

# Montefiore | School of Nursing

## *STUDENT HANDBOOK*

*2024 – 2025*

*Montefiore School of Nursing  
53 Valentine Street  
Mount Vernon, New York 10550  
(914) 361-6221  
Fax: (914) 665-7047*

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Please see Student Catalog for Academic Policies

### Appendixes:

E = End of Program Student Learning Outcomes

F = Grading Criteria for Clinical Evaluations

G = Patient Information Confidentiality  
Agreement for All Users

## ACADEMIC CALENDAR - 2024 – 2025

<b>Fall 2024 Semester</b>	
Friday August 2	Deadline for Submission of Official Transcripts to Registrar
Tuesday Aug. 6 - Thursday Aug.8	New Student Orientation
Wednesday August 7	Tuition Payment Due
Friday August 9	Registration Dropped for Non-Payment
Saturday August 10	Clinical Starts for Evening Students
Monday August 12	Classes Begin Day Students
Saturday August 17	Deadline for Withdrawal - with Full Refund
Saturday August 24	Deadline Withdrawal Policy 75% Refund
Saturday August 31	Deadline Withdrawal Policy 50% Refund
Monday Sept. 2	No Classes/Clinical -Labor Day
Saturday September 7 <sup>th</sup>	Deadline Withdrawal Policy 25% Refund (No Refunds 100% tuition Liability)
<b>Monday September 16</b>	<b>Graduation Application Opens (N4 Only)</b>
Friday October 4	Mid-Term Grade Notification
Friday October 11	Last Day to Withdraw with a “W”
Saturday October 12	Withdrawal with a WF WP Period Begins
Monday October 28	Course Registration Begins for Spring 2025
<b>Monday October 28</b>	<b>Graduation Application Deadline (N4 Only)</b>
Monday November 18	Last Date to Withdraw with WF or WP
Monday November 25	Last Day of Classes
Tuesday Nov. 26-Sunday Dec. 1	Thanksgiving Break
Monday Dec .2-Friday Dec. 6	Final Exam Week
Friday December 6	Fall Semester Ends
Monday December 9	Final Grades Due
Tuesday December 10	Pinning Ceremony
Friday December 20	Course Registration Deadline for Spring 2025
Friday Jan 3	Deadline to Resolve Incompletes from Fall 2024

<b>Spring 2025 Semester</b>	
Friday January 3	Deadline for Submission of Official Transcripts to Registrar
January 4, 7, 9	New Student Orientation
Monday January 6	Tuition Payment Due
Wednesday January 8	Registration Dropped for Non-Payment
Saturday January 11	Clinical Starts for Evening Students
Monday January 13	Classes Begin Day Students
Friday January 17	Deadline for Withdrawal- with Full Refund
Monday January 20	No Classes/Clinicals – Martin Luther King Day
Saturday January 25	Deadline Withdrawal Policy 75% Refund
Saturday February 1	Deadline Withdrawal Policy 50% Refund
Saturday February 8	Deadline Withdrawal Policy 25% Refund (No Refunds 100% tuition Liability)
Monday February 17	No Classes/Clinicals – President’s Day
<b>Tuesday Feb. 18</b>	<b>Graduation Application Opens (N4 Only)</b>
Friday March 7	Mid-Term Grade Notification
Friday March 14	Last Day to Withdraw with a “W”
Saturday March 15	Withdrawal with WF or WP Period Begins
Tuesday March 25–Sunday Mar. 30	No Classes/Clinicals – Spring Break

<b>Tuesday April 1</b>	<b>Graduation Application Deadline (N4 Only)</b>
Tuesday April 15	Course Registration for Fall 2025
Friday May 2	Last Day of Classes
Friday April 25, 2025	Last Date to Withdraw with WF or WP
Monday May 5-Friday May 9	Final Exam Week
Friday May 9	Spring Semester Ends
Monday May 12	Final Grades Due
Monday May 12	Pinning Ceremony
Tuesday May 13	Commencement Ceremony
Friday June 13	Deadline for Resolution of Incompletes from SP 25

## FACULTY & STAFF ROSTER

### STUDENT SERVICES

<b>POSITION</b>	<b>NAME</b>	<b>ROOM</b>	<b>NUMBER</b>
Admissions Coordinator/ Registrar	Michael Main	1 <sup>st</sup> Floor	(914) 361-6472
Financial Aid Administrator	Martine Dorelian	4 <sup>th</sup> Floor - 408	6081
Student Services Assistant	Sharna Walker	1 <sup>st</sup> Floor	6537

### ACADEMIC AFFAIRS

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

### TITLE IX COORDINATOR

<b>POSITION</b>	<b>NAME</b>	<b>ROOM</b>	<b>NUMBER</b>	<b>EMAIL</b>
Title IX Coordinator	Frank Di Giovanni	Montefiore New Rochelle Hospital	914-365-3976	fdgiova@montefiore.org

If Mr. Di Giovanni is needed after hours, please notify Campus Security at 914-361-6009 or 914-361-6314.

## GENERAL INFORMATION

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

Student responsibilities include:

- Adhering to the Code of Conduct and policies published in the Catalog and Handbook
- Communicating to Montefiore School of Nursing regarding issues that affect ability to comply with responsibilities as a student
- Following the chain of command to resolve concerns starting with faculty and moving to Assistant Dean, and finally, the Dean if concerns are not resolved
- Following the Grievance Procedure as outlined in the Catalog and Handbook
- Checking your montefiore.org email and Moodle daily for course information and resource materials updates, understanding the instructor may update materials within 2 hours prior to class
- Purchasing textbooks and course resources listed in the course syllabus
- Reading assigned materials prior to class and lab
- Submitting assigned course work by the deadline
- Bringing laptop, with minimum system requirements, to class on exam dates
- Study time outside of class for nursing courses at least 30 hours per week
- Arrival on time for class, clinical rotations, and laboratory experiences
- Reliable transportation

## ADMINISTRATIVE HOURS

Academic offices are located on the 4<sup>th</sup> floor of the school and are generally open Monday through Thursday from 8:30 am to 5:00 pm, Friday from 8:30 am to 4:30 pm. You may reach an Administrative Assistant at (914) 361- 6311 or 6537. The Student Services Office is generally open on Monday through Thursday from 8:30 am-5:00 pm and Friday from 8:30 am - 4:00 pm. Please email or phone Student Services if you need to meet with them after office hours. If you need to speak to the Dean or Asst. Dean, it is best to make an appointment to assure availability. Summer hours vary. You may contact the Financial Aid Administrator at 914-361-6081.

## ACCESS

Only students registered for classes at Montefiore School of Nursing are allowed to be on the premises, no guests or children. During the school semester rooms are generally available for study on the 5<sup>th</sup> floor Monday through Thursday from 8:30 am - 11:30 pm, Friday 8:30 am – 4:00 pm, and most Sundays 10:00 am – 6:00 pm. The Sunday schedule will be posted in Moodle. Students **MUST** exit the building by 11:30 pm Monday through Thursday, 4:00 p.m. on Fridays, and 6:00 pm on Sundays. Failure to comply may result in suspension or termination. The Montefiore School of Nursing assumes **no** responsibility for individuals on premise without authorization. No students are allowed in the SON on the following observed holidays: New Year's Day, Martin Luther King Jr. Day, Presidents Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Fall Break, Spring Break, and between the last final exam of the semester and the start date of classes for the upcoming semester.

## **CANCELLATION OF CLASSES**

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

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

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

## **CODE OF ETHICS**

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

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

## **CREDIT CARDS**

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

## **ACADEMIC ADVISEMENT**

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

concern, and give guidance on academic issues. If the student has continuing concerns after speaking with his/her advisor, the student is encouraged to speak with the Assistant Dean or Dean. Students should contact the Registrar regarding registration for general education courses.

## **ACADEMIC CODE OF CONDUCT**

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

## **ACADEMIC HONESTY**

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

## **ACADEMIC INTEGRITY**

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

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

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

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

## **ACADEMIC SUPPORT**

Prior to admission to the program, an admission test is administered to help determine specific needs of students so that early intervention can occur to maximize success. The student may bring a copy of the test results to their advisor, who will assist the student in identifying their learning needs.

Instructors provide remediation for test-taking strategies, note taking, study skills, and assistance with clinical skills and understanding of theoretical content. Students who are not passing the nursing course at mid-point are notified by their instructor (advisor). Students receiving this notification are encouraged to make an appointment with their advisor for remediation. Students

may independently seek this assistance and are encouraged to do so at the first indication of difficulty mastering course content.

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

Access: <http://www.atitesting.com>

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

## **HEALTH RECORDS**

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

## **HEALTH SERVICES**

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

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

The Occupational Health Office:

- Provides health counseling and referrals as necessary.
- Provides emergency care for accidents or sudden illness occurring on the premises.
- Clears students for class, lab, and clinical rotations following COVID-19 exposure or diagnosis.
- Clears students for return to class, lab, and clinical rotations following illness, injury, surgery, childbirth or other health conditions.

Student responsibilities:

- Provide the school and hospital with information and documentation for the cumulative health record if under the care of a primary care provider for any serious problem that has necessitated significant absence.



- Submit authorization from the healthcare provider to return to class/clinical, without restrictions, after serious or prolonged illness requiring medical care, and submit a clearance form to the instructor.
- Submit authorization from the healthcare provider to return to class and clinical settings, without restrictions, following childbirth.
- Assume responsibility for own health and that of unborn child, as appropriate
- Report accidents or injuries in the hospital or school immediately on the correct form the day the accident occurred.
- Submit the necessary pre-entrance health assessment and initial drug screen.
- Meet the ongoing requirements for a yearly health assessment, immunizations, and current BLS certification for healthcare providers.
- Submit COVID-19 Vaccination records to MNR - OHS.

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

## LICENSURE

To be legally employed as a graduate of a program leading to RN licensure in New York State, a permit to practice is required during the interim between graduation and the issuance of a license. Graduates are eligible to apply for a Limited Permit. Detailed information regarding the Limited Permit is given to Nursing 4 students prior to graduation.

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

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

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

A record of a felony conviction may disallow licensure. Students are cautioned that graduation from the school does not assure licensure. The Office of Professional Discipline (OPD) will review each felony conviction on the grounds of remorse, retribution, and rehabilitation. The decision to grant licensure lies with the OPD and occurs after candidate passes NCLEX-RN. (Refer to Felony Conviction policy in the School Catalog).

## LIMITED PERMIT

NYSED issues limited permits to nursing school graduates who have:

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

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

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

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

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

## STUDENTS' BILL OF RIGHTS AND RESPONSIBILITIES

Nursing Student Bill of Rights and Responsibilities can be found in the Code of Ethics on pages 13 – 17 at the National Student Nurses Association website <https://www.nсна.org/nsna-code-of-ethics.html>

## VOICE MAIL

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

## FACILITIES

### AUDITORIUM

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

## **CLASSROOMS**

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

## **EATING FACILITIES**

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

## **STUDENT LOUNGE**

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

## **FACULTY HOURS**

Faculty offices are located on the fourth floor of the school. Five office hours a week are posted for each faculty member in the course syllabus. Students are encouraged to email faculty to request an appointment during office hours, or if needed outside posted office hours.

## **NURSING SKILLS LABORATORY**

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

## **PARKING IN MOUNT VERNON**

There is limited street parking in the area, and this should be taken into consideration when attending class or clinical. Alternate side of the street parking and meter expirations are **STRICTLY ENFORCED**. Parking meters in Mt. Vernon are in effect until 8:00 pm. **Suspended alternate side of the street parking for NYC does not include Mount Vernon.** Tickets are a reduced price if paid by the next day. During inclement weather, call the Department of Public Works at (914) 665-2382 for information on suspension of alternate side of the street parking regulations.

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

Clinical site parking is the responsibility of the student.

## RESTROOMS

Restrooms for men and women are located on the second and third floor. The fifth-floor restrooms are for women.

## STUDY AREAS

The study areas on the 5<sup>th</sup> floor are available for student use during the semester on the following days/times: Monday through Thursday - 8:30 am - 11:30 pm; Friday between 8:30 am – 5:00 pm, and most Sundays from 10:00 a.m. – 6:00 p.m. The Sunday schedule will be posted in Moodle. Do not use the library on the 3<sup>rd</sup> floor for group study. **PLEASE RESPECT THE RIGHTS OF OTHERS AND MAINTAIN CLEANLINESS OF THESE AREAS OR THE PRIVILEGE TO USE THESE AREAS WILL BE RESCINDED. CHILDREN ARE NOT ALLOWED IN STUDY AREAS. FOOD OR DRINK RESTRICTED IN COMPUTER ROOMS.** Students must maintain cleanliness of the area.

During the school semester, students may not enter the building before 6:00 am and must leave the building by 11:30 pm Monday - Thursday, and by 5:00 pm on Mondays & Friday; 6:00 pm on Sunday. Students are not allowed in the building when school is closed for the MSON observed holidays: New Year's Day, Martin Luther King Jr. Day, Presidents Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Fall Break, Spring Break, and between the last final exam of the semester and the start date of classes for the upcoming semester.

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

## TELEPHONES

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

## TRANSPORTATION

MTA - NYC Subways, Buses, Trains

<https://new.mta.info>

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

Westchester Bee-Line Buses

(914) 813-7777 or

<https://transportation.westchestergov.com/>

## SCHOOL SAFETY

### Community Resources

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

## How to Report a Crime

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

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

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

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

## CODES

Students are oriented to codes for each affiliation.

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

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

### “IF IT RINGS 5 – GET OUT ALIVE”

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

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

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

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

To properly use fire equipment:

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

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

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

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

## **INCIDENT REPORTING**

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

Students suffering from injuries, including minor ones, must be directed to the **Employee Health Office/Emergency Dept.** The instructor or another classmate may accompany the student to the Health Office. The incident must be reported to CorVel Nurse Triage Advocacy Line at 1-800-683-6778. The student and instructor will notify CorVel and complete the incident report.

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

## **REGISTRATION FOR MASS NOTIFICATION SYSTEM**

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

## **REPORTING CRIMES AND EMERGENCIES**

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

Call 911 and Hospital Security (x-2222) immediately for emergency and criminal incidents.

Calls should be made promptly to improve the ability of Hospital Security or Police to prevent potential crimes, to apprehend suspects, and/or to investigate situations. Upon receipt of a call, a Security Officer will respond immediately to the site of the emergency.

## **SAFETY OFFICER**

Students' alert faculty to concerns & questions about environmental safety issues. If you have any concerns or questions about environmental safety on or near the campus, contact the Safety Manager, Angela Grant at Montefiore Medical Center (718) 920-5077.

## **SECURITY**

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

- The Montefiore SON ID must always be worn during clinical rotations or on the school campus.
- Use your badge to allow **ONLY** yourself into the school building – access is provided through electronic sensors mounted to the outside of the building and exit through sensors on the inside.
- **NEVER** prop the door open.
- During the school semester, students may not be on the premises prior to 6:00 am and are expected to vacate the premises by 11:30 pm Monday through Thursday, 4:00 pm on Friday. Students may not be on the premises on weekends or designated School of Nursing holidays. See Academic Calendar.

Report any unusual person or incident to hospital security at x-2222

- The hospital ID doubles as your college identification and must be worn when at Westchester Community College or affiliating agencies.
- Only the Main Entrances/Exits should be used to enter and exit the building. Fire or Emergency Exits should NOT be used as a means of exiting the building except during a fire or emergency.

## **Orders of Protection**

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

## **POLICIES**

**(PLEASE SEE STUDENT CATALOG FOR ACADEMIC POLICIES)**

## **DIPLOMA**

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

## **FACULTY MAILBOXES**

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

## **RECORDS**

The school adheres to the regulations of the Family Rights and Privacy Act of 1974, which requires the right of access by students to educational records. Although information is not

released without student consent, an exception to this occurs when an agency providing financial aid requests a report on student academic progress.

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

The permanent record of the student contains:

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

## **REFERENCES**

Students are encouraged to request instructor references as they know their clinical performance best. The student/graduate **MUST** write a letter or email requesting the reference to faculty and/or the dean. Processing may take 10 days.

## **TRANSCRIPTS**

Official transcripts are requested through the Student Services office and only released to a school or employer upon written request and authorization. A fee is charged.

## **DRESS CODE**

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

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

## **DOCUMENTATION**

All hand-written documents must be legible. Refer to the course syllabus for details regarding submission of assignments.

## **IDENTIFICATION (ID) BADGE**

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



## **SOCIAL NETWORKS**

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

## **BEHAVIOR/CODE OF CONDUCT**

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

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

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

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

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

- Disruptive behavior
- Consistent late arrival to class
- Any offensive or disorderly act which interferes with the rights of any member of the school community, including sexual harassment, bullying, physical threat.
- Obstruction of teaching, research, administration, and disciplinary procedures or any conduct which disrupts the holding of classes or any other normal functioning of the school.

- Willful or careless destruction, defacement, theft or tampering with school property or the property of others or threatening the destruction of property.
- Removal of books, media, or other materials from the school facilities without following prescribed procedure.
- Willful falsification of information on school or hospital records or willfully providing false information for purposes of obtaining services or furnishing false information or academic credentials with the intent to deceive or mislead.
- Possession, use, or distribution of illegal drugs, chemicals, alcohol, or weapons.
- Giving false alarm of fire, tampering with fire alarm devices, failure to adhere to evacuation procedures or setting any fire.
- Aiding or abetting another person in the violation of a school regulation.
- Inappropriate/unsafe clinical behavior.
- Use of physical means or abusive language to resolve conflicts.
- Willful violation of established health, safety, and infection control procedures.
- Smoking cigarettes, marijuana, or vaping in the school or hospital.
- Failure to comply with directions of school or hospital officials, including hours of operation.
- Being contemptuous or disorderly on Montefiore School of Nursing property or during clinical rotations.
- Use of disruptive electronic devices such as beepers, cellular phones, etc., in class, lab, or clinical areas.
- Posting pictures on internet or social media of faculty, staff, students, patients or of the school, facilities, exams, tests, quizzes, or logos.
- Taking photographs and or videotaping on school premises or clinical facilities.

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

## **BEHAVIORAL SANCTIONS**

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

- Warning** - Written or verbal notice to the student that continuation or repetition of specified conduct may be cause for further disciplinary action. If a student is found guilty of further violating this code, the student will usually be subject to more severe disciplinary action.
- Probation** - A written notice placing the student on disciplinary probation for a specified period of time. The terms of the probation will be decided in each case. If a student while on disciplinary probation, is found to have committed further violations of the code, the student will usually be subject to more severe disciplinary action.
- Restitution** - Reimbursement for damage to or misappropriation of property, which may take the form of direct financial compensation, of service, or other forms of indirect compensation. Any student who does not make restitution as required, will be deemed to have a financial obligation and will be subject to the provisions of the school's policy regarding delinquent financial accounts.
- Temporary Suspension** - In an emergency, the Dean, or Instructor, are authorized to alter or suspend the rights of a student to be present on campus or to attend classes for an interim period. An emergency will include such situations as when it is believed that the student poses a danger of inflicting bodily harm on self or others, or of inflicting serious emotional distress on others, or creating a substantial disruption of normal campus activities, including classroom instruction.
- Suspension** - Exclusion from classes and from other privileges or activities, or from the campus itself for a specified period.
- Expulsion** - Termination of student status for an indefinite period.
- Dismissal** - Termination of student from MSON. Student may not apply for readmissions if he or she were dismissed for violation of the code of conduct.

## **DISCRIMINATION**

**The school is committed to assuring equal opportunity to all persons and does not discriminate on the basis of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, disability, age (40 or older) or genetic information (including family medical history).** Students who believe that they have been discriminated against are encouraged to contact the Dean in accordance with Title IX regulations.

## **DRUG AND ALCOHOL USE**

Students, faculty, staff and visitors to the campus are prohibited from engaging in actions or situations which recklessly or intentionally endanger mental or physical health or involves the

forced consumption of liquor or drugs for initiation into or affiliation with any organization. Persons engaging in such actions will be subject to disciplinary action which may include civil, criminal, and/or monetary penalties as well as suspension or dismissal from the Montefiore School of Nursing.

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

## **SUBSTANCE ABUSE and IMPAIRMENT**

### **Assumptions:**

- Substance abuse and Impairment compromises student learning and patient safety.
- Substance abusers often need help identifying their problem.
- Addiction is a treatable illness.
- Students with substance abuse problems should have an opportunity for treatment and re-entry into their program of study in a controlled environment.

### **Questionable Behaviors Indicative of Substance Abuse and/or Impairment include:**

#### Physiological

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

#### Behavioral

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

### **The above criteria may be used in determining action.**

#### Procedure

- student privacy and an opportunity to explain the behavior will be provided
- the faculty member may request an immediate urine drug/alcohol screen at the main campus hospital or an affiliating agency

- if substance abuse is suspected, the student will not be allowed to drive home and will be escorted to the Emergency Department
- the faculty member, student and Dean will meet to review the incident(s)
- the student will be referred to Occupational Health Services and/or the Employee Assistance Program for follow-up
- if the student follows the prescribed treatment, follow-up and monitoring, she/he may return to the program of study without academic consequences
- an appeal process is available through the Behavioral Grievance Policy

## **BEHAVIORAL GRIEVANCE POLICY**

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

### **DEFINITIONS OF GRIEVANCE TERMINOLOGY:**

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

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

- **STEP I:** Within 5 days after the alleged incident, the student will confer with the person with whom they have a grievance (i.e., faculty member or advisor) stating the evidence

and reason for questioning the incident. The faculty member or advisor will review the matter and discuss the reasons for the incident in question with the student.

- **STEP II:** If these discussions are not adequate to resolve the matter to the student's satisfaction, within 5 days he/she may then submit a written signed grievance stating: 1) the nature of the grievance, 2) the person(s) or policy to which it is directed, 3) documentation of the efforts made to resolve the issue(s), and 4) the reasons for the student's continuing dissatisfaction to the Assistant Dean. The Assistant Dean will then call upon the Grievance Committee to review the grievance and make a determination.

## **GRIEVANCE COMMITTEE PROCEDURE**

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

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

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

The written appeal must specify the grounds for the appeal. No additional substantive information may be submitted by any party. The Dean and Vice President/Executive Director of Montefiore New Rochelle Hospital will review the record of the proceedings and may consult with the Grievance Committee members for any needed clarification. The appeal decision will be sent to the Grievant within five (5) days to ten (10) days of receipt of the appeal request. The decision of the Dean and President of MSON shall be final.

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

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

## **SMOKING**

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

## **STATUS CHANGE**

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

## **WEAPONS**

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

## **CLINICAL**

### **EPIC TRAINING / PATIENT RECORDS ACCESS**

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

**remember and retain** your password to prevent the need to have it reset. MSON does not have access to your password. **DO NOT SHARE YOUR USER-ID OR YOUR PASSWORD.**

## **CLINICAL ASSIGNMENTS**

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

## **STUDENT NURSE DRESS CODE ON CLINICAL UNITS**

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

Student identification badge must be worn above the waist.

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

White shirts may be worn under uniforms.

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

Clogs and sandals are prohibited in the clinical area.

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

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

The clinical dress code holds for public functions. **Students will receive a verbal warning and will be asked to leave the clinical area if they are inappropriately attired. This will count as a clinical absence. A second violation of the dress code will result in clinical failure and failure of the associated nursing course.**

## **STUDENT NURSE ATTIRE ON BEHAVIORAL HEALTH UNITS**

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

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

- Courtesy in speech and manner.
- No offensive or disorderly acts; no taking of photographs permitted.
- No gum, mints, snacks or drinks.
- Safeguarding the client's right to privacy and confidentiality.



- No cell phones or pagers are to be used in audible mode on clinical units. No personal use of cell phones is permitted in the clinical area. Certain areas of health care facilities prevent any cell phone use. No texting.
- Smart devices may be used for accessing academic information only, with the permission of the clinical instructor.
- Observance of all HIPAA policies.

## **OBSERVATIONAL CLINICAL**

Evening students will be required to attend 2 -3 clinical activities for observational experiences during weekday hours. Students assigned to observational clinical (pull out) are there only to observe. Students may not deliver or assist in the delivery of nursing care unless their clinical instructor is present.

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

## **DRESS CODE IN SKILLS LAB**

Students are required to wear lab coats during skills lab and Open Lab instruction. Lab coats must be clean, and shoes must be closed toe shoes.

## **EVALUATIONS**

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

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

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

## **LIABILITY**

The school does not require students to carry their own liability insurance. The hospital insurance covers students who practice under the direction of a nursing instructor. **No student may provide nursing services to a client without the presence of an instructor on the unit.**

**Administration of medication without instructor present is not permitted. Students are legally responsible for their own actions.**

## **N95 MASKS**

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

## **SERVICES**

### **LIBRARY/RESOURCE CENTER**

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

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

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

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

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

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

### **COMPUTER LAB**

Computer labs are located on the 3<sup>rd</sup> floor of the school in the library. Students have access to the computers during normal operating school hours. Eating, drinking, use of cell phones and talking which is disturbing to others is prohibited. Students will read the “Patient Confidentiality Agreement” (in appendix) and sign a statement that they have done so. These policies are also required for EPIC.

The Library and the School of Nursing computers have internet access. Students may be online only for research pertaining to School of Nursing matters. No one is permitted to use internet for personal matters, including accessing personal email. Students are not to download any

programs from computers. Anyone found in violation of these or any laws and/or copyright regulations are subject to severe penalties, not limited to possible termination from the program.

## **HEALTH COUNSELING AND GUIDANCE**

The Employee Assistance Program (EAP) is available to students. Please see the Dean, Faculty, or Coordinator of Student Services for additional information. EAP offers counseling, information resource benefits, and online resource centers. Students may contact EAP directly for free, confidential assistance 24 hours a day, seven days a week at: 1-844-300-6072 or at [clientservice@carebridge.com](mailto:clientservice@carebridge.com). The website address is [www.myliferesource.com](http://www.myliferesource.com). This service is confidential, and the school is not notified when students use this service.

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

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

**Hotline 800-232-4636  
1-800-CDC-INFO**

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

**Helpline 1-877-8-HOPENY**

**THE COUNSELING CENTER  
(Therapy–Individual/Couples/Child/Family)  
<https://counselingcenter.org>**

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

**MOUNT VERNON NEIGHBORHOOD  
HEALTH CENTER**

**107 West 4<sup>th</sup> Street  
Mt. Vernon, New York  
(914) 699-7200**

**PLANNED PARENTHOOD  
NEW ROCHELLE HEALTH CENTER**

**150 Lockwood Avenue, Suite LL-1  
New Rochelle, NY 10801  
(914) 632-4442**

**FAMILY SERVICES OF  
WESTCHESTER  
[www.fsw.org](http://www.fsw.org)**

**6 Gramatan Ave., Suite 401  
Mt. Vernon, NY 10550  
914-668-9124**

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

**WESTCHESTER JEWISH  
COMMUNITY SERVICES  
[www.wjcs.com](http://www.wjcs.com)**

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

**MY SISTERS PLACE**  
[www.mspny.org](http://www.mspny.org)

**Crisis Hotline (800) 298-7233 (SAFE)**  
**Administrative Offices:**  
**3 Barker Avenue**  
**White Plains, NY 10601, 914-683-1333**

**HOPE'S DOOR**  
[www.hopesdoorny.org](http://www.hopesdoorny.org)

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

**WESTCHESTER COUNTY SERVICES**

**[www3.westchestergov.com](http://www3.westchestergov.com)**

## **DRUG AND ALCOHOL ABUSE PREVENTION**

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

## **SCHOOL ACTIVITIES**

### **CLASS ORGANIZATIONS AND OFFICERS**

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

### **GRADUATION & PINNING**

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

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

Pinning ceremony will be held each semester.

## **NATIONAL STUDENT NURSES' ASSOCIATION (NSNA)**

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

## **RECRUITMENT**

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

## **SCHOOL COMMITTEES**

Students are encouraged to enhance personal and professional growth by attending meetings of school committees. Students are welcome to attend meetings of the Faculty Organization Committee to discuss academic policies. Students are also invited to attend Curriculum Committee meetings to have input into curriculum development. Please contact the Assistant Dean for Curriculum Committee schedule and to request an item be placed on the meeting agenda. Please contact the Dean for Faculty Organization meeting schedule and to request an item be placed on the meeting agenda.

Students may attend the first 10 minutes of the meeting to discuss concerns.

## **STUDENT COUNCIL**

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

The purposes of Student Council are:

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

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

## CONSTITUTION AND CITIZENSHIP DAY

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

## PERSONAL SAFETY

### SAFETY PRECAUTIONS

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

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

### Safety Tips:

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

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

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

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

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

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

## **TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS**

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

## **COMPREHENSIVE EMERGENCY MANAGEMENT PLAN**

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

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

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

### **Campus Crime Log**

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

### **Annual Security Report**

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

## **SUBSTANCE ABUSE**

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

Substance abuse counseling is available through the Employee Assistance Program. To reach the EAP [clientservice@carebridge.com](mailto:clientservice@carebridge.com). The website address is [www.myliferesource.com](http://www.myliferesource.com) This service is confidential, and the school is not notified when students use this service.

## **Penalties Associated with Impairment and Drug-Related Offenses**

The use and sale of illicit drugs by students and employees is strictly prohibited in accordance with federal and state regulations and laws. Any student or employee found to be using, possessing, manufacturing, or distributing controlled substances in violation of the law on Institution property or at Institution events may be subject to both administrative disciplinary actions and criminal proceedings. All drug related violations by students on campus and at Institution sponsored events off campus may be handled under procedures outlined in the

Student Conduct Code. The Institution will take appropriate personnel actions for infractions by employees, up to and including termination. Violations of state and federal laws may be referred to the appropriate authorities.

## **BULLYING**

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

### **I. Definitions**

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

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

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

### **II. Reporting**

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

### **III. Disciplinary Action and Due Process.**

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

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

## **CRIME INFORMATION**

### **Bias Crimes Information**

Generally, a person commits a hate crime when he or she commits a specified offense and is



motivated in whole or in part by bias on the part of the offender toward the race, color, national origin, gender, religion, sexual orientation, age (sixty or older), or disability of the victim.

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

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

- Local police and Other notifications where warranted.

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

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

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

### **Sexual Crimes Information**

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

### **Substance Abuse and Sexual Assault**

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

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

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

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

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

### **Precautions**

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

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

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

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

- Be alert to your surroundings
  - Know your route and stay in well-lighted areas.
  - Walk confidently. Walk with other people whenever possible.
  - Consider carrying a whistle on your key chain and use it if you find yourself in danger.
  - Know the locations of public and blue light telephones and keep change handy.
  - If you are walking alone, don't use headphones; they distract you and prevent you from being alert.
- If you travel by car
  - Always keep your car locked, while you are riding and when it is parked.
  - When returning to your car, do so with your keys in your hand.
  - Check the back seat before you get in.
  - After you get in, re-lock the car immediately and keep the windows up.
  - Do not stop to assist stalled drivers. Drive on and call the police. Do not accept assistance if your car is stalled. Tell anyone who offers help to call the police.
  - Do not pick up hitchhikers.
- If you travel by bus
  - Go to the bus stop with other people whenever possible, particularly at night.

- Don't accept rides from strangers.
- If you feel you are being followed
  - Walk to the nearest occupied or well-lighted building, not to your car or a bus stop. If on campus, contact security for assistance; if off-campus, call the police. Note the appearance of the person or persons; note the license plate number of the car. Your personal safety should come before the security of belongings, such as books, bags, etc. When in doubt, leave them behind.
- If you feel threatened
  - Shout "Leave me alone." Others may hear you and/or the potential criminal may be frightened away.
  - Trust your instincts. If you feel in danger, you probably are and don't be embarrassed to seek assistance.
- At home, keep the doors and windows locked. Ask repair, service or delivery persons for identification or have them wait outside while you call to verify their employment.
- Learn to defend yourself.
- Teach children about the potential for sexual assault and what to do if they are ever approached inappropriately. Children should be told that they are never responsible for sexual assault and to tell a trusted adult if an assault should ever occur.
- Report all incidents to Security if on campus, to the police if off campus.

## **Sexual Harassment**

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

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

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

Physical harassment may include patting, pinching or other inappropriate touching or feeling; brushing against the body; attempted or actual kissing or fondling; coerced sexual intercourse. Other

kinds of sexual harassment may include leering or ogling (for example, an advisor who meets with a student and stares at her breasts); obscene gestures. If you feel you are being sexually harassed at The Montefiore School of Nursing, you may request help from several sources: **School Personnel**  
Allegations of sexual harassment should be reported to the School's Dean extension 6220 or your faculty advisor.

### **Title IX Violation**

**For crimes of violence, including, but not limited to sexual violence, MSON shall make a notation on the transcript of students found responsible after a conduct process that they were "suspended after a finding of responsibility for a code of conduct violation" or "expelled after a finding of responsibility for a code of conduct violation." For a Respondent who withdraws from the MSON while such conduct charges are pending, and declines to complete the disciplinary process, MSON shall make a notation on the transcript of such students that they "withdrew with conduct charges pending." In cases of suspension, MSON will consider removing the notation one year after conclusion of the suspension. Requests should be sent to Title IX Coordinator. Notations for expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.**

NAME	PHONE NUMBER	WEBSITE
<b>Safe Horizon</b> Domestic Violence, Child Abuse, Rape & Sexual Assault, Human Trafficking, Stalking, Youth Homelessness	Domestic Violence Hotline: 1-800-621-HOPE (4673)  Crime Victims Hotline: 1-866-689-HELP (4357)  Rape & Sexual Assault Hotline: 1-212-227-3000	<a href="http://www.safehorizon.org">www.safehorizon.org</a>
<b>Office for the Prevention of            Domestic Violence - New York            State</b> Domestic and Sexual Violence	NY State Hotline 1-800-942-6906  TEXT – 844-997-2121	<a href="http://www.opdv.ny.gov">www.opdv.ny.gov</a>
<b>Westchester County –            Office for Women</b> Domestic Violence Resources	Family Helpline/Hotline Weekdays 9am – 5pm (914) 995-5972 Weekend & After Hours (914) 995-2099 Sexual Assault Hotline 1-833-220-2444	<a href="http://www.women.westchestergov.com">www.women.westchestergov.com</a>
<b>Hopes Doors</b> Domestic Violence, Emergency Shelter, Support and Counseling, Referrals for Assistance.	Crisis Hotline 1-888-438-8700	<a href="http://www.hopesdoornyc.org">www.hopesdoornyc.org</a>
<b>My Sister's Place</b> Domestic Violence, Emergency Shelter, Support and Counseling, Legal Services, Human Trafficking	1-800-298-SAFE (7233)	<a href="http://www.mspny.org">www.mspny.org</a>
<b>Pace Women's Justice Center</b> Legal Assistance, Orders of Protection, Custody, Divorce, Wills	Legal Advice Hotline (914) 287-0739 - Helpline (914) 422-4188 – Clinic Family Court Legal Program (914) 422-4035	<a href="http://www.law.pace.edu/wjc">www.law.pace.edu/wjc</a>
<b>Westchester Community            Opportunity Program            (WESTCOP)/Victims Assistance            Program (VAS)</b> Early Childhood Development, Community Action Partnerships, Support Services for Veterans and Their Families, Victims Assistance, Weatherization, Foster Grandparent Program	Local Hotline Number: (914) 592-5600  Victim Assistance Program (855) 827-2255	<a href="http://www.westcop.org">www.westcop.org</a>
<b>The Samaritans</b> Helping People in Crisis (Suicide Prevention, etc.)	Completely Confidential Hotline: 212-673-3000	<a href="http://samaritansnyc.org/">http://samaritansnyc.org/</a>
<b>National Hotlines</b>	National Domestic Violence Hotline - 1-800-799-7233  National Sexual Assault Hotline 1-800-656-4673 (HOPE)  National Hotline for Crime Victims 1-855-4-VICTIM (1-855-484-2846)  National Alliance on Mental Illness 1-800-950-6264 (NAMI)  National Hotline for Suicide Prevention – 988	<a href="http://www.victimsofcrime.org/">www.victimsofcrime.org/</a>

MONTEFIORE SCHOOL OF NURSING  
POLICY AND PROCEDURE FOR ADDRESSING SEX  
DISCRIMINATION AND GENDER-BASED  
MISCONDUCT

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# **Montefiore School of Nursing Policy and Procedures for Addressing Sex Discrimination and Gender-Based Misconduct**

## **I. Purpose**

This Policy prohibits sex discrimination and gender-based misconduct at Montefiore School of Nursing (also referred to as “MSON”). Other forms of discrimination or harassment are addressed in MSON Student Handbook. In addition to defining what constitutes sex discrimination and gender-based misconduct, and identifying the resources available to those affected by sex discrimination and gender-based misconduct, this Policy also details MSON’s procedures for responding to sex discrimination and gender-based misconduct. This Policy and the procedures identified herein are based on federal, state and local laws, including Title IX, the federal law that prohibits sex discrimination and Article 129-B of the New York State Education Law. This Policy is Effective August 1, 2024.

In April 2024, the United States Department of Education (“USDOE”) issued revised Title IX regulations, effective August 1, 2024 (the “2024 Final Rule”). The 2024 Final Rule requires that institutions receiving federal funding implement specific grievance procedures to address complaints of sex discrimination and sex-based harassment involving students at post-secondary institutions. To achieve the twin goals of clarity and consistency MSON will apply one grievance procedure to all complaints of sex discrimination, including sex-based harassment, gender-based misconduct and other conduct prohibited by this Policy, regardless of whether the matter involves students, employees or both.

## **II. Policy Statement**

MSON is committed to maintaining an academic and work environment in which all individuals are treated with respect and dignity. Each individual at MSON has the right to learn in a safe environment that promotes equal opportunities for all. All MSON students and employees deserve to learn and work in an environment that is free from sex discrimination and gender-based misconduct.

MSON does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment.

Accordingly, MSON is committed to:

1. Providing a safe, non-discriminatory and harassment-free environment;
2. Clearly defining sex discrimination and other prohibited conduct, including gender-based misconduct and retaliation;
3. Identifying clear guidelines for reporting incidents of sex discrimination and gender-based misconduct and monitoring barriers to reporting;
4. Providing support and resources to all parties affected by sex discrimination and gender-based misconduct;
5. Responding promptly and effectively to reports of sex discrimination and gender-based misconduct;
6. Ensuring that students, employees and affiliates receive effective training on this Policy, including awareness and prevention information about sex discrimination and gender-based misconduct;
7. Ensuring that MSON officials responsible for responding to complaints of prohibited conduct under this Policy receive effective training on their response obligations and that all employees receive effective training on their duty to report prohibited conduct to the Title IX Coordinator;
8. Widely disseminating this Policy and a “Students’ Bill of Rights” through MSON’s website, publications, student and employee orientations, employee training and other appropriate channels of communication.

## 9. Ensuring compliance with federal, state, and local law.

This Policy is not intended to regulate protected speech and will be interpreted in accordance with the principles of academic freedom. However, free speech principles and academic freedom are not limitless and do not protect speech or expressive conduct that violates this Policy or otherwise violates federal, state or local anti-discrimination laws.

This Policy prohibits sex discrimination and gender-based misconduct. The MSON community should also be aware of the following MSON and Montefiore policies:

1. **Non-Discrimination Policy** prohibits discrimination and harassment on the basis of protected statuses (other than sex). See MSON Student Handbook, p. 2.
2. **Code of Conduct** identifies the behavioral expectations for MSON students and potential behavioral sanctions. See MSON Student Handbook, p. 17-19

If any of the principles and procedures in this policy are inconsistent with those contained in another MSON policy, the principles and procedures in this policy will control, except that this policy does not override any applicable rights or provisions contained in any collective bargaining agreement or faculty policy.

### III. Scope

This Policy applies to all MSON students, as well as faculty, administration (whether supervisors, administrators, and managers), and other staff, whether full-time or part-time (hereinafter collectively, “employees”), employees of contracted service providers, interns, volunteers, visitors, and other third-parties who engage with MSON’s education program and activities. The ability of MSON to address third-party conduct governed by this Policy will depend on the relationship of that third-party with MSON.

This Policy prohibits sex discrimination, gender-based misconduct and other prohibited conduct occurring within MSON’s education program or activity, including conduct that occurs on MSON premises and conduct that occurs off premises but has a reasonable connection to MSON, including but not limited to overnight trips, service learning programs and internships, practicums, preceptorships, study or research abroad, work-related travel, off-site conferences and conduct that is otherwise subject to MSON’s disciplinary authority. This Policy’s prohibition on sex discrimination, gender-based misconduct and other prohibited conduct equally applies to conduct that takes place via school-sponsored electronic devices, computer and internet networks and digital platforms operated by, or used in the operations of, the recipient, including AI technologies.

When MSON learns of misconduct that falls outside the scope of this Policy, it will be referred to appropriate MSON and/or Montefiore officials for investigation and/or resolution.

## IV. Prohibited Conduct and Definitions

The following conduct is prohibited by this Policy.

As used below, conduct that is “based on sex” includes conduct that is based on sex stereotypes, sex characteristics, pregnancy or related condition, sexual orientation, gender identity or expression, or sexual and reproductive health decisions.

### Prohibited Conduct:

- **Sex Discrimination** - any discrimination based on sex, including, but not limited to, sex-based harassment.
- **Sex-Based Harassment** - a form of sex discrimination that includes sexual harassment and other harassment based on sex that is quid pro quo harassment, hostile environment harassment, sexual assault, domestic violence, dating violence or stalking, as defined below:
  - **Quid Pro Quo Harassment** - when an employee, agent, or other person authorized by MSON to provide an aid, benefit or service under MSON’s education program or activity explicitly or impliedly conditions the provision of such an aid, benefit, or service on a person’s participation in unwelcome sexual conduct;
  - **Hostile Environment Harassment** - unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from MSON’s education program or activity.
    - MSON will evaluate the totality of the circumstances when determining whether there is a sex-based hostile environment in its education program or activity, which may require that MSON consider allegations about conduct that occurred outside of its education program or activity that may be contributing to the alleged sex-based hostile environment. The factors which MSON will consider are:
      - The degree to which the conduct affected The Complainant’s ability to access MSON’s education program or activity;
      - The type, frequency and duration of the conduct;
      - The parties’ ages, roles within MSON’s education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
      - the location of the conduct and the context in which the conduct occurred; and
      - other sex-based harassment in MSON’s education program or activity.
  - **Sexual Assault** is any nonconsensual sexual act, including:
    - **Sexual Assault: Contact (Fondling)** is any sexual contact, including sexual touching for the purpose of sexual gratification of either party or degrading or abusing such person, without a person’s consent. Sexual touching includes contact under or over

clothing with another person's private body parts, including the anus, breasts, buttocks, genitals, groin or inner thigh; touching another person anywhere with any of those body parts; making another person touch any of those body parts under or over clothing; or the emission of ejaculate on the clothing or body of another person.

- **Sexual Assault: Penetration** – is any form of vaginal, anal, or oral penetration or attempted penetration, however slight, by a penis, object, tongue, or finger without a person's consent.
- *Sexual Assault includes the crimes of incest or statutory rape.*
- **Domestic Violence** includes felony or misdemeanor crimes committed by a person who:
  - Is a current or former spouse or intimate partner of the victim, or a person similarly situated to a spouse of the victim;
  - Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
  - Shares a child in common with the victim; or
  - Commits acts against a youth or adult victim who is protected from those acts under [New York Social Services Law Section 459-A](#).
  - *Domestic violence can be a single act or a pattern of behavior, based on the frequency, nature, and severity of the conduct.*
- **Dating Violence** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
  - The existence of such a relationship shall be determined based on a consideration of the following factors: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship.
  - *A relationship may be romantic or intimate regardless of whether the relationship was sexual in nature.*
  - *Dating violence can be a single act or a pattern of behavior, based on the frequency, nature and severity of the conduct.*
  - *Dating violence includes the threat of sexual assault or physical abuse.*
- **Stalking** is engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.
  - *This Policy addresses stalking that is based on sex. All other stalking will be addressed under other applicable policies.*
- **Gender-Based Misconduct** is an umbrella term that includes Sex-Based Harassment, as defined above, as well as:
  - **Sexual Harassment** - unwelcome conduct which is either of a sexual nature or which is directed at an individual because of that individual's sex. Conduct is considered unwelcome if the individual did not request or invite it and considered the conduct to be undesirable or offensive. This includes, but is not limited to situations when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational experience;
  - Submission or rejection of such conduct is used as a basis for a decision regarding an employment, academic or other MSON-related activity affecting such individual; or
  - Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or participation in a MSON program, department or extra-curricular activity; or
  - Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working, learning, studying or school environment.
- **Sexual Exploitation** - unwelcome surveillance or acts that violate a person's right to privacy in connection with their body and/or sexual activity, including, but not limited to:
    - Viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's consent;
    - Recording images (e.g. video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness where that person would have a reasonable expectation of privacy, without that person's consent;
    - Disseminating or explicitly threatening to disseminate images (e.g. video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness where that person would have a reasonable expectation of privacy, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure;
    - Using or installing, or permitting the use or installation of a device for the purpose of recording another person's sexual activity, intimate body parts or nakedness in a place where the person would have a reasonable expectation of privacy, without that person's consent;
    - Exposing one's genitals in non-consensual circumstances; or
    - Inducing incapacitation for the purpose of making another person vulnerable to gender-based misconduct.
  - **Retaliation** includes intimidation, threats, coercion or discrimination against any person by MSON, a student (peer retaliation), or an employee or other person authorized by MSON to provide an aid, benefit, or service under MSON's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or this Policy, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing.
  - **Knowingly submitting false statements or information** means knowingly making false statements or submitting false information in connection with any allegation of prohibited conduct under this Policy (as opposed to providing information which, even if erroneous, is provided in good faith). Anyone who

knowingly files a false claim or knowingly provides false information during an investigation may be subject to appropriate disciplinary action.

## Definitions

- **Affirmative Consent (“Consent”)** is defined as a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate Consent. This definition does not vary based upon a participant’s sex, sexual orientation, gender identity or expression. In addition:
  - Consent to any sexual act or prior consensual 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 or alcohol;
  - Consent may be initially given but withdrawn at any time;
  - Consent cannot be given when a person is incapacitated (as hereafter described);
  - Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm; and
  - When Consent is withdrawn or can no longer be given, sexual activity must stop.
  - **Note on New York State Law:**
    - **The age of consent in New York State is 17 years old.** Children under 17 years of age cannot legally consent to sex or sexual contact with an adult (someone who is 17 years of age or older).
      - **Any sexual contact in New York between a child under 17 and an adult is a crime, and any such illegal behavior between a member of the MSON community who is under 17 and a member who is an adult will be reported to an appropriate law enforcement agency.** Other jurisdictions may have different standards, and any illegal behavior in such jurisdiction will also be reported to an appropriate law enforcement agency.
    - Other individuals who are legally incapable of Consent to sex or sexual contact in New York State include the mentally disabled, mentally incapacitated, physically helpless, and certain persons who are committed to the care and custody of a client or patient of a health care provider or certain governmental departments, offices or agencies (including the state department of correctional services, a hospital, the office of children and family services, the office of mental health, the office for people with developmental disabilities, or the office of alcoholism and substance abuse services), where the actor is an employee or volunteer of such department or health care provider.
- **Complaint** is any oral or written request to MSON that objectively can be understood as a request for MSON to investigate and make a determination about alleged sex discrimination, gender-based misconduct or other conduct prohibited by this Policy.

- **Complainant** is a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination, gender-based misconduct or other conduct prohibited by this Policy or a person other than a student or employee who is alleged to have been subjected to sex discrimination, gender-based misconduct or other conduct prohibited by this Policy and who was participating or attempting to participate in MSON's education program or activity at the time of the alleged misconduct.
- **Confidentiality** is the commitment not to share any identifying information with others, except as required by law in emergency circumstances (such as risk of death or serious bodily harm). Confidentiality may only be offered by individuals who are not required to report known instances of prohibited conduct to the Title IX Coordinator. See Appendix D.
- **Day** means a business day, unless otherwise specified.
- **Incapacitation** occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by a lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot Consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to Consent. Evaluating incapacitation requires an assessment of an individual's:
  - Decision-making ability;
  - Awareness of consequences;
  - Ability to make informed judgments;
  - Capacity to appreciate the nature and the quality of the act; and
  - Level of consciousness.

*Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual misconduct and does not diminish one's responsibility to obtain affirmative consent. See Appendix B for the Student Alcohol and Drug Use Amnesty Policy.*
- **Party** is a Complainant or Respondent.
- **Preponderance of the Evidence** is a standard of evidence used during the investigation and determination of prohibited conduct under this Policy. A preponderance of the evidence means that it is more likely than not that prohibited conduct occurred.
- **Privacy** is the assurance that an individual or MSON will only reveal information about allegations of prohibited conduct to those that need to know the information in order to carry out their duties or responsibilities required by law and/or this Policy. Employees who are unable to offer confidentiality because they have a duty to report known prohibited conduct to MSON, may offer privacy. See additional discussion in Section VIII-C.
- **Relevant** means related to the allegations of prohibited conduct under investigation. Questions are relevant when they seek evidence that may aid in showing whether prohibited conduct occurred. Evidence is relevant when it may aid the decisionmaker in determining whether prohibited conduct occurred.
- **Report** is information conveyed to MSON about alleged sex discrimination, gender-based misconduct or other conduct prohibited by this Policy.
- **Respondent** is a person alleged to have violated this Policy.
- **Writing** Whenever this Policy requires a "writing," electronic mail satisfies the writing requirement.



## **V. Title IX Coordinator**

Reports or Complaints of sex discrimination or gender-based misconduct, should be directed to the Title IX Coordinator.

MSON's Title IX Coordinator is:

Frank Di Giovanni, MPH  
Director of Compliance  
Montefiore New Rochelle Hospital  
16 Guion Place, New Rochelle, NY 10801  
(914) 365-4808  
(914) 365-3976  
fdigiova@montefiore.org

Inquiries about Title IX may be referred to MSON's Title IX Coordinator, the [United States Department of Education, Office for Civil Rights](#) or both.

The Title IX Coordinator is responsible for coordinating MSON's compliance with its obligations under Title IX of the Education Amendments of 1972, New York State Education Law Article 129-B ("Enough is Enough") and other federal, state and local laws pertaining to sex discrimination and gender-based misconduct.

The Title IX Coordinator has overall responsibility for implementation and compliance with this Policy, including overseeing MSON's response to Reports and Complaints of sex discrimination and gender-based misconduct, providing education and training about this policy, and carrying out the other functions of the position as set forth in this Policy.

The Title IX Coordinator will monitor MSON's education program and activity for barriers to reporting information about conduct that reasonably may constitute sex discrimination under Title IX and take steps reasonably calculated to address such barriers.

The Title IX Coordinator will receive annual training as required by law.

## **VI. Resources and Information for Individuals Affected by Sex Discrimination and Gender-Based Misconduct**

### **A. Obtaining Immediate Medical Attention and Emotional Support**

Individuals who have experienced sexual violence should promptly seek medical attention both to address their own health and to preserve potential evidence. This is strongly encouraged, regardless of whether the individual wants to file a complaint or pursue an investigation with MSON or local law enforcement.

MSON strongly encourages individuals affected by gender-based misconduct to seek emotional support, either on or off-campus.

Information and resources, including emergency assistance, hospitals, medical care, mental health treatment, counseling and other support services, are included in Appendix D.

If desired, MSON can assist with accessing these resources.

## **B. Reporting to Outside Law Enforcement**

Students, employees and other members of the MSON community have the right to report to local law enforcement and/or State Police (“outside law enforcement”). However, MSON will not require that a Complainant report to outside law enforcement, nor will MSON do so without the Complainant’s agreement, except in exceptional circumstances. MSON may report gender-based misconduct to outside law enforcement without the Complainant’s consent if MSON determines that the Respondent poses a serious continuing threat to the physical safety of the Complainant or any other person.

If a student, employee or other community member chooses to report gender-based misconduct to outside law enforcement, MSON can provide assistance if desired.

MSON will cooperate with police investigations, but will not delay its investigation of a Complaint in the absence of extenuating circumstances and will conduct its investigation simultaneously with any police/criminal justice system investigation. The MSON process and police/criminal justice system work independently of one another. Because the standards for finding a violation of the New York State Penal Law are different from the standards in this Policy, criminal investigations or reports are not solely determinative of whether or not misconduct under this Policy has occurred. A plain language explanation of distinctions between the New York State Penal Law and MSON’s policy and processes for addressing gender-based misconduct is included in Appendix C.

### **Protective Orders**

MSON may also assist an individual with obtaining an Order of Protection or other protective measures via reports to law enforcement or otherwise.

If an Order of Protection or the equivalent is violated on MSON’s campus, campus security may provide assistance by calling on and assisting local law enforcement in effecting an arrest for such violation.

Additional information about law enforcement is included in Appendix C.

## **VII Employee Reporting/Response Obligations Bystander Intervention**

MSON expects all members of the MSON community to take reasonable and prudent actions to prevent or stop an act of sex discrimination or gender-based misconduct, and provide assistance if an act has occurred. As discussed below, taking action or providing assistance may include direct intervention, calling law enforcement, or seeking assistance from a person in authority.

To that end, all employees have a duty to report sex discrimination and gender-based misconduct to MSON, as further outlined below. Although all employees have a duty to report, no employee is authorized to investigate or resolve a suspected violation of this Policy, unless specifically designated and directed to do so by the Title IX Coordinator.

## **A. Employee reporting obligations**

All employees of MSON are required to notify the Title IX Coordinator, when the employee has information about conduct that reasonably may constitute sex discrimination, gender-based misconduct or other conduct prohibited by this Policy, but will otherwise protect an individual's privacy to the greatest extent possible and share information with other MSON staff only on a need-to-know basis.

An employee's duty to report is triggered when the employee has any knowledge or information, whether from firsthand observation, being directly informed or confided, or having heard about it in some other fashion, of a known or suspected instance of prohibited conduct.

When a duty to report is triggered, the employee *must immediately report* to the Title IX Coordinator, including all known information and details, even if the victim of the prohibited conduct does not wish to file a report or complaint. The reporting employee must identify themselves to the Title IX Coordinator, provide their contact information and cooperate with any follow-up inquiry by the Title IX Coordinator.

Employees who knowingly allow prohibited conduct to continue without reporting it will be disciplined.

## **B. Suspected Abuse or Maltreatment of Minors**

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

## **C. Bystander Intervention**

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

### ***1. Do's:***

- - Remind friends that Affirmative Consent is required, and it is the difference between sex and Sexual Assault and that someone can be too intoxicated to Consent.
  - 
  - Take the initiative to help friends who aren't thinking clearly from becoming targets of violence (or) take steps to stop a friend who chooses to use violence.
  - When possible, prevent an intoxicated friend/person from going to a private location with an acquaintance or friend.
- - Contact the Security Department, the Title IX Coordinator or another person of authority who can assist.

## 2. *Don'ts:*

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

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

Leave a friend or acquaintance alone at a party.

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

## **VII. Reporting Sex Discrimination and Gender-Based Misconduct**

MSON strongly encourages individuals affected by sex discrimination, gender-based misconduct or other conduct prohibited by this Policy to promptly report allegations to MSON. Reporting enables MSON to respond promptly and effectively to sex discrimination and other prohibited conduct, including taking steps to ensure campus safety and to preserve important evidence. However, there is no timeframe by which a complaint of prohibited conduct must be made.

### **A. How to Report**

1. **To MSON Officials.** Anyone who wishes to make a Report or file a Complaint regarding a violation of this Policy may do so at any time by contacting any of the individuals designated below. These designated officials are trained to receive allegations of sex discrimination and gender-based misconduct, to ensure such complaints are investigated in accordance with this Policy and to help Complainants receive necessary assistance.

Students and employees are encouraged to report allegations to these designated officials, regardless of whether they have reported the incident to outside law enforcement authorities and regardless of where the incident took place.

#### **Title IX Coordinator**

Frank Di Giovanni, MPH  
Director of Compliance  
Montefiore New Rochelle Hospital  
16 Guion Place, New Rochelle, NY 10801  
(914) 365-4808  
(914) 365-3976  
fdigiova@montefiore.org

#### **Assistant Director of Human Resources**

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

**Dean**

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

**Assistant Dean**

Dr. Susan Joseph  
Montefiore School of Nursing  
53 Valentine Street  
Mount Vernon, New York 10550  
[soojoseph@montefiore.org](mailto:soojoseph@montefiore.org)  
914-361-6315

**Security Department**

Don Mosher, Security Manager  
Montefiore New Rochelle Hospital  
16 Guion Place  
New Rochelle, New York 10801  
914-365-3562  
[dmosher@montefiore.org](mailto:dmosher@montefiore.org)

Frederick Cabbell, Jr., Security Manager  
Montefiore Mount Vernon Hospital  
53 Valentine Street  
Mount Vernon, New York 10550  
914-361-6007  
[fcabbelljr@montefiore.org](mailto:fcabbelljr@montefiore.org)

**MSON Office of Student Services**

Michael Main  
Admissions Coordinator  
Montefiore School of Nursing  
53 Valentine Street  
Mount Vernon, New York 10550  
[mmain@montefiore.org](mailto:mmain@montefiore.org)  
914-361-6472

**2. Anonymous Reporting.** Individuals who wish to notify MSON of a violation of this Policy while remaining anonymous, may report to the Confidential Compliance Hotline.

**Montefiore Health System Confidential Compliance Hotline**

1-800-662-8595

MSON will investigate anonymous reports to the extent possible, although an anonymous report will likely affect MSON's ability to investigate and respond effectively. Additional information about confidential support services is included in Appendix D for information regarding confidential support services. See Appendix B for the Student Alcohol and Drug Use Amnesty Policy.

## **B. When a Report is Received**

When any of the designated officials above are notified of any prohibited conduct under this Policy, they will provide a copy of this Policy to the Complainant (if the Complainant was the reporter) and will immediately notify the Title IX Coordinator. The Title IX Coordinator or their designee will address the matter in accordance with this Policy, including providing appropriate supportive measures (addressed in Section IX, below).

When any of the designated officials above are notified of a report of sexual assault, domestic violence, dating violence or stalking, they will notify the reporting individual: “You have the right to make a report to Campus Security, local law enforcement, and/or state police or choose not to report; to report the incident to MSON; to be protected by MSON from retaliation for reporting an incident; and to receive assistance and resources from MSON.”

**Information Shared at Public Awareness Events** – When the Title IX Coordinator is notified of information about conduct that reasonably may constitute sex-based harassment or gender-based misconduct that was provided by a person during a public event to raise awareness about sex-based harassment that was held on MSON’s campus or through an online platform sponsored by MSON, MSON will not act in response to that information, unless it indicates an imminent and serious threat to the health and safety of a Complainant, any students, employees or other persons. MSON will, however, use this information to inform its efforts to prevent sex-based harassment and gender-based misconduct within its education program and activity, including providing tailored training, as necessary.

## **C. Confidentiality vs. Privacy in Complaints & Reporting**

After a Report or Complaint is received, MSON is not able to guarantee **confidentiality**, because doing so may limit MSON’s ability to respond promptly and effectively, to ensure a safe, non-discriminatory and harassment-free environment and to effectuate this Policy.

However, MSON will maintain the **privacy** of the Complainant, reporter, Respondent, and witnesses to the greatest extent possible. Information in connection with the allegations will be shared with only those MSON staff who have a legitimate need for the information, or as otherwise required by law or this Policy. MSON will take reasonable steps to protect the privacy of the parties and witnesses during the pendency of its grievance procedures. See Section XI-E.

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

**FERPA:** The Family Educational Rights and Privacy Act allows institutions to share information with Parents when: (i) there is a health or safety emergency, or (ii) when the student is a dependent on either parent’s prior year federal income tax return. However, MSON will generally not share information about prohibited conduct under this Policy with a parent without the permission of the reporting individual.

## **D. Filing External Complaints**

In addition to reporting prohibited conduct to MSON, individuals have the right to avail themselves of any and all of their rights under the law, including but not limited to filing complaints with one or more of the external agencies listed below:

- [U.S. Department of Education, Office for Civil Rights](#)
- [U.S. Equal Employment Opportunity Commission](#)
- [New York State Division of Human Rights](#)
- [New York City Commission on Human Rights](#)

## **IX. Supportive Measures, Accommodations, and Interim Protective Measures**

### **A. Supportive Measures**

Supportive Measures are individualized measures offered as appropriate and as reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive or disciplinary reasons, and without fee or charge to the Complainant or Respondent, designed to:

- Restore or preserve the individual's access to MSON's education program or activity, including measures that are designed to protect the safety of the parties or MSON's educational environment; or
- Provide support during MSON's grievance procedures or during the informal resolution process.

MSON will offer and coordinate supportive measures as appropriate for the Complainant, Respondent, reporter and all third-party witnesses. The Title IX Coordinator is responsible for coordinating and ensuring the effective implementation of supportive measures and accommodations. Individuals are encouraged to discuss their options for any supportive measures or accommodations with the Title IX Coordinator who may assist with identifying and obtaining reasonably available accommodations. The Title IX Coordinator may designate other individuals to offer and coordinate supportive measures, as necessary and appropriate.

Supportive measures are available when MSON becomes aware of allegations of prohibited conduct under this Policy, whether or not a Complainant chooses to move forward with an investigation and/or resolution. Supportive measures may be provided on an interim or continuing basis.

Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, restrictions on contact (MSON-issued "no contact" orders),<sup>1</sup> leaves of absence, increased security and monitoring of certain areas of the campus, bans from areas of campus, and

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<sup>1</sup> No contact orders prohibit continued intentional contact with the Complainant. If the accused/Respondent and Complainant/reporting individual observe each other in a public place, it shall be the responsibility of the accused/Respondent to leave the area immediately and without directly contacting the reporting individual. MSON may establish an appropriate schedule for the accused/Respondent to access applicable institution buildings and property at a time when such buildings and property are not being accessed by the Complainant/reporting individual. Intentional and/or continued violations of a MSON-issued "no contact" order is a violation of MSON policy and may result in additional misconduct charges and additional disciplinary sanctions including suspension and expulsion for students, or up to and including termination of employment for employees.

changes to academic, transportation, employment, or working situations (including transferring to a different class, and changing work or clinical assignment schedules).

MSON will endeavor to maintain as confidential any accommodations or protective measures to the extent that maintaining confidentiality would not impair the ability of MSON to provide such measures.

## **B. Interim Protective Measures**

MSON may take reasonable and prudent interim measures to protect and ensure safety, prevent retaliation, avoid an ongoing hostile environment, and/or restore or preserve equal access to MSON's education program and activity. MSON will consider the safety of the MSON community when making decisions regarding appropriate interim measures. These interim protective measures may include:

### **Administrative Leave**

Non-student employees may be placed on administrative leave during the pendency of the grievance process with or without pay and in accordance with any applicable policy providing for administrative leave.

### **Emergency Removals**

Respondents may be subject to emergency removal from MSON's education program or activity if, after conducting an individualized safety and risk analysis, MSON determines that doing so is necessary to prevent an imminent and serious threat to the health or safety of a Complainant or any students, employees or other persons arising from the allegations of sex discrimination or gender-based misconduct. If a Respondent is subject to emergency removal, MSON will provide the individual with notice and an opportunity to challenge the decision immediately following the removal as set forth in Section IX-C.

## **C. Modification of Interim Measures**

MSON has the right to modify or amend supportive and interim protective measures.

A Complainant or Respondent may seek modification or reversal of MSON's decision to provide, deny, modify or terminate supportive measures or interim protective measures applicable to them. Requests for such modification will be reviewed by Montefiore New Rochelle Hospital's Director of Risk Management and must be made in writing and received within five (5) business days of the decision under review or if applicable, within five (5) business days of a material change in circumstances. The party seeking modification may submit evidence in support of their request. If the Director of Risk Management or other designated reviewer determines that the decision to provide, deny, modify, or terminate supportive measures or interim protective measures was unreasonable, or inconsistent with the definition of supportive measures or interim protective measures included within this Policy, the Director of Risk Management or other designated reviewer will have the authority to modify or reverse the original decision under review. The Director of Risk Management or other designated reviewer will notify the party seeking modification, in writing, within seven (7) business days of receipt of their written request for modification.



**D. Accommodations**

MSON will provide reasonable accommodations to students and employees participating in any process within this Policy, in compliance with applicable law.

Individuals seeking a reasonable accommodation related to the processes described in this Policy, should notify the Title IX Coordinator.

**X. Initial Evaluation of Reports**

Upon receipt, the Title IX Coordinator will evaluate all reports of conduct that purportedly violate this Policy. When the alleged behavior, if true, would constitute prohibited conduct under this Policy, the Title IX Coordinator will evaluate whether the report constitutes a complaint, triggering the institution’s grievance procedures outlined below in Section XI.

When the alleged behavior, if true, would not constitute prohibited conduct under this Policy, the Title IX Coordinator will refer the report to the appropriate office or official within MSON or Montefiore for response and resolution.

The Title IX Coordinator will conduct this initial evaluation of a report within ten (10) business days of receipt.

**XI. Responding to Sex Discrimination and Gender-Based Misconduct**

MSON has adopted grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by this Policy.

A Complaint is any oral or written request to MSON that objectively can be understood as a request for MSON to investigate and make a determination about alleged sex discrimination, gender-based misconduct or other conduct prohibited by this Policy.

**The following individuals may file a Complaint:**

<b><i>Complaints of sex discrimination (including sex-based harassment), gender-based misconduct and other prohibited conduct under this Policy</i></b>		
<b>A Complainant, defined as:</b>	A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination, gender-based misconduct or other prohibited conduct under this Policy;	A person other than a student or employee of MSON that has been subjected to conduct that could constitute sex discrimination, gender-based misconduct or other prohibited conduct under this Policy at a time when that individual was participating or attempting to participate in MSON’s education program or activity;
<b>A parent, guardian or other authorized representative with the legal right to act on behalf of a Complainant; or MSON’s Title IX Coordinator.</b>		

**Complaints of sex discrimination (other than sex-based harassment)**

**The individuals listed above;**

**Any student or employee of MSON; or**

**Any person other than a student or employee who was participating in MSON's education program or activity at the time of the alleged sex discrimination.**

**Request That MSON Maintain a Complainant's Anonymity or Not Conduct an Investigation:** MSON will make every effort, consistent with its duty to provide a safe and non-discriminatory learning and working environment, to respect a Complainant's request that MSON maintain their anonymity and/or not conduct an investigation. If the Complainant notifies the Title IX Coordinator in writing that they wish to withdraw the Complaint, typically, a Complaint will not be pursued (See Section XI-C, Withdrawing or Dismissing a Complaint). However, MSON may nevertheless pursue a complaint when, in the Title IX Coordinator's judgment, the conduct as alleged presents an imminent and serious threat to the health or safety of the Complainant or another person, or that the conduct as alleged prevents MSON from ensuring equal access on the basis of sex to its education program or activity.

When considering whether to initiate a Complaint, the Title IX Coordinator will make a fact-specific determination and will consider the following factors:

- The Complainant's request not to proceed with initiation of a Complaint;
- The Complainant's reasonable safety concerns regarding initiation of a Complaint;
- The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- The age and relationship of the parties, including whether the Respondent is an employee of MSON;
- The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals,
- The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and
- Whether MSON could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures.

If the Title IX Coordinator initiates a Complaint, the Title IX Coordinator will notify the Complainant prior to doing so and appropriately address reasonable concerns about the Complainant's safety or the safety of others, including by providing supportive measures as discussed in Section IX.

MSON at all times reserves the right to proceed with a Complaint as necessary to protect the safety of the campus community and workplace and to maintain compliance with all applicable laws and regulations.

## A. Rights of Parties

Parties will have the following rights when MSON becomes aware of a Complaint of sex discrimination, gender-based misconduct or any other conduct prohibited by this policy.

- **Equitable Treatment:** Complainants and Respondents will be treated equitably.
- **Respondent is presumed not responsible:** The Respondent is presumed not responsible for the alleged prohibited conduct until a determination is made at the conclusion of the grievance procedures.
- **Conflict of Interest and Bias:** MSON requires that any Title IX Coordinator, investigator, facilitator or decisionmaker not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. See Section XIII.
- **Timeframes for the Major Stages of the Grievance Process:** MSON has established the following timeframes for the major stages of the grievance procedures:
  - **Initial Evaluation of Reports:** 10 business days from receipt by the Title IX Coordinator
  - **Investigation:** 45 business days from receipt of the Complaint
  - **Evidence Review and Follow-Up Questioning:** 30 business days from initial sharing of the evidence file
  - **Determination:** 30 business days from conclusion of the evidence review process
  - **Sanctioning:** 30 business days from the written determination.
  - **Appeal:** 30 business days from receipt of the appeal
- **Reasonable Extension of Established Timeframes:** MSON has established the following process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay: MSON will exercise due diligence to comply with the timeframes established for the major stages of the grievance procedures. However, the stated time frames may be extended for good cause depending on the nature of the allegations, the time of year, and any other unforeseen or extenuating circumstances. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities. All parties will be notified in writing of any delay or extensions and the reason therefore. A party may request an extension of any deadline by submitting a written request to the Title IX Coordinator detailing the reason for the request and the amount of additional time requested. The Title IX Coordinator will have the sole discretion to grant or deny any such request.
- **Privacy:** MSON will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures.

- **Non-Retaliation:** MSON strictly prohibits retaliation, including against witnesses.
- **Objective Evaluation of Evidence:** MSON will objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.
- **Impermissible Evidence:** Impermissible evidence, as defined in XI-E below, will not be accessed or considered (except by MSON to determine whether an exception applies); will not be disclosed; and will not otherwise be used, regardless of whether they are relevant.

## B. When a Complaint is Filed

When the Title IX Coordinator receives a Complaint, the Complainant will be immediately advised in writing of MSON's policies and procedures, as described herein, including their rights (Section XI-A) and resolution options, including informal resolution (XI-D), the availability of interim supportive measures and accommodations (Section IX), and next steps in the grievance process (Section XI-E).

**Notice of Allegations:** After a Complaint is filed, and upon initiation of the grievance process, MSON will provide written notice to the parties who are known, with sufficient time for the parties to prepare a response before any initial interview. The Notice of Allegations will include the following information:

- MSON's grievance procedures and any informal resolution process;
- Sufficient information available at the time to allow the parties to respond to the allegations, including:
  - the identities of the parties involved in the incident(s),
  - the conduct alleged to constitute prohibited conduct with reference to applicable provisions in this Policy, and
  - the date(s), time, location(s) and factual allegations concerning the incident(s);
- Retaliation is prohibited;
- The Respondent is presumed not responsible for the alleged sex-based harassment until a determination is made at the conclusion of the grievance procedures. Prior to such a determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial decisionmaker;
- Possible sanctions;
- The parties may have an advisor of their choice who may be, but is not required to be, an attorney;
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence;
- A reference to MSON's prohibition on knowingly making false statements or knowingly submitting false information during the grievance process.

**Consolidation of Complaints:** MSON may, but is not required to, consolidate complaints of prohibited conduct under this Policy against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of prohibited conduct arise out of the same facts or circumstances.

MSON may, but is not required to, consolidate complaints of conduct prohibited by other policies concerning the Complainant and Respondent arising under the same facts and circumstances and reserves the right to apply the grievance procedures of this Policy to those allegations.

**Updated Notices of Allegations:** If, in the course of an investigation, MSON decides to investigate additional allegations of prohibited conduct under this or other MSON policies by the Respondent toward the Complainant that are not included in the written notice or that are included in a consolidated complaint, it will provide written notice of the additional allegations to the parties.

### **C. Withdrawing or Dismissing a Complaint**

MSON may dismiss a Complaint if:

- MSON is unable to identify the Respondent after taking reasonable steps to do so;
- The Respondent is not participating in MSON's education program or activity and is not employed by MSON;
- The Complainant voluntarily withdraws any or all of the allegations in the complaint in writing, the Title IX Coordinator declines to initiate a complaint, and MSON determines that, without the Complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute prohibited conduct under this Policy, if proven; or
- MSON determines the conduct alleged in the complaint, even if proven, would not constitute prohibited conduct under this Policy. Before dismissing the complaint, MSON will make reasonable efforts to clarify the allegations with the Complainant.

MSON will promptly send notice of the dismissal and the reason(s) for such dismissal to the Complainant, and to the Respondent if the Respondent has already been notified of the allegations. MSON will include a notification that a dismissal may be appealed within 5 business days of the date of notice of dismissal and will provide an opportunity to appeal the dismissal of a complaint, pursuant to the procedures identified in Section XI-H.

When a Complaint is dismissed, any investigation or resolution or grievance process will be suspended. MSON will, at a minimum:

- Offer supportive measures to the Complainant as appropriate;
- If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that the prohibited conduct does not continue or recur within MSON's education program or activity.

### **D. Informal Resolution**

Informal resolution is one method to resolve a Complaint and provides an alternative to resolving a Complaint through MSON's formal grievance procedures, outlined below in Section XI-E. In some cases, informal resolution may offer a beneficial outcome for both parties.

Informal resolution can take different forms, informed by the preferences and goals of the parties. For example, informal resolution may include one or several of the following strategies:

- **Administrative Resolution**, such as a mutual agreement to abide by a No-Contact Order and/or additional training or education for the area or Department where the Complaint originated;
- **Acceptance of Responsibility**, with or without acceptance of penalty;
- **Facilitated Discussion** between the parties in the presence of the Title IX Coordinator; or
- *Such other means of informal resolution agreeable to the parties and deemed appropriate by the Title IX Coordinator.*

Participation in an informal resolution is voluntary. Both parties must agree to engage in an informal resolution process and provide voluntary consent before it begins. Informal resolution may take place at any point prior to a determination of responsibility. All Complaints made under this Policy are eligible for informal resolution, although the Title IX Coordinator has the ultimate discretion to determine whether informal resolution will be available in a particular matter.

Before initiation of an informal resolution process, the Title IX Coordinator will provide the parties with written notice that an informal resolution is being offered to resolve the allegations. The written notice will include:

- A description of the allegations;
- The requirements of the informal resolution process, including the circumstances under which an informal resolution will preclude the parties from resuming an investigation and formal resolution arising from the same allegations;
- Notice that prior to entering into an informal resolution agreement, either party has the right to withdraw from the informal resolution process and resume an investigation and formal resolution process at any time;
- Notice that the parties' informal resolution agreement at the conclusion of the informal resolution process would preclude the parties from initiating or resuming grievance procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- What information MSON will maintain and whether and how MSON could disclose such information for use in grievance procedures, if a grievance procedure were initiated or resumed.

If both parties agree to begin an informal resolution process, the Title IX Coordinator will appoint a neutral informal resolution facilitator (the "facilitator"). The facilitator will not be the same person as the investigator/decisionmaker and will not have a conflict of interest or bias for or against Complainants or respondents generally or an individual Complainant or respondent. In addition, the facilitator may not participate as a witness or in any other capacity during any resumed or subsequent investigation or disciplinary action. The facilitator will receive all training required by this Policy and applicable law and regulation.

Either party has the right to end the informal resolution process at any time prior to finalizing an informal resolution agreement, and instead proceed with a formal grievance process, by notifying the Title IX Coordinator in writing of their desire to do so.

The time frame for investigations will be tolled while the parties engage in the informal resolution process. The Title IX Coordinator will reevaluate the parties' progress toward informal resolution every thirty (30) days and has discretion to terminate the informal resolution process and resume the investigation at any time.

***Informal Resolution Agreements:*** Any agreement reached through informal resolution must be acceptable to both parties and MSON. Terms of an informal resolution agreement might include continuation of a No-Contact Order, an agreement to engage in volunteer hours, training, reflection papers, priority in selection of classes or dorm assignments, and/or agreed upon sanctions agreed to by the parties and MSON.

If a resolution is reached, the facilitator will notify the parties in writing and a written memorandum will memorialize the agreement (the "informal resolution agreement"). Both parties and the Title IX Coordinator must sign the informal resolution agreement before it is finalized. Once finalized, the obligations in the agreement will be binding on the parties and the allegations of prohibited conduct under this Policy will be considered resolved. Violations of an informal resolution agreement will be referred for discipline or other appropriate action, as deemed appropriate by the Title IX Coordinator.

Finalized informal resolution agreements will be maintained for seven (7) years, in compliance with recordkeeping requirements outlined in Section XIV.

***Information Shared During an Informal Resolution Process:*** Any information shared or learned during the informal resolution process will not be documented or referenced in a resumed or subsequent investigation or disciplinary process. However, information gathered from another source during a resumed or subsequent investigation will not be excluded from an investigatory report or subsequent adjudication merely because it was shared by a party during an informal resolution process.

## **E. Formal Grievance Procedures – Investigation, Evidence Review and Determination**

When a Complaint is not otherwise withdrawn, dismissed or resolved through informal resolution, MSON will conduct a fair, prompt and impartial investigation and issue a determination in accordance with these procedures.

### **i. Investigation – Evidence Gathering**

The Title IX Coordinator will designate a trained, competent, neutral investigator (the "investigator") to conduct an adequate, reliable and impartial investigation. The investigator will also serve as the decisionmaker. Depending on the nature of the allegations, the investigation may include interviews with the parties and witnesses, collection of evidence (including, for example, email and other communications relevant to the Complaint) and review of documentation or any other steps deemed necessary by the investigator to thoroughly and fairly conduct the investigation. To the extent credibility is both in dispute and relevant to evaluating one or more allegations of prohibited conduct, the investigator must interview parties and witnesses in a manner that permits the investigator to adequately assess that party's or witness's credibility. All party and witness interviews will be recorded.

At all times, the burden is on MSON – not on the parties – to conduct an investigation that gathers sufficient evidence to determine whether prohibited conduct occurred.

The parties will have an equal opportunity to present fact witnesses and other inculpatory and exculpatory evidence that is relevant and not otherwise impermissible. The investigator will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

**Impermissible evidence:** The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by MSON to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless MSON obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and
- Evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the Complainant and respondent does not by itself demonstrate or imply the Complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

**Expert witnesses:** The Title IX Coordinator will retain discretion of whether the presentation of an expert witness is permitted in any given case, based on the specific circumstances of the allegations and policy violations alleged, and the subject matter of the expert testimony sought to be presented.

**Participation:** Students are encouraged, but not required to cooperate with investigations under this Policy. Employees are required to cooperate with investigations under this Policy. Any party who is invited or expected to participate in any investigative interview or other meeting will be provided written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time for the party to prepare to participate.

**Advisors:** Parties may be accompanied to any meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney.

Advisors must sign an Advisor Conduct Agreement prior to participating in MSON's grievance process. MSON will not limit the choice or presence of the advisor for a party in any



meeting or proceeding, however, advisors must comply with the Advisor Conduct Agreement or they may be restricted from participation in MSON's grievance process. If an advisor violates the Advisor Conduct Agreement and is prohibited from participating in MSON's grievance process, the party will be permitted to select another advisor of choice.

**Investigation Time Frame:** The investigator will seek to conclude the investigation as promptly as practicable, and in any event generally within 45 business days from receipt of the Complaint. The facts and circumstances of each case may make it necessary for a reasonable extension of this established time frame for good cause.

## ii. Investigation - Evidence Review and Follow-Up Questioning

After the initial phase of the investigation is completed, each party and the party's advisor, if any, will be given an equal opportunity to access the evidence that is relevant to the allegations of prohibited conduct and not otherwise impermissible (the "evidence file"). The evidence file will include the recordings of all party and witness interviews conducted during the investigation.

The parties and their advisors must sign an Agreement Not to Disseminate the evidence file or any other information obtained solely through the grievance process, for any purpose unrelated to the grievance process itself.

The parties may submit a written response and/or proposed follow-up questions for any party or witness, due within ten (10) business days after the evidence file is provided. The investigator will include the parties' written responses in the evidence file and will consider the parties' written responses prior to making a determination. The investigator will review a party's proposed follow-up questions as follows:

**Follow-Up Questioning:** The investigator will schedule follow-up meetings with parties and witnesses, as soon as practicable and as needed, to conduct follow-up questioning. All follow-up interviews will be recorded in the same manner as initial interviews. Prior to conducting a follow-up meeting, the investigator will first determine whether a proposed follow-up question directed at the party or witness is relevant and not otherwise impermissible. If a question is relevant and not otherwise impermissible, the investigator will ask the question in a follow-up meeting with a party or witness. If the investigator determines that a question is not relevant or otherwise impermissible, it will be excluded and the investigator will provide the party who proposed the question with a written explanation of the decision to exclude it. If a question is unclear or harassing, the investigator will give a party an opportunity to clarify or revise the question. If the party sufficiently clarifies or revises the question, and the question is deemed permissible, it will be asked.

Once all follow-up meetings are completed, the investigator will share the recordings of all party and witness follow-up meetings with the parties. Parties may submit a final written response, due within five (5) days after the recordings of the follow-up meetings are provided. After follow-up meetings are completed, any further follow-up questioning will be conducted in the sole discretion of the investigator, in consultation with the Title IX Coordinator.

**Party or Witness Refusal to Respond to Questioning:** The investigator may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. However, the investigator will not draw an inference about whether prohibited conduct occurred based solely on a party's or witness's refusal to respond to such questions.

**Evidence Review and Follow-Up Questioning Time Frame:** The investigator will seek to conclude the evidence review and follow-up questioning phase as promptly as practicable, and in any event generally within 30 business days from the initial sharing of the evidence file. The facts and circumstances of each case may make it necessary for a reasonable extension of this established time frame for good cause.

**Reasonable Steps to Prevent Unauthorized Disclosure of Evidence File:** MSON will take reasonable steps to prevent and address the parties' and their advisors' unauthorized disclosure of information and evidence obtained solely through this grievance process, including:

- The evidence file will be provided through a secured access file sharing platform;
- To the extent practicable, materials within the evidence file will be labeled with a watermark unique to the party with whom it is shared;
- As appropriate, materials within the evidence file will be de-identified and a key of party and witness names will be provided;
- The parties and their advisors must sign an Agreement Not to Disseminate the evidence file or any other information obtained solely through the grievance process, for any purpose unrelated to the grievance process itself.
- Intentional and unauthorized disclosure of information and evidence obtained solely through this grievance process will be referred for discipline or other appropriate action, as deemed appropriate by the Title IX Coordinator.

### iii. Determination

After the evidence review and follow-up questioning is completed, the investigator will make a determination of responsibility by evaluating all relevant and not otherwise impermissible evidence.

**Burden of Proof:** The investigator will use the preponderance of the evidence standard of proof to determine whether prohibited conduct occurred (i.e., whether it is more likely than not that the prohibited conduct occurred). The standard of proof requires the investigator to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the investigator is not persuaded by a preponderance of the evidence that the prohibited conduct occurred, whatever the quantity of the evidence is, the investigator will not determine that prohibited conduct occurred.

**Written Determination and Notification:** The investigator will notify the parties simultaneously in writing of the determination whether prohibited conduct occurred. This written determination will include the following:

- A description of the alleged prohibited conduct;
- Information about the policies and procedures that MSON used to evaluate the allegations;
- A description of the procedural steps taken and notifications to the parties and witnesses;
- The investigator's evaluation of the relevant and not otherwise impermissible evidence and determination whether prohibited conduct occurred as to each allegation;

- When the investigator finds that prohibited conduct occurred, a referral to the appropriate MSON office or official for appropriate disciplinary action (See Section XI-F below) and a notification that the parties may submit a written impact statement to the Title IX Coordinator within ten (10) business days of receipt of the written determination, for consideration by the Dean when evaluating sanctioning;
- When the investigator finds that prohibited conduct occurred, a statement that remedies other than the imposition of disciplinary sanctions will be provided by MSON to the Complainant, and, to the extent appropriate, other students identified by MSON to be experiencing the effects of the sex-based harassment (See Section XI-G below); and
- MSON's procedures and permissible bases for the parties to appeal.

***Determination Time Frame:*** The investigator will seek to issue the determination as promptly as practicable, and in any event generally within 30 business days from conclusion of the evidence review and follow-up questioning phase. The facts and circumstances of each case may make it necessary for a reasonable extension of this established time frame for good cause.

## **F. Referral for Discipline**

MSON will not impose discipline on a Respondent for prohibited conduct unless there is a determination at the conclusion of the grievance procedures that the Respondent engaged in prohibited conduct. Following a finding of responsibility under this Policy, MSON has the discretion to issue any disciplinary action it deems appropriate up to and including expulsion or termination.

The Title IX Coordinator will promptly refer a finding of responsibility to the appropriate official for sanctioning ("sanctioning officer"):

- For student discipline, MSON Dean;,
- For faculty and administrators, Director of Human Resources; and
- For unionized staff, to Director of Human Resources.

Parties will be given an opportunity to submit an impact statement to the sanctioning officer. The sanctioning officer will consider the investigator's written determination and the parties' impact statements, and may also request to review the evidence file when evaluating the appropriate sanction. The sanctioning officer may also consult with the Title IX Coordinator and the designated investigator as needed.

The Title IX Coordinator will simultaneously notify the parties as soon as practicable of the sanctions to be imposed, except that the Complainant will only be notified of the sanctions that directly relate to said Complainant. The notice may also include any other remedial or preventative action being taken or provided by MSON.

### **i. Range of Sanctions for Students and Employees**

When a student Respondent is found responsible for conduct prohibited by this Policy, sanctions may include suspension or expulsion. When an employee Respondent is found responsible for conduct prohibited by this Policy, sanctions may include termination of

employment. Other sanctions that may be imposed include a warning, disciplinary probation, restriction from employment by MSON, removal from MSON housing, removal from courses or activities, loss of privileges, No-Contact Orders, exclusion from areas of the campus or facilities, removal or non-renewal of scholarships, community service, restitution or a fine. Depending on the circumstances of prohibited conduct, a Respondent may also be required to undergo an assessment and treatment by a therapist or counselor, attend an intervention treatment program and/or issue a letter of apology.

## **ii. Action against Third Parties**

MSON's disciplinary authority may not extend to third parties (employees of contracted service providers, interns, volunteers, visitors and other third-parties conducting business with MSON), and MSON's ability to take action against a third party is usually limited. However, MSON will take appropriate actions within its control, including but not limited to, removing that individual's access to campus or limiting their involvement with MSON business.

## **G. Remedies for Complainants and Other Remedial Action**

If there is a determination that sex discrimination occurred, as appropriate, the Title IX Coordinator will coordinate the provision and implementation of remedies to a Complainant and any other people MSON identifies as having had equal access to MSON's education program or activity limited or denied by prohibited conduct.

The Title IX Coordinator will also take other appropriate, prompt and effective steps to ensure that prohibited conduct does not continue or recur within MSON's education program or activity. Such efforts may include additional training and awareness programs for MSON community.

## **H. Appeals**

Both parties have the right to appeal from a determination regarding responsibility and from a dismissal of a Complaint or any allegations therein.

The appeal must be submitted to the Title IX Coordinator within five (5) days of the date of the dismissal of the Complaint or written determination (or in cases where a Respondent is found responsible, the sanctioning determination). The request for an appeal must clearly identify the grounds for the appeal. The possible grounds for an appeal are:

- There was a procedural irregularity that would change the outcome;
- There is new evidence that would change the outcome and that was not reasonably available when the determination or dismissal was made;
- The Title IX Coordinator or investigator/decisionmaker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome; or

Upon receipt of an appeal, the Title IX Coordinator will promptly notify the other party in writing that an appeal was filed and provide a copy of the appeal.

**Appeal Panel:** The appeal will be referred to an Appeal Panel, which will include three MSON faculty or administrators that have received appropriate training. The Appeal Panel will not include the Title IX Coordinator, the investigator or any informal resolution facilitator who worked on the case pending appeal. The parties will receive simultaneous notification of the appointment of the Appeal Panel.

**Written Submissions to the Appeal Panel:** Within ten (10) business days after receiving notice of the appointment of the Appeal Panel, the parties may submit a written statement supporting or challenging the grounds for appeal.

**Appeal Panel Procedures:** The appeal will be conducted in a fair and impartial manner. The appeal is not an evaluation of whether the determination or dismissal was against the weight of the evidence, but will instead be focused on the specific grounds for appeal provided by this Policy and identified in the appealing party's request for an appeal. The Appeal Panel will review the written determination, supporting documents and may consult with both parties. The Appeal Panel will reach a decision by majority vote of the panelists, or by unanimous decision if less than three panelists.

For appeals from a determination of responsibility, the Appeal Panel may affirm the original determination of responsibility, alter the determination of responsibility in whole or in part and/or alter the sanctions, depending on the circumstances. The Appeal Panel, in its discretion, may also refer the matter back for further investigation or consideration if appropriate.

For appeals from a dismissal of a Complaint, the Appeal Panel may affirm or overturn the dismissal. If dismissal of a Complaint is overturned, the matter will be referred back to the Title IX Coordinator for continuation of the grievance process.

The Appeal Panel will issue a written decision on the appeal within ten (10) business days of receipt of the parties' written submissions. The decision on appeal will describe the result of the appeal and the rationale for the result. The Title IX Coordinator will simultaneously provide the parties, as soon as practicable, with the Appeal Panel's written decision on appeal.

Decisions of the Appeal Panel are final.

**Appeal Time Frame:** The Appeal Panel will seek to issue the decision on appeal as promptly as practicable, and in any event generally within 30 business days from receipt of the request for appeal. The facts and circumstances of each case may make it necessary for a reasonable extension of this established time frame for good cause.

#### Transcript Notations

Students suspended or expelled for committing an act of Sexual Assault, Stalking, Domestic Violence, Dating Violence or a violent crime as defined by the Clery Act will have a notation placed on their transcript as follows: "suspended [or expelled] after a finding of responsibility for a code of conduct violation." If a finding of responsibility is vacated for any reason, the transcript notation will be removed.

MSON will consider requests to remove transcript notations. Requests for removal of a transcript notation must be made in writing and directed to the Title IX Coordinator. A transcript

notation will not be removed prior to one year after conclusion of the suspension. A transcript notation following expulsion will not be removed in any case.

***Withdrawal while investigation pending:*** If a Respondent student withdraws from MSON while an investigation pursuant to this Policy is pending and declines to complete the disciplinary process, the following notation will be placed on their transcript: “withdrew while conduct charges pending.”

### **XIII. Conflict/Bias**

If any party believes that an individual involved in the investigation, resolution or appeals process has a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent, either party may make a request to have that conflicted or biased individual removed from the process. Requests for removal must be made in writing to the Title IX Coordinator within five (5) days of the notification that the individual is to be involved or revelation of their conflict of interest or bias, whichever is later, and include a detailed description of the alleged conflict or bias. If the Title IX Coordinator is the individual with the alleged conflict or bias, the request for removal must be made in writing to the Dean.

The individual with the alleged conflict or bias will be asked to provide a short, written response to the party's request for removal, which will be considered before a determination is made. If a conflict or bias exists, immediate steps will be taken to replace the individual at issue to ensure an impartial and fair process.

If any administrator designated by this Policy to participate in the investigation or resolution of prohibited conduct is the Respondent, the [Vice President Executive Director of Montefiore New Rochelle Hospital will appoint another administrator to perform such person's duties under this Policy.

### **XIV. Recordkeeping**

The Title IX Coordinator will maintain the following records for seven years following the conclusion:

- All reports and complaints relating to allegations of prohibited conduct;
- For all Reports of prohibited conduct, records documenting the actions MSON took to respond promptly and effectively to address sex discrimination and other prohibited conduct within it's education program and activity;
- For all Complaints, records documenting the informal resolution process or grievance process and the resulting outcome, including records regarding dismissals and appeals, if applicable;
- All materials used to provide training required by this Policy.

### **XV. MSON Obligations Under This Policy**

In compliance with state, federal and local laws, MSON has the following obligations under this Policy:

#### **Dissemination of Policies, Procedures and Notices**

The Title IX Coordinator is responsible for the wide dissemination of the following to MSON community: (i) this Policy; (ii) MSON's Notice of Non-Discrimination; (iii) the Title IX Coordinator's name, phone number, office location, and email address; and (iv) contact information for the campus Security Office. This information shall be disseminated widely to the MSON community through publications, websites, student orientations, new employee orientations, current employee training and other appropriate channels of communication.

## **Training and Educational Programming**

MSON provides a comprehensive student onboarding and ongoing education campaign to promote awareness, encourage a safe and respectful MSON environment, and educate members of the MSON community about prohibited conduct under this Policy, including domestic violence, dating violence, stalking and sexual assault, in compliance with applicable law.

All MSON employees will be trained in accordance with applicable law and regulations. Employees will be trained upon hiring or change of position that alters any training requirement, and annually thereafter.

Investigators, decisionmakers, and other persons who are responsible for implementing MSON's grievance procedures or have the authority to modify or terminate supportive measures will also be trained on the following topics to the extent it is related to their responsibilities:

- MSON's obligations under 34 CFR § 106.44;
- MSON's grievance procedures under §§ 106.45 and 106.46, as outlined in this Policy;
- How to serve impartially, including by avoiding any prejudgment of the facts at issue, conflicts of interest, and bias; and
- The meaning and application of the term 'relevant' in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under §§ 106.45 and 106.46.

Informal resolution facilitators will also be trained on the rules and practices associated with MSON's informal resolution procedures outlined in Section XI-D, and on how to serve impartially, including by avoiding conflicts of interest and bias.

The Title IX Coordinator and any designees will be trained on all of the topics outlined above, as well as their specific responsibilities under §§ 106.8(a), 106.40(b)(3), 106.44(f) and (g), MSON's recordkeeping system, the requirements of § 106.8(f), and any other training necessary to coordinate MSON's compliance with Title IX and other applicable laws and regulations.

## **XVI. Implementation**

This Policy is effective August 1, 2024 and will apply to sex discrimination, gender-based misconduct and other prohibited conduct that allegedly occurred on or after August 1, 2024.

Prohibited conduct that allegedly occurred before the effective date of this Policy, regardless of when it is reported, will be handled in accordance with the applicable MSON Policy that was in effect at the time the behavior occurred.

## **XVII. Re-Evaluation**

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



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

*Policy Management and Responsibilities*

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

**Effective Date August 1, 2024**  
**Approved August 1, 2024**

Rebecca Greer, DNP, RN, Dean

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Responsible Officer

(Official Signature on Original Copy)

**Appendices:**

**Appendix A:** Students' Bill of Rights

**Appendix B:** Student Alcohol and Drug Use Amnesty Policy

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

**Appendix D:** Resources and Reporting Options

## **Appendix A: Students' Bill of Rights**

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

All MSON 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.

See Section VIII.A. for information about filing a Report or Complaint, Section VIII.C. for information about confidentiality during the Report/Complaint process and an investigation and Appendix D for confidential support options.

## **Appendix B: Student Alcohol and Drug Use Amnesty Policy**

The health and safety of every student at MSON is of utmost importance. MSON recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to Domestic Violence, Dating Violence, Stalking or Sexual Assault, occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. MSON strongly encourages students to report Domestic Violence, Dating Violence, Stalking, or Sexual Assault to MSON officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of Domestic Violence, Dating Violence, Stalking, or Sexual Assault to MSON's officials or law enforcement will not be subject to a code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the Domestic Violence, Dating Violence, Stalking, or Sexual Assault.

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

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

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

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

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

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

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

	<b>Criminal Justice System</b>	<b>MSON Disciplinary System</b>
<b>Goals.</b>	Public safety, deterrence, and punishment.	Education; safety; safe and supportive campus environment.
<b>Governing Law.</b>	NYS Penal Code; NYS Rules of Criminal Procedure (or another state’s rules if the crime took place there), Federal Criminal Law, and Rules of Evidence.	Title IX; The Clery Act, as amended by the Violence Against Women Act; NYS Education Law Articles 129-A and 129-B; MSON’s Policy and Procedures for Addressing Sex Discrimination and Gender-Based Misconduct; Student Bill of Rights; Faculty Policies; Code of Conduct.
<b>How to report and whether there must be action once a report is made.</b>	Crimes involving sexual violence may be reported to the local police agency or to the New York State Police. Certain crimes may also be reported to federal law enforcement agents. Once a report is made, the decision whether to investigate is made by the police/law enforcement agency, often in consultation with a District Attorney or other prosecuting agency. An investigation may be conducted without the consent or participation of a reporting individual. The ultimate decision of whether to initiate a criminal prosecution is initially made by a prosecutor. In cases involving felony charges, the final charging decision is made by a Grand	Victims may disclose sexual violence to confidential resources identified in Appendix D or to MSON employees who will ensure privacy to the extent consistent with MSON’s obligation to provide a safe educational environment. Disclosures made to a confidential resource will not trigger an investigation. When a Report or Complaint is made to the Title IX Coordinator or another MSON employees, the Title IX Coordinator will conduct outreach to the reporting individual and will generally commence an investigation of the incident.

	Jury.	
<b>Who investigates?</b>	Police or other law enforcement officials.	Investigators employed or retained by MSON.
<b>Procedures.</b>	See Governing Law. Procedures established by police departments, prosecutors' offices, etc.	Policy and Procedures for Addressing Sex Discrimination and Gender-Based Misconduct
<b>Standard of Evidence.</b>	Crimes must be proven "Beyond a Reasonable Doubt."	A violation of prohibited conduct must be proven by a "Preponderance of the Evidence" standard.
<b>Confidentiality.</b>	Law enforcement agencies offer some confidential assistance, but a criminal charge and trial must be public.	MSON offers confidential resources, but filing a Complaint requires that relevant information be shared with those involved.
<b>Privacy.</b>	Criminal trials must be public.	Investigations and disciplinary proceedings are kept as private as possible, but information must be shared with certain individuals within MSON, the parties to the proceedings, and pursuant to law.
<b>Who are the parties?</b>	The prosecution/State and defendant. The victim/survivor is not a party, but often the critical witness for the prosecution.	Complainant and accused/Respondent.
<b>Participation in the process.</b>	In limited circumstances, a criminal prosecution can proceed without the participation or cooperation of the reporting individual, but without a reporting individual's participation, it is generally more difficult to prove a crime beyond a reasonable doubt.	Students are encouraged, but not required to participate in MSON's process. Employees are required to cooperate with investigations. MSON will be limited in its ability to respond if a Complainant does not participate.
<b>Who initiates the proceedings?</b>	A prosecutor, acting on behalf of the State (or the United States in federal cases).	MSON initiates proceedings, with the Complainant generally having an active role.
<b>Testimony.</b>	In a court, testimony is generally public. Other parties are, through counsel, entitled to cross-examine witnesses.	Parties and witnesses will be questioned by the investigator. Parties may suggest follow-up questions, which will be reviewed and asked by the investigator in follow-up meetings.
<b>Role of attorneys.</b>	Both the State and the defendant are represented by counsel; counsel may question witnesses.	The parties may have an Advisor of their choice and at their expense (who may or may not be an attorney) present with them during any MSON meeting or interview. The role of an advisor is limited and does not change if the advisor is an

		attorney.
<b>Mental Health and Sexual History.</b>	In New York, a reporting individual's prior sexual and mental health history is generally, but not always, inadmissible in a criminal case. There are limited circumstances under which directly relevant evidence of that kind may be admitted.	Evidence regarding sexual history is generally not admissible, but subject to quite limited exceptions, , such as if evidence about prior sexual behavior is offered to prove that someone other than Respondent committed the conduct alleged, or if the evidence concerns specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and is offered to prove consent. NYS Education Law Article 129-B also permits parties to exclude information about their own mental health history in the fact-finding phase of the disciplinary process.
<b>Possible Results.</b>	If a prosecution takes place, the defendant may <ul style="list-style-type: none"> <li>• plead guilty or “no contest”</li> <li>• have the case dismissed by the judge (on legal grounds)</li> <li>• be found “guilty” or “not guilty” by a judge or jury</li> </ul>	The Respondent may be found “responsible” or “not responsible” for violations of MSON's Policy. Alternatively, parties may choose a method of Informal Resolution, such as mediation.
<b>Sanctions.</b>	An individual found guilty may be fined, imprisoned, or both. In some courts, alternative sanctions are sometimes used.	An individual found responsible for violating MSON policy may be given a range of sanctions (depending on the severity of the conduct and other factors, such as prior judicial history), ranging from a warning to suspension or expulsion from MSON (for students), and up to and including termination (for employees).

\* Adapted from SUNY, available at <https://system.suny.edu/media/suny/content-assets/documents/sexualviolenceprevention/College-and-Criminal-Process-Resource.pdf?bcs-agent-scanner=22624693-1166-7240-b9e7-8ab3f887c299>.

## **Appendix D: Resources and Reporting Options**

### **On-Campus Resources**

#### Confidential MSON Resources

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

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

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

### **Non-Confidential MSON Resources**

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

### **Off-Campus Resources<sup>2</sup>**

#### Law Enforcement

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

**New York City Police Department & State Police**  
911 (Emergency)

**Local Police Precincts**  
Mount Vernon Police Department  
1 Roosevelt Square  
Mount Vernon, NY 10550  
914-665-2500

### **Medical Care & Evidence Preservation**

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

Additionally, victims of Sexual Assault should consider the following:

### **Sexual Assault Forensic Examination**

Within 96 hours of an assault, you can get a Sexual Assault Forensic Examination (commonly referred to as a rape kit) at a hospital. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases, insurance may be billed for services. You are encouraged

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<sup>2</sup> Fees may apply to off-campus resources. Complainants should check with each resource to determine whether reporting is confidential.

to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services.

To best preserve evidence, victims/survivors should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed.

To obtain a **Sexual Assault Forensic Examination (SAFE)**, a sexual assault victim may contact Jacobi Medical Center, Social Work Department, 1400 Pelham Parkway, room 1E4, Bronx, NY 10467, tel. 718-918-5800, or the North Central Bronx Hospital, Sexual Assault Treatment Program, 3424 Kossuth Avenue, Bronx, NY 10467, tel. 718-519-4912. Both Jacobi Medical Center and North Central Bronx Hospital are SAFE-designated hospitals. Emergency care and support is available 24 hours/7 days a week, and a Victim Service Program social worker or volunteer advocate is on call at all times.

#### Financial Assistance for Healthcare

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

#### Sexually Transmitted Infections

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

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

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

#### Other Resources Not Affiliated with MSON

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

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

**Manhattan Family Justice Center can provide a wide range of services and support.** The Manhattan location is at 80 Centre Street, New York, NY, 10013; **Phone:** (212) 602-2800; <https://www.nyc.gov/site/ocdv/programs/family-justice-centers.page>

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

900 Sheridan Avenue  
Bronx, NY 10451  
Phone: (718) 618-2150  
Hotline: (718) 618-2150  
[volunteerattorneys@nycourts.gov](mailto:volunteerattorneys@nycourts.gov)



**Safe Horizon (NYC)**

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

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

Planned Parenthood  
New Rochelle Health Center  
150 Lockwood Avenue, Suite LL-1  
New Rochelle, NY 10801  
Phone: (914) 632-4625

**Lifenet Helpline** (800) LIFENET [1-800-543-3638] is a general crisis hotline

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

U.S. Citizenship and Immigration Services (USCIS)

<http://www.uscis.gov/citizenship/learners/find-help-your-community>

USCIS Find Legal Services Webpage

<http://www.uscis.gov/avoid-scams/find-legal-services>

Board of Immigration Appeals (BIA) (Listing of attorneys by state who provide immigration services either for free or for little cost)

<http://www.justice.gov/eoir/probono/states.htm>

American Immigration Lawyers Association (AILA) Immigration Lawyer Referral Service

<http://www.ailalawyer.org/>

American Bar Association (ABA) (Information on finding legal services by state)  
[https://www.americanbar.org/groups/legal\\_services/flh-home/](https://www.americanbar.org/groups/legal_services/flh-home/)

## **APPENDIX E**

### **END OF PROGRAM STUDENT LEARNING OUTCOMES**

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

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

## APPENDIX F

### Grading Criteria for Clinical Evaluations:

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

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

**Nursing 3 Students are expected to score a minimum of 3.00 and maximum of 3.25 to pass clinical**

**Nursing 2 Students are expected to score a minimum of 2.50 and maximum of 2.75 to pass clinical.**

**Nursing 1 Students are expected to score a minimum of 2.00 and maximum of 2.25 to pass clinical.**

## APPENDIX G



### Patient Information Confidentiality Agreement for All Users

Name: \_\_\_\_\_

Position: \_\_\_\_\_

#### Confidentiality Agreement/Computer Access Agreement:

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

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

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

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

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Date revised October 2017

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