischief
- menacing
- reckless endangerment
- kidnapping
- assault

- attempted murder
- criminal obstruction or breaching of blood circulation
- strangulation
- creates a substantial risk of physical or emotional harm to a person or a person’s child

c. **Dating Violence:** is not specifically defined in NYS law. However, intimate relationships are covered by the definition of domestic violence when the act constitutes a listed crime and is committed by a person in an “intimate relationship” with the victim.

The victim can be anyone over the age of sixteen, any married person, or parent accompanied by the minor child or children in situations in which such person or such person’s child is a victim of the act.

d. **Criminal Sexual Conduct:** The intentional touching of another person’s clothed or unclothed body parts without consent, for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This definition explicitly applies when the victim is incapable of giving consent due to age, mental or physical impairment (temporary or permanent).

e. **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

f. **Rape:** is nonconsensual sexual intercourse perpetrated by coercion, intimidation, or physical force either threatened or actual. Rape also occurs when the victim is incapable of giving legal consent because the victim is less than 17 years of age, mentally incapacitated or incompetent, physically helpless including by drug or alcohol consumption or due to being asleep.

g. **Sexual activity:** The same meaning as “sexual act” and “sexual contact.” Current definition used by the federal government. 18 U.S.C. 2246(2)-(3) states that:

**Sexual Act:**

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

**Sexual Contact:**

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

Individuals must obtain affirmative consent\* prior to engaging in any of the activity referenced above.\*See Other Definitions.

h. **Sexual Harassment:** Conduct on the basis of sex that satisfies one or more of the following:

- An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo\*);
- Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution’s education program or activity; or

- Sexual assault (as defined in the Clery Act), or dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

**\*Quid pro quo** - A favor or advantage granted or expected in return for something.

- i. **Sexual Assault:** The term “sexual assault” is not a term used in the NYS penal code. Instead, NYS law uses the terms “rape,” “fondling,” “incest,” and “statutory rape,” which meet the federal definition of sexual assault as used in the Federal Bureau of Investigation’s Uniform Crime Reporting program.
- j. **Stalking:** Occurs when one person engages in a course of conduct which is directed at a specific person and that course of conduct causes that person to be in fear of harm to themselves, property, a member of their immediate family, or an acquaintance. Cyber stalking is a form of stalking which can include the use of the Internet or other electronic means to stalk or harass an individual.
- k. **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the age of consent.

#### IV. OTHER DEFINITIONS:

a. **Affirmative Consent:** is a knowing, voluntary, and mutual decision between all participants to engage in sexual activity. Consent may be given by words or actions as long as those words or actions create clear permission regarding an individual's willingness to engage in sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity or gender expression.

- Consent to any sexual act or prior 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 at the time.
- Consent may be initially given and withdrawn at any time.
- Consent cannot be given when a person is incapacitated such that the individual lacks the ability to choose knowingly to participate in sexual activity. Incapacitation may be caused by a lack of consciousness or by being asleep, being involuntarily restrained, or in other circumstances such as being under the influence of drugs and/or alcohol to the extent that the individual is unable to consent.
- Consent cannot be given when it is the result of coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

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

c. **Code of Conduct:** The written policies adopted by an institution governing student behavior, rights, and responsibilities while such student is matriculated in the institution.

d. **Complainant:** An individual who is alleged to be the victim of conduct that could constitute sexual harassment, irrespective of whether a formal complaint has been filed.

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

f. **Preponderance of the Evidence:** The standard of proof in sexual and interpersonal violence cases, which asks whether it is “more likely than not” that the violence occurred. If the evidence presented meets this standard, then the respondent should be found responsible.

g. **Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

h. **Title IX Coordinator:** Individual who ensures the campus community is aware of legal rights under

## Title IX

- Ensures the campus community complies with Title IX policies, procedures, and regulations;
- Provides education, training, and programming to the campus community;
- Takes immediate action to all reports of sexual discrimination, sexual harassment, sexual assault, dating violence, domestic violence, and stalking that are reported to non-confidential resources;
- Ensures that both the complainant and respondent know their options and get help, resources, and services they need;
- Conducts fair, equitable, and unbiased investigations while serving as a neutral fact finder for both the complainant and the respondent; and
- Responsible under the law for tracking patterns and spotting systemic issues.

## V. CONFIDENTIALITY:

a. **Confidential Disclosure:** May be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to institution officials, in a manner consistent with state and federal law, including but not limited to:

- Licensed mental health counselors
- Medical providers
- Pastoral counselors

In addition, there are publicly available services through which a confidential report may be made, See: <https://ovs.ny.gov/locate-program>. Additional disclosure and assistance options are catalogued by the Office for the Prevention of Domestic Violence (many available in several languages). Please note that these hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to SJCON.

b. **Private (Non-Confidential) Disclosure:** May be offered by an individual when such individual is unable to offer confidentiality under the law but shall not disclose information learned from a reporting individual or bystander to a crime or incident more than necessary to comply with applicable laws, including informing appropriate institution officials. Incidents related to Title IX are to be reported to the

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Title IX Coordinator/Investigator and/or St. Joseph's Health Safety and Security who can offer privacy and assist in obtaining resources.

### **Please contact:**

St. Joseph's Health Campus Safety and Security: 315-448-5173 or 5555 and/or

Title IX Coordinator/Investigator: Sara Peña 315-448-5594 or [sara.pena@sjhcon.edu](mailto:sara.pena@sjhcon.edu)

### **Responsibilities of Faculty, Staff and Other Non-Confidential SJCON Employees**

**Following Receipt of a Report:** SJCON recognizes that complainants may be most comfortable disclosing sexual violence and other prohibited conduct to a SJCON member they know well, such as faculty or staff. These "nonconfidential" employees will protect

and respect a complainant's privacy to the greatest extent possible and share information only on a need-to-know basis; however, they cannot serve as a confidential resource. Any SJCON employee who receives a report about conduct prohibited by this policy involving a student is required to inform the Title IX Coordinator/Investigator about the incident. Information about sexual harassment that a student includes in a classroom assignment is considered a report and must be shared with the Title IX Coordinator/Investigator. These reporting requirements aim to ensure that all potential complainants are provided with appropriate resources and supportive measures, even if they do not wish to pursue a formal complaint. Notwithstanding this requirement, SJCON encourages all members of the campus community to report conduct prohibited by this policy directly to a Title IX Coordinator/Investigator.

**c. Family Educational Rights and Privacy Act (FERPA):**

**Disciplinary Records:** While student disciplinary records are protected as education records under FERPA, there are certain circumstances in which disciplinary records may be disclosed without the student's consent. A postsecondary institution may disclose to an alleged victim of any crime of violence or non-forcible sex offense the final results of a disciplinary proceeding conducted by the institution against the alleged perpetrator of that crime, regardless of whether the institution concluded a violation was committed. An institution may disclose to anyone—not just the victim—the final results of a disciplinary proceeding, if it determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense, and with respect to the allegation made against him or her, the student has committed a violation of the institution's rules or policies.

**The Clery Act:** *the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* requires postsecondary institutions to provide timely warnings of crimes that represent a threat to the safety of students or employees and to make public their campus security policies. It also requires that crime data be collected, reported, and disseminated to the campus community via the SJCON website and to the New York State Department of Education (NYSED) annually. The Clery Act is intended to provide students and their families with accurate, complete, and timely information about safety on campuses so that they can make informed decisions. Such disclosures are permitted under FERPA.

**VI. REPORTING:**

a. **Criminal complaints:** To file a criminal complaint:

- St. Joseph's Health Campus Safety and Security: 315-448-5175 or 5555
- City of Syracuse local law enforcement: 911
- Onondaga County Sherriff's Department: 315-435-2962
- New York State Police: 1-844-845-7269 (to report a sexual assault on a New York college campus)

b. Title IX Coordinator/Investigator:

- Sara Peña at 315-448-5549 or [sara.pena@sjhcon.edu](mailto:sara.pena@sjhcon.edu)

c. **Anonymous Reporting:** Individuals wishing to file an anonymous report of sexual assault, domestic violence, dating violence, and/or stalking may use the link provided. The Title IX Coordinator/Investigator will review the report and proceed with an investigation accordingly.

69 [SJCON Title IX Anonymous Reporting Form – Fill out form](#)

**To best preserve evidence:**

- Avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical examination has been completed.
- Within 96 hours of an assault, the complainant can receive 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.
- Complainants are encouraged to notify hospital personnel during the medical visit if they do not want their insurance policyholder to be notified about access to these services

**d. Public Awareness/Advocacy Events:** If a victim of a Title IX crime discloses a situation through a public awareness event such as “Take Back the Night,” candlelight vigils, protests, or other public events, SJCON is not obligated to begin an investigation. However, SJCON may review the information provided and use it to offer additional education and/or prevention to the campus community.

## VII. SUPPORT MEASURES

- a. Students may request support services by contacting the Title IX Coordinator/Investigator who is available during regular business hours throughout the academic year to provide information or guidance about Title IX violations. No police report, disciplinary complaint or investigation needs to occur before this option is available. The Title IX Coordinator/Investigator will exercise discretion and sensitivity about sharing the identity of the victim/survivor when arranging for interim support services. A victim/survivor can access these services any time, even if the student initially declined the services.
- b. All students will be provided with equitable and accessible ways to report violations of the policy.
- c. Services are provided to either the complainant or the respondent and kept confidential unless disclosure is necessary to provide the service.
- d. A suspension, even pending a disciplinary proceeding, is a disciplinary sanction that can only be applied after a finding of responsibility. However, if a respondent poses an immediate threat to the physical health or safety of the complainant or anyone involved in the investigation, the respondent will be immediately removed from the premises prior to the conclusion of the hearing process (or even where no hearing process is pending) and allows the SJCON to place a non-student employee respondent on administrative leave while a hearing is pending.
- e. Services which may be offered as appropriate include:
  - Counseling
  - Extensions of deadlines or other course-related adjustments
  - Modifications of work or class schedules
  - Campus escort services
  - Mutual restrictions on contact between the parties
  - Changes in work or housing locations
  - Leaves of absence
  - Increased security and monitoring of certain areas of the campus, and other similar measures
- f. Medical and Counseling Resources (may have a fee):
  - St. Joseph's Health Hospital 301 Prospect Ave Syracuse, NY, 315-448-5000.
- g. Confidential Counseling Resources:
  - Vera House - Off Campus Support  
723 James Street, Syracuse, NY  
315-425-0818  
<https://www.verahouse.org/contact-us>

- AllOne Health  
<https://portal.allonehealth.com/>  
Access Code: DHXTS
- 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: [Office of Victim Services Home Page | Office of Victim Services/](#) or by calling 1-800-247-8035.

h. Legal Assistance:

- The New York State Office of Victim Services
  - May be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds.
  - More information may be found here: <https://ovs.ny.gov/> or by calling 1-800-247-8035.

i. Protection Orders: St. Joseph’s Health Security Department, the Syracuse City Police Department, and the Title IX Coordinator/Investigator are available to assist the complainant or respondent in obtaining a SJCON no-contact order or a court-issued restraining order, or other lawful order of protection.

After a protection order is issued, the Title IX Coordinator/Investigator will provide a copy of the court order to the Dean of Student Services, St. Joseph’s Hospital Security Department and/or the Syracuse City Police Department. Any violation of the court order should be promptly reported to local law enforcement.

j. A no contact order requested by either the complainant or respondent would have to be disclosed to the other party to be implemented.

k. Interim suspension or expulsion of a respondent is not included in the list of supportive measures.

### **VIII. ALCOHOL AND/OR OTHER DRUG USE AMNESTY IN SEXUAL AND INTERPERSONAL VIOLENCE CASES**

The health and safety of every student at SJCON is of utmost importance. SJCON 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. SJCON students will be afforded amnesty if they report an incident of sexual assault, domestic violence, dating violence or stalking even if they have been drinking or using drugs. 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 SJCON officials or law enforcement will not be subject to SJCON’s code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

### **IX. TRANSCRIPT NOTATION**

If the respondent is a student and found responsible for conduct which constitutes a crime of violence that must be reported under the Clery Act (including aggravated assault and/or sexual violence) and is

71 suspended or dismissed as a result, their transcript will note that they were suspended or dismissed. The

transcript will note a code of conduct violation. Any student who withdraws with such charges pending and does not participate through completion in the St. Joseph's College of Nursing process will have noted on their transcript that they withdrew with charges pending. The College reserves the right to process to completion a report filed against a student, and impose a sanction, notwithstanding their withdrawal. A student who has been suspended may be eligible to seek to have the notation removed, but not sooner than one year following completion of the suspension.

## **X. CRIME ALERTS/EMERGENCY NOTIFICATIONS**

If a report of a sexual or interpersonal offense reveals there is an immediate threat to the health or safety of students or employees on campus or that an on-going serious or continuing threat to the campus community exists, SJCON will issue an Emergency Notification or a Campus Crime Alert through SJCON's Emergency Notification System. The purpose of a Campus Crime Alert is to enable persons to protect themselves, heighten safety awareness, and seek information that will lead to an arrest and conviction of the perpetrator.

**The victim's/survivor's name and other personally identifying information WILL NOT be included in any Emergency Notification or Crime Alert.**

## **XI. PREVENTION EDUCATION AND AWARENESS**

SJCON maintains educational programs to promote prevention, intervention, and reporting of rape, acquaintance rape, dating violence, domestic violence, sexual assault, and stalking, among other topics. These education programs include primary prevention and awareness programs for all incoming students and employees designed to reduce risk, encourage reporting, and engage bystanders in prevention and may be found on the College's website: <https://www.sjhcon.edu/title-ix/>

## **XII. TITLE IX INVESTIGATION AND HEARING PROCEDURES**

### **Title IX Coordinator Investigation:**

- As a student of St. Joseph's College of Nursing, you have the right to:
- Make a report to campus security, local law enforcement, and/or state police;
- Report the incident to SJCON's Title IX Coordinator;
- Receive assistance and resources from SJCON's Title IX Coordinator;
- Be protected from retaliation for reporting an incident; and
- Alternatively, choose not to report.

The Title IX Coordinator/Investigator encourages students who have been the victim/survivor of Sexual or Interpersonal Offenses to pursue criminal charges against the person or persons they believe committed the crime. A criminal charge and a SJCON investigation or disciplinary complaint may be pursued at the same time. Students may file a disciplinary complaint with or without pursuing criminal charges. Victim/survivor support and resources are available regardless of criminal charges or SJCON

disciplinary action.

a. A Formal Complaint can only be initiated by the Complainant. However, there may be instances where the Title IX Coordinator/Investigator may open an investigation on behalf of the Complainant under certain circumstances.

b. The Title IX Coordinator/Investigator will seek consent from Complainant prior to conducting an investigation. The Title IX Coordinator/Investigator will attempt to honor a Complainant's desire not to investigate. In certain instances, if a Complainant does not wish to make a Formal Complaint, the Title IX Coordinator/Investigator may determine a Formal Complaint is necessary, and will file such a formal complaint and inform the Complainant. In such instances, the Title IX Coordinator/Investigator is not a party to the matter, and, if known, identities of the Complainant will be made known in any subsequent notice of allegations to the Respondent. Factors used to determine whether to honor such a request include, but are not limited to:

- i. Whether the Respondent has a history of violent behavior or is a repeat offender;
- ii. Whether the incident represents escalation in unlawful conduct on behalf of the Respondent from previously noted behavior;
- iii. The increased risk that the Respondent will commit additional acts of violence;
- iv. Whether the (Respondent) used a weapon or force;
- v. Whether the (Complainant) is a minor; and
- vi. Whether the institution possesses other means to obtain evidence such as security footage, and whether available information reveals a pattern of perpetration at a given location or by a particular group.

c. A Complainant may request that Title IX violations be filed against a Respondent and may be applied to any incident with a reasonable connection to the campus.

d. If the Title IX Coordinator/Investigator determines that an investigation is required, they shall notify the Complainant and Respondent simultaneously and take immediate action as necessary to protect and assist them.

e. The Title IX Coordinator/Investigator will conduct a timely review of all complaints filed pursuant to this policy.

- After conducting the review of all complaints and the Title IX Coordinator/Investigator deems a hearing is necessary, a date and time will be determined. The complainant, respondent, and hearing board will receive simultaneous notification of the hearing date and time.
- Ten days prior to the date of the hearing, the complainant, respondent, and hearing board will receive the report for their review.
- Complainant and respondent may share the report with their respective advisors.

### **Live Hearing Participants:**

a. **Hearing Facilitator.** The Hearing Facilitator will preside over the hearing or appeal and will:

- adopt rules controlling the conduct of participants to ensure that questioning is done in a respectful manner;
- adopt rules that instruct party advisors to conduct questioning in a respectful, non-abusive manner;
- decide whether the parties may offer opening or closing statements;
- specify a process for making objections to the relevance of questions and evidence;
- place reasonable time limitations on a hearing; and

- be familiar with any technology which may be used during a hearing.
- b. **Decision-Maker.** The live hearing must be overseen by a decision-maker who:
- is not the Title IX coordinator or the investigator;
  - is free from conflict of interest or bias, including bias for or against complainants or respondents; and
  - has completed required education on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants. Rape shield protections are procedural rules that limit that ability of the Respondent to introduce the Complainant’s sexual history as evidence and prevents the Complainant from being discredited by information that is not relevant to guilt or innocence involved in the current investigation/hearing;

*Role of the Decision-Maker:* In determining whether a question is relevant, the decision-maker must focus on evidence pertinent to proving whether facts material to the allegations under investigation are more or less likely to be true.

- c. **Advisor of Choice.** The advisor may be any person of the complainant or respondent’s choosing. If an advisor is not chosen, SJCON will select an individual to serve in this role for the limited purpose of conducting the cross-examination during the hearing. There should be no prohibition of conflict of interest or bias for such advisors. All SJCON advisors will be educated and certified to conduct cross examination.

*Role of Advisors:* Advisors are allowed to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility and must be conducted directly, orally, and in real time by the advisor and never by the parties.

- d. **Participation of complainant and respondent.** To protect every individual’s right to a live hearing, SJCON will also protect the individual’s right to choose whether to participate in the hearing or answer cross-examination questions. SJCON recognizes that:
- Cross-examination may be emotionally difficult for parties and witnesses, especially when the facts at issue concern sensitive, distressing incidents involving sexual conduct;
  - Not every party or witness will wish to participate. SJCON has no ability to compel a party or witness to participate; and
  - In the event that any party declines to participate, the Decision-maker must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the Decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party’s or witness’s absence from the live hearing or refusal to answer cross examination or other questions.
- e. **Witnesses.** Witnesses are not required to participate in the live hearing process, but without their live testimony the decision-maker cannot rely on their statements. No person should coerce or intimidate any witness into participating in a Title IX proceeding and should be able to participate in the live hearing free from retaliation.
- Witnesses do not have the right to demand to testify in a separate room. The Hearing Facilitator has the discretion to permit any participant to appear remotely. Witnesses also are not required to testify and may simply choose not to testify because the determination of responsibility usually does not directly impact, implicate, or affect them. With respect to a witness who claims

to also have been sexually assaulted by the respondent, the institution has discretion to permit the witness to testify remotely, or to hold the entire live hearing through virtual electronic means.

**Live Hearing Procedures:**

- a. Live hearings may be conducted with all parties physically present in the same geographic location or, at hearing facilitator’s discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. The hearing facilitator will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to both parties for inspection and review.
- b. At the request of either the complainant or respondent, the hearing facilitator must provide for the live hearing to occur with the complainant or respondent located in separate rooms with technology enabling the decision-maker and parties to simultaneously see and hear the complainant, respondent, or the witness answering questions. Only relevant cross-examination and other questions may be asked of a party or witness.
- c. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant, thus implying that the college may require that questions be submitted in advance.
- d. If the respondent or the complainant does not have an advisor, the Title IX Coordinator/Investigator must provide an advisor without fee or charge. The advisor may be, but is not required to be, an attorney. The purpose of the Advisor is to conduct cross-examination on behalf of the Complainant or Respondent.
- e. 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.
- f. If the complainant, respondent, or witness do not submit to cross-examination at the live hearing, the decision-maker must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party’s or witness’s absence from the live hearing or refusal to answer cross-examination or other questions.
- g. The standard of review in all cases arising under this policy is a “preponderance of the evidence” – whether it is “more likely than not” that a prohibited act occurred and the Respondent committed that act. If the totality of the evidence presented meets this standard, then the Respondent must be found responsible.

**XIII. DETERMINATIONS REGARDING RESPONSIBILITY**

With the guidance of the decision-maker, the hearing board will reach its determination of responsibility or non-responsibility. Both the complainant and respondent will receive written determination of the hearing.

- 75 a. **Procedural Steps Taken:** The Title IX Coordinator/Investigator will provide an administrative and investigative history of the case, beginning with the filing of the formal complaint, which will indicate

when the respondent received the notice of allegations; who performed the investigation; which witnesses and parties were interviewed and when; what locations, if any, were visited during the investigation; and what type of evidence was reviewed. The written determination should also describe the process undertaken to inspect and review the evidence and disseminate the investigative report, including the adherence to mandated procedural timelines.

b. **Written determination requirements:** The written determination will include the following:

- Identification of the allegations potentially constituting sexual harassment;
- Findings of fact supporting the determination;
- A statement and rationale for the result to each allegation, including a determination regarding responsibility or no responsibility;
- If found responsible, any disciplinary sanctions recommended and imposed on the respondent;
- Conclusions regarding the application of the respondent's code of conduct to the facts;
- Whether remedies have been designed to restore or preserve equal access to the educational program or activity to both the complainant and the respondent if respondent is not found responsible; and
- The hearing board's procedures and permissible bases for the complainant and respondent to appeal.

c. **Notice of Outcome:** Requires parties receive simultaneous notification of the outcome. Determination will be sent electronically to the parties' institutional e-mail accounts; this will ensure the "simultaneous" delivery and receipt of the determination and generates metadata affirming compliance with this requirement.

d. **Findings of Fact Supporting the Determination:** Requires an analysis of what findings of fact support the determination of responsibility or non-responsibility.

e. **Conclusions Regarding the Code of Conduct:** SJCON "exercises its discretion" to apply policies and procedures not otherwise required under Title IX and will be indicated in the written determination.

f. **Rationale and Sanction:** The decision-maker must make a finding of responsibility or no responsibility for each allegation and describe the rationale for the finding based on an "objective" evaluation of the evidence presented at the hearing. The decision-maker is obligated to objectively evaluate all relevant evidence, including inculpatory\* and exculpatory\* evidence (and to avoid credibility inferences based on a person's status as a complainant, respondent, or witness). The written determination must also indicate what disciplinary sanctions, if any, will be applied to the respondent if that party is found responsible for the allegations. The decision-maker has discretion in applying sanctions and will make disciplinary decisions believed to be in the best interest of SJCON's educational environment.

- **Inculpatory Evidence:** Evidence that shows, or tends to show, a person's involvement in an act, or evidence that can establish guilt.
- **Exculpatory Evidence:** Evidence favorable to the defendant that exonerates or tends to exonerate the defendant of guilt.

g. Procedure for Appeals

The decision-maker must offer the complainant and respondent an appeal from a determination regarding responsibility of initially being notified, and the respondent's dismissal of a formal complaint or any allegations therein.

The decision to appeal must be made within five school days from the date the complainant and respondent were notified of the final decision.

- 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 or decision-maker had a conflict of interest or bias for or against the complainant or respondent that affected the outcome of the matter.

**The Appeal Hearing:**

- When an appeal is filed, both the complainant and respondent will be notified in writing, and the notification sent simultaneously via the student’s SJCON e-mail account.
- The appeal decision-maker and appeals board members must be different from anyone who made the determination regarding responsibility or dismissal and must not be the Title IX Coordinator/Investigator.
- The decision-maker must be free from conflict of interest and bias, and receive appropriate training (including anti-bias training).
- Both the complainant and respondent must be given a reasonable, equal opportunity to submit a written statement in support of, or challenging, the responsibility determination or dismissal.
- The outcome of the appeal must be in writing, and must include the rationale. The written decision must be simultaneously sent to the complainant and respondent via the student’s SJCON e-mail account.

**h. When the Determination Becomes “Final”**

- The date when the complainant and respondent receive written notification of the results of any appeal, or
- If no appeal is filed, at the discretion the Title IX Coordinator/Investigator, the date on which the appeal would no longer be considered timely.

**XIV. INFORMAL RESOLUTIONS**

The Title IX Coordinator/Investigator may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication.

**Informal resolution process:**

- Obtain both the complainant and respondent’s voluntary, written consent to the informal resolution process.
- Provide the complainant and respondent written notice disclosing the:
  - Allegations;
  - Requirements of the informal resolution process including the circumstances under which it precludes the complainant and respondent from resuming a formal complaint arising from the same allegations; and
  - Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- Gives the complainant and respondent the right to withdraw from the informal resolution process and resume the hearing process with respect to the formal complaint; and
- Does not apply to allegations where an employee is accused of sexual harassment of a student.

The Title IX Coordinator/Investigator will be responsible for the security of all recorded and transcribed records for a period of seven years, which may include any actions including supportive measures taken in response to a report or formal complaint of sexual harassment, as well as document the basis for its conclusions and that it has taken measures designed to preserve access to the institution's educational program or activity.

Records of:

- Any sexual harassment investigation, including any responsibility determination, and any required recording or transcript, as well as any sanctions imposed on the respondent, and any remedies provided to the complainant;
- Any appeal and its result;
- Any informal resolution and its results; and
- All materials used to train investigators, adjudicators, and Title IX coordinators with regard to sexual harassment are available on the SJCON website or upon request for inspection by members of the public.

## **LIBRARY POLICY**

### **Library Use and Conduct:**

- **Library Hours**

- The Library and Computer Learning Center at St. Joseph's College of Nursing is staffed during business hours, and a self-checkout kiosk is available during badge accessible hours. Hours are periodically reevaluated to meet student needs. The library is badge accessible from 6:00 AM to 12:00 AM/midnight daily. Students are not able to access the library outside of these hours. Grounds security asks students not to make all-night stays in the library. Patrol guards periodically make rounds in the building.

- **Quiet Policy**

- The library strives to create an environment of mutual respect that promotes learning and is conducive to research and study. Understandably, there are times when students also require this space as an area in which they can work together, causing the level of noise to rise above that of a typical library atmosphere. Study rooms will be available for those who request private study. The computer labs may also be used for this purpose if not previously reserved.

If noise exceeds a certain level, repeat violators may be asked to leave the library. Study rooms are available in the back of the library for group use. Additional space is available on the sixth floor.

- **Voice Call & Video Conferencing**

- Taking calls or video conferencing is prohibited while in the library and ringers must be set to vibrate or silent. If you must use your cell phone to take a call or video conference, please do so in the lobby or another non-library area. Repeated violations of the cell phone policy may result in a loss of library privileges.

- **Food and Beverage Policy**

- In an effort to maintain a user-friendly environment, drinks and small snacks (e.g. granola bars, fruit, carrots, chips, etc.) are permitted in the library. Drinks must be in covered containers, and we ask that patrons promptly address any spills. Patrons are expected to clean up after themselves and remove all food and other items brought in. Failure to do so repeatedly may result in loss of library

privileges. If food becomes a disturbance in any way, library staff reserve the right to prohibit food in the library at any time.

- **Theft**

- Theft any library book and/or material is a violation of the Honor & Integrity Code and is taken very seriously. First time offenders will lose their library privileges. Repeat offenders will be subject to disciplinary action, up to and including dismissal from the College. The library is equipped with cameras and a security system to prevent theft of resources. Removing items from the library that are not checked out is stealing.

### **Circulation and Collection Policies:**

- **Checkout Procedures:**

- All circulating materials must be checked out by library staff at the Service Desk or at the self-checkout kiosk. The self-checkout kiosk allows patrons to check out books independently, even when the library is unstaffed.

- **General Books:**

- General books are shelved in the labeled general section and identified with 14-day book and/or historical book stickers. General books circulate for 14 days. Historical stickers also signify those books older than 5 years. Library staff regularly purchase the latest editions in nursing materials, however depending on the subject, certain older materials retain shelf value as in areas of faculty education, nursing theory and history, sociology, and psychology. Note that prior editions can be either retained or purchased (when available), and multiple copies are often bought (classified as reserve 7-day textbook, or 14-day loans) particularly for the convenience of weekend students and faculty. According to the American Library Association:

In an academic library, collection maintenance and weeding are usually driven by library faculty and staff and reflect the college/university's mission, goals, and curricula needs...Academic libraries frequently employ a methodology for weeding such as MUSTIE (misleading, ugly, superseded, trivial, irrelevant, or obtained elsewhere) or CREW (continuous review, evaluation, and weeding).

<http://www.ala.org/tools/challengesupport/selectionpolicytoolkit/weeding>.

- **Textbooks:**

- Most current course textbooks are located in the labeled Textbook collection. However at least one copy of each current course textbook may circulate. These books, identified with a 7-day book sticker, circulate for 7 days and are not eligible for renewal or holds.

- **Reserve Books:**

- The Reserve collection is made up predominantly of textbooks, requests, popular newer items, and items that faculty have requested to be made available for students. Reserve books, identified with reserve and 7-day stickers, may be checked out for a 7-day period. Reserve books have shorter loan periods to remain accessible.

- **Reference Books:**

- The Reference collection is made up predominantly of medical dictionaries, encyclopedias, and terminology materials. Reference books identified with reference and library use only stickers, do not circulate and may only be used in the library.

- **Certified Nurse Educator (CNE) Books:**
  - The CNE collection is predominantly made up of nursing education, research and ethics books. This collection is curated to be accessible for faculty use. These books are identified with a 14-day loan sticker and blue label tape. These items may be renewed.
  
- **Leisure Reading Books:**
  - The Leisure Reading collection is predominantly made up of nonmedical textbooks, such as fiction, fantasy, sci-fi, etc. These books are identified by a 14-day loan sticker and purple label tape. These items may be renewed.
  
- **Periodicals, Objects, and Audiovisual materials:**
  - Periodicals, print journals and objects (headphones, etc.) may not leave the library.
  
- **Holds:**
  - If a patron needs an item that is currently checked out, they may inform a library staff member. Staff will complete a “hold” for the item, and the requesting patron will be notified when the item is available. Holds are available for pick-up at the library service desk.
  
- **Renewals:**
  - Items that have not been placed on hold by another patron may be renewed up to two times. Each renewal is for a period of 14 days. Items can be renewed a number of ways: Patrons may visit the library service desk, use the self-checkout kiosk, call (315) 448-5053, or email [heather.sauer@sjhcon.edu](mailto:heather.sauer@sjhcon.edu). To facilitate renewal, patrons may be asked to supply the library call number, found on the spine of the book (ex.: RT 42 L 33 1998). Note that books cannot be renewed if overdue or if requested (on hold) for other students. Please respect other students’ needs. There are no long-term/semester loans.
  
- **Returning Items:**
  - Checked out items should be handed to a staff member or returned in the metal depository drop box located outside of the main library entrance door if the library is closed. Placing items elsewhere (such as wooden carts) does not mean that the items have gone through the computerized check-in. Therefore, students are asked to return circulated books to the library service desk. Non-checked in items may also result in issuance of overdue notices.
  
- **In-House (Non-Checked Out) Books:**
  - Please put non-checked out books on wooden carts rather than re-shelving them. This means any items pulled from the shelves. These materials are categorized at the end of every shift as utilized items and help determine annual statistics for purchasing new editions or similar subject matter.
  
- **Overdue Policy:**
  - Patrons may not check out more items if they have any overdue books or materials. Overdue items may be renewed if a hold has not been placed by another patron. Overdue notices are sent as a courtesy. Failure to receive a notice will not exempt the borrower from his/her responsibility for returning the material by the due date. Borrowers are also responsible for the replacement cost of any item that they lose or damage. At the end of each semester, students are requested to return all library materials in a timely manner.

## Services:

- **Interlibrary Loan (ILL)**
  - Please submit an e-mail or printout of a complete citation (including book title, author, edition, and year or article title, author, periodical name, volume, year, and page numbers) to the library staff. Email requests can be submitted to [heather.sauer@sjhcon.edu](mailto:heather.sauer@sjhcon.edu). Digital requests may take 1-7 days to receive, and physical item requests may take 2 or more weeks.
- **Printing and Photocopying:**
  - Two black and white printers are provided for patron use within the library. Printing and photocopying is available to students from library computers. Students are encouraged to choose duplex printing (reduced, multiple pages per print) to save money and paper.

## Legal and Privacy:

- **Copyright**
  - We ask that all copying of the library's resources be done in compliance with Copyright Law (Title 17, United States Code). This statute states that photocopies are not to be used for anything other than "private study, scholarship, or research." If a user makes a photocopy for purposes in excess of "fair use," that user may be liable for copyright infringement. Please refer to the library's [Copyright Policy](#).
- **Privacy**
  - In recognition of the individual's right to privacy and in accordance with the Code of Ethics of the American Library Association and New York State Law, the library does not release patron records.

## **COPYRIGHT POLICY**

### **PURPOSE:**

Membership in the academic community of the St. Joseph's College of Nursing implies a high regard for human dignity and the expectation that ethical conduct be understood and practiced. Academic integrity is a demonstration of respect for the scholarship and the intellectual and creative efforts of others. We recognize that every individual has the right to the fruits of their own labor and is entitled to the appropriate acknowledgement of that labor. The purpose of this copyright and infringement policy is to provide a summary of US copyright law as it pertains to the copying, distribution, sharing, and display of materials at St. Joseph's College of Nursing.

### **Explanation of Copyright**

1. Copyright is an area of law that provides creators and distributors of creative works an incentive to share their works, by granting them the right to be compensated when others use those works in certain ways. Specific rights are granted to the creators of works in the U.S. Copyright Act (Title 17, U.S. Code):
2. If you are not a copyright holder for a particular work, as determined by the law, you must ordinarily obtain copyright permission prior to reusing or reproducing that work. However, there are some specific exceptions in the Copyright Act for certain users, and permission is never required for certain other actions, such as reading or borrowing works from a library collection.
3. Any creative work that you may come across – including books, magazines, journals, newsletters, charts, photographs, graphic materials, and other printed materials; unpublished materials, such as analysts' and consultants' reports; and non-print materials, including electronic content, computer programs and other software, sound recordings motion pictures, and video files is protected by copyright. Copyright law does not protect ideas, data, or facts.
4. In the United States, the general rule of copyright duration for a work created on or after January 1, 1978 is the author's life, plus 70 years after the author's death. This is referred to as "life-plus-70". Works created by companies or other types of organizations generally have a copyright term of 95 years. For more information on copyright duration, visit the United States Copyright Office.

NOTE: While most works belong to their authors, when work is done by employees during the course of their employment, those works may belong to the employer. These works are known as "works made for hire".

Title 17, Section 101 states:

A "work made for hire" is—a work prepared by an employee within the scope of his or her employment; or a work specially ordered or commissioned for use as a contribution to a collected work.

### **Public Domain**

The public domain comprises all works that are either no longer protected by copyright or never were. It should not be confused "with the mere fact that a work is publicly available". All works first published in the United States before 1924 are considered to be in the public domain. It also extends to works published between 1924 and 1964 on which copyright registrations were not renewed. All materials created since 1989 are presumed protected by copyright. Works created by the U.S. federal government are in the public domain and can be used freely.

### **Fair Use**

A provision for fair use is found in Title 17, Section 107. Under the fair use provision, a reproduction of someone else's copyright-protected work is likely to be considered fair if it is used for one of the following purposes: teaching, research, scholarship, criticism, or comment. If the reproduction is for one of these purposes, a determination as to whether the reproduction is fair use, must be made based upon four factors:

1. The purpose and character of use (principally, whether for commercial or nonprofit educational use);

2. The nature of the copyright-protected work;
  3. The amount and substantiality of the portion used; and
  4. The effect of the use being evaluated upon the potential market for or value of the copyright-protected work.
- Fair use is determined by three tests: Brevity, Spontaneity, and Cumulative Effect:

### **Definition of Brevity, Spontaneity, and Cumulative Effect**

**Brevity:** Either a complete article, story, or essay of less than 2,500 words, or an excerpt from any prose work or not more than 2,500 words or 10% of the work, whichever is less, but in any event, a minimum of 500 words.

**Spontaneity:** Reproduction of material for classroom use that is unexpected and at a moment of “inspiration”. For example, where an article found the morning before class is directly relevant to that day’s class topic. This covers one time use in only one semester or term. For longer use, copyright permission is necessary.

**Cumulative Effect:** The copying or posting of material is for only one course in the school. No more than one article or two excerpts from the same author and no more than three articles from the same collective work or periodical during one semester or term. Altogether, there should be no more than nine instances of multiple copying or multiple postings in a course during a semester or term.

If your use does not meet any of the above criteria and the work is protected by copyright, you probably need to obtain permission to use the work from the copyright holder or its agent.

### **DMCA**

The Digital Millennium Copyright Act (the DMCA) was passed into law in 1998 to address some of the issues unique to digital copyright that were not being addressed by the copyright laws in effect at that time.

The DMCA provides limited liability for university networks acting as Internet service providers (ISPs) for students and faculty, provided that certain requirements are met. These include:

- Appointing a designated agent to receive reports of copyright infringement and registering the agent with the U.S. Copyright Office.
- Developing and posting a copyright policy and educate the campus community about copyright.
- Comply with “take down” requests.
- Apply measures to protect against unauthorized access to content and dissemination of information.
- Using only lawfully acquired copies of copyrighted works.

### **The TEACH Act: Technology, Education and Copyright Harmonization Act of 2002**

The TEACH Act was signed into law in 2002. The Act expanded the latitude colleges and universities have for the performance and display of copyright-protected materials in a distance education environment and the use of Course Management Systems (CMS).

### **In order for copyrighted materials, posted on a CMS, to qualify for the TEACH exemption, the following criteria must be met:**

Only “reasonable and limited portions,” that might be performed or displayed during a typical live classroom session, may be used.

- The institution must be an accredited, non-profit educational institution.
- The use must be part of mediated instructional activities.
- The use must be limited to a specific number of students enrolled in a specific class.
- The use must either be for ‘live’ or asynchronous class sessions.
- The use must not include the transmission of textbook materials, materials “typically purchased or acquired by students,” or works developed specifically for online uses

- The institution must have developed and publicized its copyright policies, specifically informing students that course content may be covered by copyright, and include a notice of copyright on online materials.
- The institution must implement some technological measures to ensure compliance with these policies, beyond merely assigning a password. Ensuring compliance through technological means may include user and location authentication through Internet Protocol (IP) checking, content timeouts, print-disabling, cut & paste disabling, etc.

**The exemptions under TEACH specifically do not extend to:**

- Electronic reserves, course packs (electronic or paper) or interlibrary loan (ILL) • Commercial document delivery.
- Textbooks or other digital content provided under license from the author, publisher, aggregator or other entity.
- Conversion of materials from analog to digital formats, except when the converted material is used solely for authorized transmissions and when a digital version of a work is unavailable or protected by technological measures.

**TEACH does not supersede fair use or existing digital license agreements.**

To benefit from the freedoms provided by DCMA and TEACH, St. Joseph’s College of Nursing will have 2 designated copyright agents on the library and technology staff. Library and technology staff cannot assist members of the St. Joseph’s College community with any request that infringes copyright.

**Posted Copyright Notice**

All printers in communal spaces will be affixed with the following copyright notice:

- The copyright law of the United State (Title 17, United States Code) governs the use of photocopies and other reproductions of copyrighted material. The person using this machine is liable for any infringement.

Printers in individual offices will not be affixed with copyright notice. The occupants of those offices will be responsible for copyright infringement.

The following notice will appear on the Canvas Learning Management System:

- Copyright Restriction: Title 17, United States Code, governs the making of photocopies and other reproductions of copyrighted material. Under certain Fair Use circumstances specified in the law, libraries and educational institutions are allowed to furnish copies to students. The copies may not be used for any purpose other than private study, scholarship, or research. Electronic copies should not be shared with unauthorized users. If a user fails to comply with Fair Use restrictions, he/she will be liable for copyright infringement.

Additionally, a copy of this copyright policy will be uploaded to the Canvas Library page.

**Peer to Peer File Sharing**

The unauthorized distribution of copyrighted material, including through peer-to-peer file sharing, may subject a student to criminal and civil penalties. These laws cover both making copies using a photocopier and sharing materials through electronic means. Students can violate the rights of a copyright holder using many different types of technology. Both uploading and downloading of files can pose a violation of the copyright law. Students should be cautious when obtaining any copyrighted material. Before a student receives anything for free, they should research whether that source provides material licensed by the copyright owner.

**85 Copying by Students**

Photocopying by students is subject to a fair use analysis and the tests of brevity, spontaneity, and cumulative

effect. A single photocopy of a portion of a copyright-protected work, such as a copy of an article from a scientific journal made for research, may be made without permission.

Photocopying all the assignments from a book recommended for purchase by the instructor, making multiple copies of articles or book chapters for distribution to classmates, or copying material from consumable workbooks all require permission.

### **Copying for Student Use**

Instructors may have multiple copies of a work for classroom use (not to exceed 1 copy per pupil in a course, per semester or term) if such copying meets the test of brevity, spontaneity and cumulative effect.

The following are prohibited:

1. Copying used to create or replace or substitute for anthologies, compilations, or collective works.
2. Copying of or from works intended to be consumable in the course of study or of teaching. These include workbooks, exercises, standardized tests, test booklets and answer sheets, and like consumable material.

Copying shall NOT:

1. Substitute for the purchase of books, publisher's reprints, or periodicals.
2. Be repeated with respect to the same item, by the same instructor, from term to term.

### **Reserves**

If the library wishes to reproduce additional copies of a work and place them on reserve for students to review, in either paper or electronic format, the library must obtain copyright permission. This rule also applies to faculty members' personal copies they wish to place on reserve. The St. Joseph's College community can link to materials owned by the St. Joseph's College of Nursing and Medical libraries.

### **Individual Use in Preparation for Teaching**

Instructors may have, for research or for class preparation, a single copy of work if it falls within the guidelines of the copyright law. The following are permitted:

1. A chapter from a book
2. An article from a periodical or newspaper.
3. A short essay or short poem whether or not from a book, periodical or newspaper.

If an instructor is preparing a bibliography, he/she may have a single copy of each article on his/her bibliography placed on reserve and must adhere to Fair Use guidelines. In many cases, there will be 1 or 2 copies of the original source and/or a photocopy on reserve in the library.

If an instructor needs an article from interlibrary loan for his/her bibliography, the article must be placed on reserve.

1. Interlibrary loan articles cannot be photocopied and may only be printed once.

2. Interlibrary loan requests are only done for journals and texts not held in the library. No more than 5 requests will be honored per institution, per year, from issues published in the last 5 years.

**Articles, Books, Essays, Poems, and ILL materials – Copying**

<b>I would like to...</b>	<b>Allowances</b>	<b>Conditions</b>	<b>Notes</b>
Copy & distribute material from a book	Certain amounts are legal; must meet test of brevity, spontaneity, and cumulative effect	Same materials copied and distributed from semester/term to semester/term are not allowed	Obtain appropriate permission for semester/term to semester/term items OR provide via reserves.
Copy & distribute an article	This is allowed. No more than 3 articles from the same collective work or periodical within a semester/term, per class	Same article(s) copied and distributed from semester/term to semester/term not allowed.	Obtain appropriate permission for semester/term to semester/term articles.
Copy & distribute a poem or short essay	1 of each per semester, per class	Same items copied and distributed from semester/term to semester/term not allowed	Obtain appropriate permission for semester/term to semester/term items
Copy & distribute an ILL article	Not allowed to be distributed.	Used for personal research needs.	If article needed for distribution, permission must be secured. Putting the article on reserve is an option, but photocopying is not.
Show a movie from a commercial streaming service (i.e. Netflix, Amazon Prime etc.)	This is generally not allowed. However, see conditions.	Allowed if for educational purposes AND an agreement between you and the streaming service allows educational use. Most commercial streaming licenses only allow for personal use. Signing license agreements, often requires giving away certain freedoms, such as copyright exceptions.	Must obtain appropriate permission. Also, if you or the library purchases a copy of the video and use it, it will be OK. See next item for details.

## Videos – Classroom Use, Borrowing

I would like to...	Allowances	Conditions	Notes
Show a DVD that I purchased or borrowed from the Library	This is allowed.	Must be directly related to course content and ONLY the teaching faculty members and students registered for that class may watch the content during scheduled class time.	
Show a video from the hospital network	This is allowed.	The video should not be shown to viewers unassociated with St. Joseph's Health.	
Show YouTube videos (or other unpaid streamed media) in class or online	Yes, this is allowed. However, if you know that copyright is violated with the video (hard to know unless you made it), it is not to be displayed.	If YouTube videos are saved as a file, they must be reviewed annually to ensure that the video has not been removed from the site for copyright violation.	If a YouTube video is saved as a file, but that YouTube video is removed from YouTube (usually because of Copyright issues), you cannot make it available for viewing.

## Workbooks, Problem sets, and Reserves

I would like to...	Allowances	Conditions	Notes
Use workbooks on reserve or assign students to use workbooks on reserve.	This is allowed.	Photocopying of workbook pages is not allowed because workbooks are considered consumable.	Seek permission from publisher to photocopy from semester to semester <b>OR</b> require the books be purchased, <b>OR</b> allow students to use the workbooks without writing in or photocopying them <b>OR</b> use the workbook problems to create your own problem sets with attribution.

Photocopy materials from a book on reserve or allow students to photocopy materials on reserve.	This may be allowed, but the same materials may not be copied from semester to semester.	The material copied must <b>NOT</b> make up a large portion of the work or represent the “heart” of the material.	If the same items are copied from semester/term to semester/term seek permission from the publisher <b>OR</b> require the book be purchased <b>OR</b> place it on reserve for student use, not to be photocopied.
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### Learning Management System – Canvas

I would like to...	Allowances	Conditions	Notes
Post an article	If you can access the article electronically through a database we pay for, you may enter a permalink to the article in Canvas.	If you gain the article from the school’s print collection, and would like to post it on Canvas, you can scan it and save it, and post it to Canvas. A copyright notice must accompany all articles obtained in print.	Our primary database providers insist that links and not actual scans of articles are used.  Articles obtained through LWW electronic book resources may be posted in full-text PDF on Canvas.
Post a link from the internet for students use.	If the site is accessible on the web freely, you may post the links.		Links from SJEN may also be posted, but students are required to use VPN when accessing those resources.
Post a chapter from the textbook.	Most publishers allow the posting of the first 1-2 chapters of their texts at the beginning of the semester (to accommodate students just getting into class).	Check with publisher to ensure that you are allowed to do this: some are more restrictive.	The publisher will usually forward the chapter to you for posting. <b>Do not assume that you can post it, ask first.</b>
Post YouTube videos (or other unpaid streamed media)	YouTube videos (or other unpaid streamed media) may be posted to Canvas for student access.	If you know that copyright is violated with the video (hard to know unless you made it), it is not to be posted. If YouTube videos are saved as a file, they must be reviewed annually to ensure that the video has not been removed from the site for copyright violation.	If a YouTube video is saved as a file, but that YouTube video is removed from YouTube (usually because of Copyright issues), you cannot make it available for viewing.

Make an entire film available on Canvas.	Entire films are not allowed. However, segments of films are allowed.	The film must be directly related to course content and it should be removed at the end of the course.	The total length of all film segments should not, be more than 10% of the entire film.
Upload images to Canvas	This is allowed, if you or St. Joseph's College of Nursing or St. Joseph's Health owns the source of the image or if the image is in the public domain.	If you, St. Joseph's College of Nursing, or St. Joseph's Health does not own the source of the image or the image is not in the public domain, it may still be displayed for the length of a course. It may not be displayed from semester/term to semester/term.	There are many resources for free images, whether public domain or creative commons. Try <a href="http://creativecommons.org">http://creativecommons.org</a> or use usage rights filters on search engines.

## Emergency Notification of Campus Community

### PURPOSE:

In the case of a significant campus emergency or dangerous situation to any of the locations specified in the Clery Act, (on campus, including the hospital and College; non-campus buildings, such as off-site properties; or public property, such as the streets adjacent to the campus) administration will immediately send out an urgent email via the college distribution lists.

### Evacuation policy:

Emergency/Disaster Operations Plan Hospital Policy can be found on the hospital intranet at the following site:

### Hospital Main Campus Emergency Management Plan

The entire policy is distributed and discussed at orientation. In addition, the College follows the hospital's policy and procedure for dealing with the following Overhead Response Codes.

Procedure for these codes are reviewed at orientation and drills are conducted quarterly:  
SJH Overhead Response Codes

Announcement	Definition
Code "A" Alpha	Alerts staff to an infant/Minor abduction.
Code "B" Bravo	Activates the Hospital Command Center (HCC).
Code "C" Charlie	Alerts necessary personnel for an OB Emergency.
Code "D" Decon	Decontamination teams activated.
Code "F" Foxtrot	Facility evacuation as directed by Administration or Fire Chief
Code "G" Gray	Alerts the Behavioral Health Response team
Code "I" Ivan	An unexpected mass influx of patients is occurring, Surge Capacity Procedures in effect

Code "L" Lockdown Activates house lockdown and traffic control procedures for Level 1, 2 or 3 Lockdown

Code "M" Mike Calls additional security staff to an area.

Code "P" Papa Patient discharge to open beds for emergency/disaster operations

Code "R" Red Fire Alarm (R.A.C.E.E.) Rescue, Alarm, Confine, Extinguish, Evacuate

Code "S" Sierra Bomb Threat

Code "T" Tango Active Shooter

Code "W" Weather Severe weather warning. Staff cannot leave without contacting manager/administrative coordinator

Code "X" X-Ray Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) Event Response